AUTHENTICATED
U.S. GOVERNMENT
INFORMATION
GPO

4-25-88
Vol. 53 No. 79

BOOK 1:
Pages 13399-14178

BOOK 2:
Pages 14179-14772

Federal Register

Book 1 of 2 Books
Monday, April 25, 1988

FEDERAL REGISTER Published daily, Monday through Friday, (not published on Saturdays, Sundays, or on official holidays), by the Office of the Federal Register, National Archives and Records Administration, Washington, DC 20408, under the Federal Register Act (49 Stat. 500, as amended; 44 U.S.C. Ch. 15) and the regulations of the Administrative Committee of the Federal Register (1 CFR Ch. I). Distribution is made only by the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402.

The **Federal Register** provides a uniform system for making available to the public regulations and legal notices issued by Federal agencies. These include Presidential proclamations and Executive Orders and Federal agency documents having general applicability and legal effect, documents required to be published by act of Congress and other Federal agency documents of public interest. Documents are on file for public inspection in the Office of the Federal Register the day before they are published, unless earlier filing is requested by the issuing agency.

The **Federal Register** will be furnished by mail to subscribers for $340.00 per year, or $170.00 for 6 months in paper form, or $188.00 per year, or $94.00 for six months in microfiche form, payable in advance. The charge for individual copies is $1.50 for each issue, or $1.50 for each group of pages as actually bound. Remit check or money order, made payable to the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, or charge to your GPO Deposit Account or VISA or Mastercard.

There are no restrictions on the republication of material appearing in the **Federal Register.**

How To Cite This Publication: Use the volume number and the page number. Example: 52 FR 12345.

SUBSCRIPTIONS AND COPIES

PUBLIC

Subscriptions:

Paper or fiche	202–783–3238
Magnetic tapes	275–3328
Problems with public subscriptions	275–3054

Single copies/back copies:

Paper or fiche	783–3238
Magnetic tapes	275–3328
Problems with public single copies	275–3050

FEDERAL AGENCIES

Subscriptions:

Paper or fiche	523–5240
Magnetic tapes	275–3328
Problems with Federal agency subscriptions	523–5240

For other telephone numbers, see the Reader Aids section at the end of this issue.

Contents

Federal Register

Vol. 53, No. 79

Monday, April 25, 1988

ACTION
PROPOSED RULES
Regulatory agenda, 14320

Agency for International Development
RULES
Acquisition regulations, 13410
PROPOSED RULES
Regulatory agenda, 14324

Agricultural Marketing Service
PROPOSED RULES
Onions grown in South Texas, 13413
Pears, plums, and peaches grown in California, 13413

Agriculture Department
See also Agricultural Marketing Service; Animal and Plant Health Inspection Service; Forest Service
PROPOSED RULES
Regulatory agenda, 13606

Alcohol, Tobacco and Firearms Bureau
PROPOSED RULES
Regulatory agenda, 14184

Animal and Plant Health Inspection Service
NOTICES
Meetings:
Swine Health Protection Advisory Committee, 13425

Architectural and Transportation Barriers Compliance Board
PROPOSED RULES
Regulatory agenda, 14328

Army Department
NOTICES
Military traffic management:
Freight rate acquisition program; rail carrier rates and services, 13436

Arts and Humanities, National Foundation
See National Foundation on the Arts and the Humanities

Civil Rights Commission
PROPOSED RULES
Regulatory agenda, 14332
NOTICES
Meetings; State advisory committees:
Oregon, 13431

Coast Guard
RULES
Ports and waterways safety:
Mackay River, Mile 675, Atlantic Intracoastal Waterway, GA; safety zone, 13407
PROPOSED RULES
Boating safety:
State marine casualty reporting; accident report thresholds, 13417

Commerce Department
See also International Trade Administration; National Bureau of Standards; National Oceanic and Atmospheric Administration; National Technical Information Service
PROPOSED RULES
Regulatory agenda, 13662

Committee for the Implementation of Textile Agreements
NOTICES
Cotton, wool, and man-made textiles:
Bulgaria, 13435
Hungary, 13435
Sri Lanka, 13434
(2 documents)

Commodity Futures Trading Commission
PROPOSED RULES
Regulatory agenda, 14580
NOTICES
Meetings:
Financial Products Advisory Committee, 13436

Comptroller of the Currency
PROPOSED RULES
Regulatory agenda, 14192

Consumer Product Safety Commission
PROPOSED RULES
Regulatory agenda, 14584
NOTICES
Complaints issued:
P&M Enterprises, 13436
Meetings; Sunshine Act, 13461
(3 documents)

Customs Service
PROPOSED RULES
Regulatory agenda, 14198

Defense Department
See also Army Department
PROPOSED RULES
Federal Acquisition Regulation (FAR):
Regulatory agenda, 14564
Regulatory agenda, 13712

Economic Regulatory Administration
NOTICES
Natural gas exportation and importation:
DEKALB Petroleum Corp., 13438
Powerplant and industrial fuel use; new electric powerplant coal capability; compliance certifications:
Intercontinental Energy Associates, 13439

Education Department
PROPOSED RULES
Regulatory agenda, 13728

Energy Department
See also Economic Regulatory Administration; Federal Energy Regulatory Commission

PROPOSED RULES
Regulatory agenda, 13752
NOTICES
Floodplain and wetlands protection; environmental review determinations; availability, etc.:
Columbia, SC, 13437
Patent licenses, exclusive:
Roberts Pharmaceutical Corp., 13437

Environmental Protection Agency
PROPOSED RULES
Regulatory agenda, 14334

Equal Employment Opportunity Commission
PROPOSED RULES
Regulatory agenda, 14410
NOTICES
Meetings; Sunshine Act, 13463

Executive Office of the President
See Management and Budget Office

Export Administration
See International Trade Administration

Farm Credit Administration
PROPOSED RULES
Regulatory agenda, 14594
NOTICES
Meetings; Sunshine Act, 13463

Federal Communications Commission
RULES
Radio stations; table of assignments:
Iowa, 13409
Television stations; table of assignments:
New York and Massachusetts, 13409
PROPOSED RULES
Radio stations; table of assignments:
Michigan, 13419, 13420 (2 documents)
Minnesota, 13420 (2 documents)
Nebraska, 13421
New Hampshire, 13421
North Carolina, 13422
Texas, 13422
Regulatory agenda, 14604
NOTICES
Applications, hearings, determinations, etc.:
Faith Broadcasting, Inc., et al., 13445
Radio Indio Corp. et al., 13445
Surber, Janice Faye, et al., 13445
Viacom Broadcasting of Missouri, Inc., et al., 13446

Federal Deposit Insurance Corporation
PROPOSED RULES
Regulatory agenda, 14620
NOTICES
Agency information collection activities under OMB review, 13446 (2 documents)

Federal Emergency Management Agency
PROPOSED RULES
Regulatory agenda, 14416

Federal Energy Regulatory Commission
PROPOSED RULES
Regulatory agenda, 14628
NOTICES
Electric rate, small power production, and interlocking directorate filings, etc.:
Energenics/Glendon, Inc., et al., 13439
Meetings; Sunshine Act, 13461
Natural gas certificate filings:
Northern Natural Gas Co. et al., 13440
Applications, hearings, determinations, etc.:
Kentucky Public Service Commission et al., 13442
Pacific Offshore Pipeline Co., 13443
Sabine Corp., 13444
Webb-DuVal Gatherers, 13444

Federal Home Loan Bank Board
PROPOSED RULES
Regulatory agenda, 14636

Federal Maritime Commission
PROPOSED RULES
Regulatory agenda, 14648
NOTICES
Agreements filed, etc., 13447
Freight forwarder licences:
Cruz Del Sur Shipping et al., 13447
Freight forwarder licenses:
Challenge Crating & Storage Inc. et al., 13447
Meetings; Sunshine Act, 13463

Federal Mediation and Conciliation Service
PROPOSED RULES
Regulatory agenda, 14426

Federal Reserve System
PROPOSED RULES
Regulatory agenda, 14656
NOTICES
Applications, hearings, determinations, etc.:
Trustcorp, Inc.; correction, 13447

Federal Trade Commission
PROPOSED RULES
Regulatory agenda, 14668
NOTICES
Premerger notification waiting periods; early terminations, 13448

Financial Management Service
See Fiscal Service

Fiscal Service
PROPOSED RULES
Regulatory agenda, 14182

Fish and Wildlife Service
NOTICES
Endangered and threatened species permit applications, 13452
Marine mammal permit applications, 13452

Food and Drug Administration
RULES
Human drugs:
Antibiotic drugs—
Cefmenoxime hydrochloride for injection, 13400

Forest Service
NOTICES
Mono Basin National Forest Scenic Area; guidelines, availability, 13425

General Services Administration
PROPOSED RULES
Federal Acquisition Regulation (FAR):
Regulatory agenda, 14564
Regulatory agenda, 14428

Health and Human Services Department
See also Food and Drug Administration; Human Development Services Office; National Institutes of Health; Public Health Service; Social Security Administration
PROPOSED RULES
Regulatory agenda, 13770

Health Resources and Services Administration
See Public Health Service

Housing and Urban Development Department
RULES
Low income housing:
Housing assistance payments (Section 8)—
Fair market rents for new construction and substantial rehabilitation, 13406
Mortgage and loan insurance programs:
Allegany Reservation of Seneca Nation of Indians Correction, 13404
Maximum mortgage limits for high-cost areas, 13405
PROPOSED RULES
Regulatory agenda, 13854

Human Development Services Office
NOTICES
Meetings:
Federal Council on Aging, 13449

Interior Department
See also Fish and Wildlife Service; Minerals Management Service; National Park Service; Surface Mining Reclamation and Enforcement Office
PROPOSED RULES
Regulatory agenda, 13896
Watch duty-exemption program:
Annual limitation, 13414

Internal Revenue Service
RULES
Estate and gift taxes:
Generation-skipping transfer tax; effective date rules and return requirements
Correction, 13464
Income taxes:
Itemized deductions; 2-percent floor
Correction, 13464
Trusts and estates; estimated tax payments deposits
Correction, 13464
PROPOSED RULES
Estate and gift taxes:
Generation-skipping transfer tax; effective date rules and return requirements; cross reference
Correction, 13464
Regulatory agenda, 14202

International Development Cooperation Agency
See Agency for International Development

International Trade Administration
PROPOSED RULES
Watch duty-exemption program:
Annual limitation, 13414
NOTICES
Countervailing duties:
Welded carbon steel pipe and tube products from—
Argentina, 13431

Interstate Commerce Commission
PROPOSED RULES
Regulatory agenda, 14676
NOTICES
Motor carriers:
Declaratory order petitions—
National Industrial Transportation League, 13454

Justice Department
PROPOSED RULES
Regulatory agenda, 13964

Labor Department
PROPOSED RULES
Regulatory agenda, 13982

Management and Budget Office
PROPOSED RULES
Regulatory agenda, 14470

Merit Systems Protection Board
PROPOSED RULES
Regulatory agenda, 14442

Minerals Management Service
NOTICES
Royalty management:
Onshore oil and gas production accounting, transfer of responsibility; reporting instructions for lease operators, 13452

National Aeronautics and Space Administration
PROPOSED RULES
Federal Acquisition Regulation (FAR):
Regulatory agenda, 14564
Regulatory agenda, 14446

National Archives and Records Administration
RULES
Records management:
Federal records disposition, 13407
PROPOSED RULES
Regulatory agenda, 14454
NOTICES
Environmental statements; availability, etc.:
Archival facility; construction, 13454

National Bureau of Standards
NOTICES
Labortory Accredition Program, National Voluntary:
Directory of accredited laboratories; supplement, 13432

National Credit Union Administration
PROPOSED RULES
Regulatory agenda, 14682

National Foundation on the Arts and the Humanities
PROPOSED RULES
Regulatory agenda (National Endowment for the Arts), 14460

Regulatory agenda (National Endowment for the Humanities), 14464

National Institutes of Health
NOTICES
Meetings:
National Cancer Institute, 13449, 13450 (2 documents)
National Institute of Dental Research, 13450, 13451

National Oceanic and Atmospheric Administration
RULES
Fishery conservation and management:
Foreign fishing—
Fishing definition, 13410
PROPOSED RULES
Fishery conservation and management:
Foreign fishing—
Exclusive Economic Zone of Bering Sea illegal fishing; implementation of options, 13422
NOTICES
Meetings:
Pacific Fishery Management Council, 13433

National Park Service
NOTICES
Concession contract negotiations:
Del Webb Recreational Properties, Inc., 13453
Environmental statements; availability, etc.:
Bering Land Bridge National Preserve, AK, et al., 13453

National Science Foundation
PROPOSED RULES
Regulatory agenda, 14466

National Technical Information Service
NOTICES
Inventions, Government-owned; availability for licensing, 13433

Nuclear Regulatory Commission
RULES
Environmental protection regulations for domestic licensing, etc.:
Telephone numbers for environmental inquiries; revision, 13399
PROPOSED RULES
Regulatory agenda, 14692
NOTICES
Environmental statements; availability, etc.:
Northeast Nuclear Energy Co. et al., 13454
Pennsylvania Power & Light Co., 13455
Petitions; Director's decisions:
Detroit Edison Co., 13456
Applications, hearings, determinations, etc.:
GPU Nuclear Corp. et al., 13456
Public Service Co. of Colorado, 13457

Office of Management and Budget
See Management and Budget Office

Panama Canal Commission
PROPOSED RULES
Regulatory agenda, 14494

Peace Corps
PROPOSED RULES
Regulatory agenda, 14498

Pennsylvania Avenue Development Corporation
PROPOSED RULES
Regulatory agenda, 14500

Pension Benefit Guaranty Corporation
PROPOSED RULES
Regulatory agenda, 14504

Personnel Management Office
PROPOSED RULES
Regulatory agenda, 14476

Public Health Service
See also Food and Drug Administration; National Institutes of Health
NOTICES
Meetings:
National Toxicology Program; Scientific Counselors Board, 13451

Railroad Retirement Board
PROPOSED RULES
Regulatory agenda, 14512

Regulatory Information Service Center
PROPOSED RULES
Unified agenda of Federal regulations, 13602

Securities and Exchange Commission
PROPOSED RULES
Regulatory agenda, 14714
NOTICES
Self-regulatory organizations; proposed rule changes:
Chicago Board Options Exchange, Inc., 13458

Selective Service System
PROPOSED RULES
Regulatory agenda, 14520

Small Business Administration
PROPOSED RULES
Regulatory agenda, 14522

Social Security Administration
NOTICES
Supplemental security income:
United States and West Germany; supplementary agreement, entry into force, 13451

State Department
PROPOSED RULES
Regulatory agenda, 14034

Surface Mining Reclamation and Enforcement Office
PROPOSED RULES
Initial and permanent regulatory programs:
Coal extraction incidental to extraction of other minerals; exemption, 13415

Tennessee Valley Authority
PROPOSED RULES
Regulatory agenda, 14536

Textile Agreements Implementation Committee
See Committee for the Implementation of Textile Agreements

Transportation Department
See also Coast Guard

PROPOSED RULES
Regulatory agenda, 14040
NOTICES
Aviation proceedings:
Certificates of public convenience and necessity and foreign air carrier permits; weekly applications, 13459

Treasury Department
See also Alcohol, Tobacco and Firearms Bureau; Comptroller of the Currency; Customs Service; Fiscal Service; Internal Revenue Service
PROPOSED RULES
Regulatory agenda, 14180
NOTICES
Agency information collection activities under OMB review, 13460
(2 documents)

United States Information Agency
NOTICES
Grants; availability, etc.:
Private non-profit organizations in support of international educational and cultural activities, 13460

Veterans Administration
PROPOSED RULES
Regulatory agenda, 14540

Separate Parts In This Issue

Parts II–LVI
Unified Agenda of Federal Regulations (60 departments and agencies—Books I and II of this issue), 14602

Reader Aids
Additional information, including a list of public laws, telephone numbers, and finding aids, appears in the Reader Aids section at the end of this issue.

CFR PARTS AFFECTED IN THIS ISSUE

A cumulative list of the parts affected this month can be found in the Reader Aids section at the end of this issue.

7 CFR

Proposed Rules:

917 13413
959 13413

10 CFR

51 13399

15 CFR

Proposed Rules:

303 13414

21 CFR

430 13400
436 13400
442 13400

24 CFR

200 13404
201 13405
203 (2 documents) 13404, 13405
204 13404
213 13404
220 13404
221 13404
222 13404
226 13404
227 13404
234 13405
235 13404
237 13404
240 13404
888 13406

26 CFR

1 (2 documents) 13464
26 13464

Proposed Rules:

26 13464
26a 13464
602 13464

30 CFR

Proposed Rules:

702 13415

33 CFR

165 13407

Proposed Rules:

173 13417
174 13417

36 CFR

1228 13407

47 CFR

73 (2 documents) 13409

Proposed Rules:

73 (8 documents) 13419–13422

48 CFR

733 13410

50 CFR

611 13410

Proposed Rules:

611 13422

Rules and Regulations

Federal Register
Vol. 53, No. 79
Monday, April 25, 1988

This section of the FEDERAL REGISTER contains regulatory documents having general applicability and legal effect, most of which are keyed to and codified in the Code of Federal Regulations, which is published under 50 titles pursuant to 44 U.S.C. 1510.
The Code of Federal Regulations is sold by the Superintendent of Documents. Prices of new books are listed in the first FEDERAL REGISTER issue of each week.

NUCLEAR REGULATORY COMMISSION

10 CFR Part 51

Revision of Telephone Numbers for Environmental Inquiries

AGENCY: Nuclear Regulatory Commission.

ACTION: Final rule.

SUMMARY: The Nuclear Regulatory Commission (NRC) is amending its regulations pertaining to environmental matters to indicate the revision of five telephone numbers that enable prospective applicants or petitioners to consult with members of the NRC's staff. These amendments are required because of the assignment of new telephone numbers in conjunction with the recent consolidation of approximately one-half of the NRC's headquarters staff to its new location in Rockville, Maryland. These amendments are being made to inform NRC licensees and members of the public of the new telephone numbers.

EFFECTIVE DATE: April 25, 1988.

FOR FURTHER INFORMATION CONTACT: Donnie H. Grimsley, Director, Division of Rules and Records, Office of Administration and Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: 301–492–7211.

SUPPLEMENTARY INFORMATION: On March 28, 1988, the Office of the Executive Director for Operations and portions of the Office of Governmental and Public Affairs (GPA)—the Director of GPA and the Public Affairs staff—relocated at the agency's new office building in Rockville, Maryland. A notice to that effect was published in the **Federal Register** on March 31, 1988 (53 FR 10449). These amendments reflect the assignment of new telephone numbers to certain relocated agency personnel.

Because these amendments deal solely with the organization and relocation of agency personnel, the notice and comment provisions of the Administrative Procedure Act do not apply under 5 U.S.C. 553(b)(A). These amendments are effective upon publication in the the **Federal Register.** Good cause exists to dispense with the usual 30-day delay in the effective date, because these amendments are of a minor and administrative nature.

Environmental Impact: Categorical Exclusion

The NRC has determined that this final rule is the type of action described in categorical exclusion 10 CFR 51.22(c)(2). Therefore, neither an environmental impact statement nor an environmental assessment has been prepared for this final rule.

Paperwork Reduction Act Statement

This final rule contains no information collection requirements and therefore is not subject to the requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. 3501 *et seq.*).

List of Subjects in 10 CFR Part 51

Administrative practice and procedure, Environmental impact statement, Nuclear materials, Nuclear power plants and reactors, Reporting and recordkeeping requirements.

For the reasons set out in the preamble and under the authority of the Atomic Energy Act of 1954, as amended, the Energy Reorganization Act of 1974, as amended, and 5 U.S.C. 553, the NRC is adopting the following amendments to 10 CFR Part 51.

PART 51—LICENSING AND REGULATORY POLICY AND PROCEDURES FOR ENVIRONMENTAL PROTECTION

1. The authority citation for Part 51 continues to read as follows:

Authority: Sec. 161, 68 Stat. 948, as amended (42 U.S.C. 2201); sec. 201, 88 Stat. 1242, as amended (42 U.S.C. 5841).

2. In § 51.40, paragraph (c) is revised to read as follows:

§ 51.40 Consultation with NRC staff.

* * * * *

(c) Questions concerning environmental matters should be addressed to the following NRC staff offices as appropriate:

(1) *Utilization facilities:* Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492–1270.

(2) *Production facilities:* Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492–3352.

(3) *Materials licenses:* Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492–3352.

(4) *Rulemaking:* Director, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492–3700.

(5) *General Environmental Matters:* Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492–1700.

3. Section 51.121 is revised to read as follows:

§ 51.121 Status of NEPA actions.

Individuals or organizations desiring information on the NRC's NEPA process or on the status of specific NEPA actions should address inquiries to:

(a) *Utilization facilities:* Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone (301) 492–1270.

(b) *Production facilities:* Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492–3352.

(c) *Materials licenses:* Director, Office of Nuclear Material Safety and Safeguards, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492–3352.

(d) *Rulemaking:* Director, Office of Nuclear Regulatory Research, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492–3700.

(e) *General Environmental Matters:* Executive Director for Operations, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone: (301) 492–1700.

Dated at Rockville, Maryland, this 13th day of April 1988.

For the Nuclear Regulatory Commission.
Victor Stello, Jr.,
Executive Director for Operations.
[FR Doc. 88-8985 Filed 4-22-88; 8:45 am]
BILLING CODE 7590-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Food and Drug Administration

21 CFR Parts 430, 436, and 442

[Docket No. 88N-0047]

Antibiotic Drugs; Cefmenoxime Hydrochloride for Injection

AGENCY: Food and Drug Administration.

ACTION: Final rule.

SUMMARY: The Food and Drug Administration (FDA) is amending the antibiotic drug regulations to provide for the inclusion of accepted standards for a new antibiotic drug, cefmenoxime hydrochloride for injection. The manufacturer has supplied sufficient data and information to establish its safety and efficacy.

DATES: Effective April 25, 1988; comments, notice of participation, and request for hearing by May 25, 1988; data, information, and analyses to justify a hearing by June 24, 1988.

ADDRESS: Written comments to the Dockets Management Branch (HFA-305), Food and Drug Administration, Rm. 4-62, 5600 Fishers Lane, Rockville, MD 20857.

FOR FURTHER INFORMATION CONTACT: Peter A. Dionne, Center for Drug Evaluation and Research (HFN-815), Food and Drug Administration, 5600 Fishers Lane, Rockville, MD 20857, 301-443-4290.

SUPPLEMENTARY INFORMATION: FDA has evaluated data submitted in accordance with regulations promulgated under section 507 of the Federal Food, Drug, and Cosmetic Act (21 U.S.C. 357), as amended, with respect to a request for approval of a new antibiotic drug, cefmenoxime hydrochloride for injection. The agency has concluded that the data supplied by the manufacturer concerning this antibiotic drug are adequate to establish its safety and efficacy when used as directed in the labeling and that the regulations should be amended in 21 CFR Parts 430, 436, and 442 to provide for the inclusion of accepted standards for the product.

Environmental Impact

The agency has determined under 21 CFR 25.24(c)(6) that this action is of a type that does not individually or cumulatively have a significant effect on the human environment. Therefore, neither an environmental assessment nor an environmental impact statement is required.

Submitting Comments and Filing Objections

This final rule announces standards that FDA has accepted in a request for approval of an antibiotic drug. Because this final rule is not controversial and because when effective it provides notice of accepted standards, notice and comment procedure and delayed effective date are found to be unnecessary and not in the public interest. This final rule, therefore, is effective April 25, 1988. However, interested persons may, on or before May 25, 1988, submit written comments to the Dockets Management Branch (address above). Two copies of any comments are to be submitted, except that individuals may submit one copy. Comments are to be identified with the docket number found in brackets in the heading of this document. Received comments may be seen in the Dockets Management Branch between 9 a.m. and 4 p.m., Monday through Friday.

Any person who will be adversely affected by this final rule may file objections to it and request a hearing. Reasonable grounds for the hearing must be shown. Any person who decides to seek a hearing must file: (1) On or before May 25, 1988, a written notice of participation and request for hearing, and (2) on or before June 24, 1988, the data, information, and analyses on which the person relies to justify a hearing, as specified in 21 CFR 314.300. A request for a hearing may not rest upon mere allegations or denials, but must set forth specific facts showing that there is a genuine and substantial issue of fact that requires a hearing. If it conclusively appears from the face of the data, information, and factual analyses in the request for hearing that no genuine and substantial issue of fact precludes the action taken by this order, or if a request for hearing is not made in the required format or with the required analyses, the Commissioner of Food and Drugs will enter summary judgment against the person(s) who request(s) the hearing, making findings and conclusions and denying a hearing. All submissions must be filed in three copies, identified with the docket number appearing in the heading of this order and filed with the Dockets Management Branch.

The procedures and requirements governing this order, a notice of participation and request for hearing, a submission of data, information, and analyses to justify a hearing, other comments, and grant or denial of a hearing are contained in 21 CFR 314.300.

All submissions under this order, except for data and information prohibited from public disclosure under 21 U.S.C. 331(j) or 18 U.S.C. 1905, may be seen in the Dockets Management Branch (address above) between 9 a.m. and 4 p.m., Monday through Friday.

List of Subjects

21 CFR Part 430

Administrative practice and procedure, Antibiotics.

21 CFR Part 436

Antibiotics.

21 CFR Part 442

Antibiotics.

Therefore, under the Federal Food, Drug, and Cosmetic Act and under authority delegated to the Commissioner of Food and Drugs, Parts 430, 436, and 442 are amended as follows:

PART 430—ANTIBIOTIC DRUGS; GENERAL

1. The authority citation for 21 CFR Part 430 continues to read as follows:

Authority: Secs. 507, 701(a), 59 Stat. 463 as amended, 52 Stat. 1055 (21 U.S.C. 357, 371(a)); 21 CFR 5.10.

2. Section 430.4 is amended by adding new paragraph (a)(58) to read as follows:

§ 430.4 Definitions of antibiotic substances.

(a) * * *

(58) *Cefmenoxime.* Cefmenoxime is 5-thia-1-azabicyclo[4.2.0]oct-2-ene-2-carboxylic acid, 7-[[(2-amino-4-thiazolyl)(methoxyimino)acetyl]amino]-3-[[(1-methyl-1*H*-tetrazol-5-yl)thio]methyl]-8-oxo-, [6*R*-[6-α,7-β(Z)]]-.

3. Section 430.5 is amended by adding new paragraphs (a)(92) and (b)(94) to read as follows:

§ 430.5 Definitions of master and working standards.

(a) * * *

(92) *Cefmenoxime.* The term "cefmenoxime master standard" means a specific lot of cefmenoxime that is designated by the Commissioner as the standard of comparison in determining the potency of the cefmenoxime working standard.

(b) * * *

(94) *Cefmenoxime.* The term "cefmenoxime working standard" means a specific lot of a homogeneous preparation of cefmenoxime

4. Section 430.6 is amended by adding new paragraph (b)(94) to read as follows:

§ 430.6 Definitions of the terms "unit" and "microgram" as applied to antibiotic substances.

* * * * *

(b) * * *

(94) *Cefmenoxime.* The term "microgram" applied to cefmenoxime means the cefmenoxime activity (potency) contained in 1.0482 micrograms of the cefmenoxime master standard.

PART 436—TESTS AND METHODS OF ASSAY OF ANTIBIOTIC AND ANTIBIOTIC-CONTAINING DRUGS

5. The authority citation for 21 CFR Part 436 continues to read as follows:

Authority: Sec. 507, 59 Stat. 463 as amended (21 U.S.C. 357); 21 CFR 5.10.

6. Section 436.20 is amended by adding new paragraph (d)(10) to read as follows:

§ 436.20 Sterility test methods and procedures.

* * * * *

(d) * * *

(10) *Diluting fluid J.* Sterilize 2.0 grams of anhydrous sodium carbonate by dry-heating at 180° C for 2 hours. Dissolve in 100 milliliters of diluting fluid A just prior to use.

* * * * *

7. Section 436.31 is amended by adding new paragraph (b)(16) to read as follows:

§ 436.31 Equipment and diluents for use in biological testing.

* * * * *

(b) * * *

(16) Diluent 16 (0.13*M* sterile pyrogen-free sodium carbonate solution). Dissolve 14.0 grams of anhydrous pyrogen-free sodium carbonate (prepared as described in paragraph (a)(5) of this section) in 1,000 milliliters pyrogen-free, distilled water. Sterilize in an autoclave at 121 °C for 20 minutes.

8. Section 436.32 is amended by adding a new paragraph (j) to read as follows:

§ 436.32 Pyrogen test.

* * * * *

(j) *Method 10.* Proceed as directed in paragraph (a) of this section, except dilute the sample with sodium carbonate solution (diluent 16).

9. Part 436 is amended by adding new §§ 436.363 and 436.364 to Subpart F to read as follows:

§ 436.363 High-performance liquid chromatographic assay for cefmenoxime.

(a) *Apparatus.* A suitable high-performance liquid chromatograph equipped with:

(1) A suitable detection system specified in the monograph for the drug being tested;

(2) A suitable recording device of at least 18-centimeter deflection;

(3) A suitable chromatographic data managing system; and

(4) An analytical column, 3 to 30 centimeters long, packed with a material as defined in the monograph for the drug being tested; and if specified in that monograph, the inlet of this column may be connected to a guard column, 3 to 5 centimeters in length, packed with the same material of 30 to 60 micrometers particle size.

(b) *Procedure.* Perform the assay and calculate the drug content using the temperature, instrumental conditions, and calculations specified in the monograph for the drug being tested with a flow rate not to exceed 2.0 milliliters per minute. Use a detector sensitivity setting that gives a peak height for the working standard that is at least 50 percent of scale with typical chart speed of not less than 2.5 millimeters per minute. Use the apparatus described in paragraph (a) of this section; and the reagents and working standard and sample solutions described in the monograph for the drug being tested. Equilibrate and condition the column by passage of 10 to 15 void volumes of mobile phase followed by 5 replicate injections of the same volume (between 10 and 20 microliters) of the working standard solution. Allow an operating time sufficiently long to obtain satisfactory separation and elution of the expected components after each injection. Record the peak responses and calculate the prescribed system suitability requirements described for the system suitability test in paragraph (c) of this section.

(c) *System suitability test.* Using the apparatus and procedure described in this section, test the chromatographic system for assay as follows:

(1) *Tailing factor.* Calculate the tailing factor (*T*), from distances measured along the horizontal line at 5 percent of the peak height above the baseline, as follows:

$$T = \frac{W_{0.05}}{2f}$$

where:

$W_{0.05}$ = Width of peak at 5 percent height; and

f = Horizontal distance from point of ascent to a point coincident with maximum peak height.

(2) *Efficiency of the column.* Calculate the number of theoretical plates (n) of the column as follows:

$$n = 5.545 \left[\frac{t_R}{w_h} \right]^2$$

where:

n = Efficiency, as number of theoretical plates for column;

t_R = Retention time of solute; and

w_h = Peak width at half-height.

(3) *Resolution.* Calculate the resolution (R) as follows:

$$R = \frac{2(t_{Rj} - t_{Ri})}{w_i + w_j}$$

where:

t_{Rj} = Retention time of a solute eluting after i (t_{Rj} is larger than t_{Ri});

t_{Ri} = Retention time of any solute;

w_i = Width of peak at baseline of any solute; and

w_j = Width of peak at baseline of any solute eluting after i.

(4) *Coefficient of variation (Relative standard deviation).*

Calculate the coefficient of variation (S_R) in percent) as follows:

$$S_R = \frac{100}{\bar{X}} \left[\frac{\sum_{i=1}^{N} (X_i - \bar{X})^2}{N-1} \right]^{\frac{1}{2}}$$

where:

X is the mean of N individual measurements of X_i. If the complete operating system meets the system suitability requirements of the monograph for the drug being tested, proceed as described in paragraph (b) of this section, using the sample solution in lieu of the working standard solution.

§ 436.364 Atomic absorption test for sodium carbonate content of cefmenoxime hydrochloride for injection.

(a) *Apparatus.* A suitable atomic absorbance spectrophotometer equipped with:

(1) A suitable sodium hollow-cathode discharge lamp;

(2) An oxidizing air-acetylene flame;

(3) A nebulizer-burner system;
(4) An optical dispersing device capable of isolating a resonance line of sodium from other wavelengths produced by the emission source; and
(5) A suitable radiation detector.
(b) *Reagents.* Ionization buffer: Dissolve 19.07 grams of potassium chloride in distilled water and dilute to 1,000 milliliters.
(c) *Preparation of reference standard and sample solutions*—(1) *Reference standard solution.* Accurately weigh approximately 140 milligrams of sodium chloride which has been previously dired for 40 to 50 minutes at a temperature of 500 to 650 °C. Dissolve and dilute with sufficient distilled water to obtain a stock solution containing 5.5 micrograms of sodium per milliliter. Mix 10 milliliters of the stock solution with 10 milliliters of ionization buffer and dilute the mixture with distilled water to obtain a solution containing 0.55 microgram of sodium per milliliter.
(2) *Sample solution.* Dilute the sample solution used in § 442.222(b)(1)(ii)(B)(*1*) of this chapter, with sufficient distilled water to obtain a stock solution containing 5.5 micrograms of sodium per milliliter (estimated). Mix 10 milliliters of the stock solution with 10 milliliters of ionization buffer and dilute the mixture with distilled water to obtain a solution containing 0.55 microgram of sodium per milliliter (estimated).
(3) *Procedure.* Determine the atomic absorbance of the reference standard and sample solutions at a wavelength of 589 nanometers, using the atomic absorbance spectrophotometer and a reagent blank prepared by diluting 10 milliliters of ionization buffer to 100 milliliters with distilled water.
(d) *Calculations.* Calculate the percent sodium carbonate as follows:

$$\text{Percent sodium carbonate} = \frac{A_u \times P_s \times 100 \times 0.9068 \times d}{A_s \times C_u}$$

where:
A_u = Absorbance of sodium in the sample solution;
A_s = Absorbance of sodium in the reference standard solution;
P_s = Milligrams of sodium chloride per milliliter of the reference standard solution;
C_u = Milligrams of sample per milliliter of sample solution; and
d = Dilution factor of the sample.

PART 442—CEPHA ANTIBIOTIC DRUGS

10. The authority citation for 21 CFR Part 442 continues to read as follows:

Authority: Sec. 507, 59 Stat. 463 as amended (21 U.S.C. 357); 21 CFR 5.10.

11. Part 442 is amended by adding new §§ 442.22a to Subpart A and 442.222 to Subpart C to read as follows:

§ 442.22a Sterile cefmenoxime hydrochloride.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Cefmenoxime hydrochloride is 5-thia-1-azabicyclo[4.2.0]oct-2-ene-2-carboxylic acid, 7-[[(2-amino-4-thiazolyl)(methoxyimino)acetyl]amino]-3-[[(1-methyl-1*H*-tetrazol-5-yl)thio]methyl]-8-oxo-, hydrochloride (2:1), [6*R*-[6α,7β(*Z*)]]-. It is so purified and dried that:
(i) Its cefmenoxime content is not less than 869 and not more than 1,015 micrograms of cefmenoxime per milligram on an anhydrous basis.
(ii) It is sterile.
(iii) It is nonpyrogenic.
(iv) Its moisture content is not more than 1.5 percent.
(v) It passes the identity test.
(vi) It is crystalline.
(2) *Labeling.* It shall be labeled in accordance with the requirements of § 432.5 of this chapter.
(3) *Requests for certification; samples.* In addition to complying with the requirements of § 431.1 of this chapter, each such request shall contain:
(i) Results of tests and assays on the batch for cefmenoxime content, sterility, pyrogens, moisture, identity, and crystallinity.
(ii) Samples, if required by the Director, Center for Drug Evaluation and Research:
(A) For all tests except sterility: 10 packages, each containing approximately 500 milligrams.
(B) For sterility testing: 1 package containing approximately 6 grams of a composite sample.
(b) *Tests and methods of assay*—(1) *Cefmenoxime content.* Proceed as directed in § 436.363 of this chapter, using ambient temperature, an ultraviolet detection system operating at a wavelength of 254 nanometers, a column packed with microparticulate (3 to 10 micrometers in diameter) reversed phase packing material such as octadecyl hydrocarbon bonded silicas, a flow rate not to exceed 2.0 milliliters per minute, and a known injection volume between 10 and 20 microliters. Reagents, working standard and sample solutions, system suitability requirements, and calculations are as follows:
(i) *Reagents*—(A) *0.1M Phosphate buffer solution, pH 6.8.* Dissolve 6.4 grams of monobasic potassium phosphate and 18.9 grams of dibasic sodium phosphate in 750 milliliters of water. Adjust the pH to 6.8 with 1*N* sodium hydroxide and dilute to 1,000 milliliters.
(B) *Internal standard solution.* Dissolve and dilute 0.15 gram of phthalimide in methanol to 100 milliliters.
(C) *Mobile phase.* Mix water:acetonitrile:glacial acetic acid (50:10:1). Filter through a suitable filter capable of removing particulate matter to 0.5 micron in diameter. Degas the mobile phase just prior to its introduction into the chromatograph.
(ii) *Preparation of working standard and sample solutions*—(A) *Working standard solution.* Dissolve approximately 50 milligrams of the cefmenoxime working standard, accurately weighed, in 10 milliliters of 0.1*M* phosphate buffer solution, pH 6.8 and dilute to 50 milliliters with mobile phase. Transfer 4.0 milliliters of this solution to a 50-milliliter volumetric flask, add 20 milliliters of internal standard solution and dilute to volume with mobile phase to obtain a solution containing 80 micrograms of cefmenoxime per milliliter.
(B) *Sample solution.* Dissolve approximately 50 milligrams of cefmenoxime sample, accurately weighed, in 10 milliliters of 0.1*M* phosphate buffer solution, pH 6.8. Dilute to 50 milliliters with mobile phase. Transfer 4.0 milliliters of this solution to a 50-milliliter volumetric flask, add 20 milliliters of internal standard solution and dilute to volume with mobile phase.
(iii) *System suitability requirements*—(A) *Tailing factor.* The tailing factor (*T*) for the cefmenoxime peak is satisfactory if it is not more than 1.6 at 5 percent of peak height.
(B) *Efficiency of the column.* The efficiency of the column (*n*) is satisfactory if it is greater than 1,200 theoretical plates for the cefmenoxime peak.
(C) *Resolution.* The resolution (*R*) between the peak for cefmenoxime and phthalimide is satisfactory if it is not less than 2.3.
(D) *Coefficient of variation.* The coefficiednt of variation (S_R in percent) of 5 replicate injections is satisfactory if it is not more than 2.0 percent. If the system suitability requirements have been met, then proceed as described in § 436.363(b) of this chapter.
(iv) *Calculations.* Calculate the micrograms of cefmenoxime per milligram of sample as follows:

$$\text{Micrograms of cefmenoxime per milligram} = \frac{R_u \times P_s \times 100}{R_s \times C_u \times (100-m)}$$

where:

R_u = Area of cefmenoxime peak in the chromatogram of the sample/Area of internal standard peak;
R_s = Area of the cefmenoxime peak in the chromatogram of the cefmenoxime working standard/Area of internal standard peak;
P_s = Cefmenoxime activity in the cefmenoxime working standard solution in micrograms per milliliter;
C_u = Milligrams of sample per milliliter of sample solution; and
m = Percent moisture content of the sample.

(2) *Sterility.* Proceed as directed in § 436.20 of this chapter, using the method described in paragraph (e)(1) of that section, except in lieu of diluting fluid A use diluting fluid H.

(3) *Pyrogens.* Proceed as directed in § 436.32(i) of this chapter, using a solution containing 60 milligrams per milliliter.

(4) *Moisture.* Proceed as directed in § 436.201 of this chapter, using the sample preparation described in paragraph (d)(4) of that section and the titration procedure described in paragraph (e)(3) of that section, except:

(i) In lieu of 3 milliliters of anhydrous methanol solution, inject 20 milliliters of a formamide:methanol solution (2:1) into the container and shake to dissolve the contents (prior to use in preparation of the formamide:methanol solution, dry 500 grams of formamide over 20 grams of anhydrous sodium for 24 hours);

(ii) Rinse the syringe, needle, and immediate container with two separate 5-milliliter portions of anhydrous methanol, in lieu of one 3-milliliter portion of anhydrous methanol; and

(iii) In § 436.201(e)(3) of this chapter, add a sufficient volume of the formamide:methanol solution (2:1) to cover the electrodes in the dry titrating vessel, in lieu of 20 milliliters of solvent A before starting the titration.

(5) *Identity.* Using a 0.0025-percent solution of the sample in 0.1*M* phosphate buffer, pH 6.8 and a suitable spectrophotometer, record the ultraviolet absorption spectrum from 220 to 310 nanometers. The spectrum compares qualitatively to that of the cefmenoxime working standard similarly tested.

(6) *Crystallinity.* Proceed as directed in § 436.203(a) of this chapter.

§ 442.222 Cefmenoxime hydrochloride for injection.

(a) *Requirements for certification*—(1) *Standards of identity, strength, quality, and purity.* Cefmenoxime hydrochloride for injection is a dry mixture of cefmenoxime hydrochloride and sodium carbonate. Each milligram of cefmenoxime hydrochloride for injection contains not less than 869 and not more than 1,015 micrograms of cefmenoxime on an anhydrous and sodium carbonate-free basis. Its cefmenoxime content is satisfactory if it contains not less than 90 percent and not more than 115 percent of the number of milligrams of cefmenoxime that it is represented to contain. It is sterile. It is nonpyrogenic. Its loss on drying is not more than 1.5 percent. Its pH in an aqueous solution containing 100 milligrams per milliliter is not less than 6.4 and not more than 7.9. The cefmenoxime hydrochloride used conforms to the standards prescribed by § 442.22a(a)(1) of this chapter.

(2) *Labeling.* It shall be labeled in accordance with the requirements of § 432.5 of this chapter.

(3) *Requests for certification; samples.* In addition to complying with the requirements of § 431.1 of this chapter, each such request shall contain:

(i) Results of tests and assays on:

(A) The cefmenoxime hydrochloride used in making the batch for cefmenoxime content, moisture, identity, and crystallinity.

(B) The batch for cefmenoxime content, sterility, pyrogens, loss on drying, pH, and sodium carbonate content.

(ii) Samples, if required by the Director, Center for Drug Evaluation and Research:

(A) The cefmenoxime hydrochloride used in making the batch: 10 packages, each containing approximately 500 milligrams.

(B) The batch:

(*1*) For all tests except sterility: A minimum of 10 immediate containers.

(*2*) For sterility testing: 20 immediate containers, collected at regular intervals throughout each filling operation.

(b) *Tests and methods of assay*—(1) *Cefmenoxime content.* Proceed as directed in § 436.363 of this chapter, using ambient temperature, an ultraviolet detection system operating at a wavelength of 254 nanometers, a column packed with microparticulate (3 to 10 micrometers in diameter) reversed phase packing material such as octadecyl hydrocarbon bonded silicas, a flow rate not to exceed 2.0 milliliters per minute, and a known injection volume between 10 and 20 microliters. Reagents, working standard and sample solutions, system suitability requirements, and calculations are as follows:

(i) *Reagents*—(A) *0.1M Phosphate buffer solution, pH 6.8.* Dissolve 6.4 grams of monobasic potassium phosphate and 18.9 grams of dibasic sodium phosphate in 750 milliliters of water. Adjust the pH to 6.8 with 1*N* sodium hydroxide and dilute to 1,000 milliliters.

(B) *Internal standard solution.* Dissolve and dilute 0.15 gram of phthalimide in methanol to 100 milliliters.

(C) *Mobile phase.* Mix water:acetonitrile:glacial acetic acid (50:10:1). Filter through a suitable filter capable of removing particulate matter to 0.5 micron in diameter. Degas the mobile phase just prior to its introduction into the chromatograph.

(ii) *Preparation of working standard and sample solutions*—(A) *Working standard solution.* Dissolve approximately 50 milligrams of the cefmenoxime working standard, accurately weighed, in 10 milliliters of 0.1*M* phosphate buffer solution, pH 6.8 and dilute to 50 milliliters with mobile phase. Transfer 4.0 milliliters of this solution to a 50-milliliter volumetric flask, add 20 milliliters of internal standard solution and dilute to volume with mobile phase to obtain a solution containing 80 micrograms of cefmenoxime per milliliter.

(B) *Sample solutions.* Determine both micrograms of cefmenoxime per milligram of the sample and milligrams of cefmenoxime per container. Use separate containers for preparation of each sample solution as described in paragraphs (b)(1)(ii)(B) (*1*) and (*2*) of this section.

(*1*) *Micrograms of cefmenoxime per milligram.* Dissolve the accurately weighed dry contents of a sample with sufficient distilled water to obtain a solution containing 1 milligram of cefmenoxime per milliliter (estimated). Transfer 4.0 milliliters of this solution to a 50-milliliter volumetric flask, add 20 milliliters of internal standard solution and dilute to volume with mobile phase to obtain a solution containing 80 micrograms of cefmenoxime per milliliter (estimated).

(*2*) *Milligrams of cefmenoxime per container.* Reconstitute the sample as directed in the labeling. Then, using a suitable hypodermic needle and syringe, remove all of the withdrawable contents if it is represented as a single-dose container; or, if the labeling specifies the amount of potency in a given volume of the resultant preparation, remove an accurately measured representative portion from each container. Dilute the solution thus obtained with sufficient distilled water to obtain a solution containing 1 milligram of cefmenoxime per milliliter (estimated). Transfer 4.0 milliliters of this solution to a 50-milliliter volumetric flask, add 20 milliliters of internal standard solution and dilute to volume with mobile phase to obtain a solution containing 80 micrograms of cefmenoxime per milliliter (estimated).

(iii) *System suitability requirements*—(A) *Tailing factor.* The tailing factor (T) for the cefmenoxime peak is satisfactory if it is not more than 1.6 at 5 percent of peak height.

(B) *Efficiency of the column.* The efficiency of the column (n) is satisfactory if it is greater than 1,200 theoretical plates for the cefmenoxime peak.

(C) *Resolution.* The resolution (R) between the peak for cefmenoxime and phthalimide is satisfactory if it is not less than 2.3.

(D) *Coefficient of variation.* The coefficient of variation (S_R in percent) of 5 replicate injections is satisfactory if it is not more than 2.0 percent. If the system suitability requirements have been met, then proceed as described in § 436.363(b) of this chapter.

(iv) *Calculations*—(A) *Micrograms per milligram.* Calculate the micrograms of cefmenoxime per milligram as follows:

$$\text{Micrograms of cefmenoxime per milligram} = \frac{R_u \times P_s \times 100 \times d}{R_s \times C_u(100\text{-}L\text{-}S)}$$

where:

R_u = Area of the cefmenoxime peak in the chromatogram of the sample/Area of internal standard peak;

R_s = Area of the cefmenoxime peak in the chromatogram of the cefmenoxime working standard/Area of internal standard peak;

P_s = Cefmenoxime activity in the cefmenoxime working standard solution in micrograms per milliliter;

C_u = Milligrams of sample per milliliter of sample solution;

d = Dilution factor of the sample;

L = Percent loss on drying (determined as directed in paragraph (b)(4) of this section); and

S = Percent sodium carbonate (determined as directed in paragraph (b)(6) of this section).

(B) *Milligrams of cefmenoxime per vial.* Calculate the cefmenoxime content of the vial as follows:

$$\text{Milligrams of cefmenoxime per vial} = \frac{R_u \times P_s \times d}{R_s \times 1{,}000}$$

where:

R_u = Area of the cefmenoxime peak in the chromatogram of the sample/Area of internal standard peak;

R_s = Area of the cefmenoxime peak in the chromatogram of the cefmenoxime working standard/Area of internal standard peak;

P_s = Cefmenoxime activity in the cefmenoxime working standard solution in micrograms per milliliter; and

d = Dilution factor of the sample.

(2) *Sterility.* Proceed as directed in § 436.20 of this chapter, using the method described in paragraph (e)(1) of that section.

(3) *Pyrogens.* Proceed as directed in § 436.32(b) of this chapter, using a solution containing 60 milligrams of cefmenoxime per milliliter.

(4) *Loss on drying.* Proceed as directed in § 436.200(a) of this chapter.

(5) *pH.* Proceed as directed in § 436.202 of this chapter, using an aqueous solution containing 100 milligrams per milliliter.

(6) *Sodium carbonate content.* Proceed as directed in § 436.364 of this chapter.

Dated: April 15, 1988.

Daniel L. Michels,

Director, Office of Compliance, Center for Drug Evaluation and Research.

[FR Doc. 88-8936 Filed 4-22-88; 8:45 am]

BILLING CODE 4160-01-M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Assistant Secretary for Housing—Federal Housing Commissioner

24 CFR Parts 200, 203, 204, 213, 220, 221, 222, 226, 227, 235, 237, and 240

[Docket No. R-88-1357; FR-2382]

Mortgage Insurance for the Allegeny Reservation of the Seneca Nation of Indians; Correction

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Interim rule; correction.

SUMMARY: On December 21, 1987 (52 FR 48197) the Department published an interim rule entitled "Mortgage Insurance for the Allegeny Reservation of the Seneca Nation of Indians" (Seneca rule). The effective date of the rule was delayed in accordance with the legislative review requirements of section 7(o)(3) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(o)(3)). By Notice published on March 28, 1988 (53 FR 9869), the Department announced the effective date for the interim rule as March 28, 1988. This document makes corrections in the text of the interim rule that are necessary to reflect the fact that another HUD rule, published before the Seneca rule but not yet announced for effect, contains amendments to, or adds, some of the same sections that were amended in the December 21, 1987 Seneca rule. The delay in announcing the effectiveness of the other HUD rule requires technical adjustments in the content of the Seneca rule. These corrections will not change the effective date of the Seneca rule, nor will they affect the operations of the insurance program outlined in that rule.

EFFECTIVE DATE: April 25, 1988.

FOR FURTHER INFORMATION CONTACT: Donald B. Alexander, Chief Attorney, Home Mortgage Insurance Division, Office of the General Counsel, Department of Housing and Urban Development, Room 9258, 451 Seventh Street SW., Washington, DC 20410, telephone (202) 755-7070. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: The Department published a final rule entitled "Temporary Mortgage Assistance Payments" on March 5, 1987 to implement a new program authorized by section 341 of the Housing and Community Development Act of 1980. Section 341 amended section 230 of the National Housing Act—the provision of the Act setting out the forms of mortgage foreclosure relief available under HUD's single family insuring authorities. While the March 5, 1987 rule (TMAP rule) was published as a final rule, its effective date has been postponed. Accordingly, a conflict has developed in the content of the later-published Seneca rule, because that rule contains amendments to certain HUD regulations that were earlier amended by, or added by, the TMAP rule. The purpose of this document is to correct the Seneca rule to permit it to be a freestanding rule setting out all necessary features of the new mortgage insurance program authorized under section 203(q) of the National Housing Act, pending the effectiveness of the TMAP rule.

Accordingly, the rule published on December 21, 1987 (52 FR 48197) (FR Doc. 87-29092) is corrected as follows:

§§ 203.640, 203.645 and 203.654 [Corrected]

1. Amendments of §§ 203.640, 203.645 and 203.654 (items 12, 13 and 14 of the published rule, 52 FR 48202-48203) are withdrawn.

§ 203.350 [Corrected]

2. In § 203.350 (item 8), the amendatory language is corrected to read: "Section 203.350 is amended by reserving paragraph (c) and adding new paragraph (d) to read as follows:".

§ 203.355 [Amended]

3. In § 203.355, the reference in the last line of the introductory text to "203 658" is revised to read "203.660".

4. Section 203.666 is revised to read as follows:

§ 203.666 Processing defaulted mortgages on property in Allegeny Reservation of Seneca Nation of Indians.

(a) *Applicability.* This section applies to mortgages authorized by section 203(q) of the National Housing Act (§ 203.43j) only if the default occurred before the mortgagor and the lessee execute a lease renewal or a new lease either with a term of not less than five years beyond the maturity date of the mortgage, or with a term established by an arbitration award.

(b) *Assignment (mandatory acceptance).* Before a mortgagee requests the Secretary to accept an assignment of a mortgage under the first sentence of § 203.350(d) where the mortgagor is in monetary default, the mortgagee must submit documents showing that the requirements of § 203.604 have been met and must provide all information in its possession concerning the mortgagor's eligibility for relief as set forth in § 203.664.

(c) *Assignment (discretionary acceptance).* Before a mortgagee requests the Secretary to exercise his or her discretion to accept an assignment of a mortgage under the second sentence of § 203.350(d) where the mortgagor is in non-monetary default, the mortgagee must provide all information in its possession concerning the mortgagor's eligibility for relief as set forth in § 203.664, except §§ 203.664(a)(1) (ii) and (iii).

(d) *Forbearance.* The Secretary may make forbearance relief on any terms and conditions which he or she in his or her discretion deems appropriate.

Dated: April 19, 1988.

Grady J. Norris,

Assistant General Counsel for Regulations.

[FR Doc. 88-8947 Filed 4-22-88; 8:45 am]

BILLING CODE 4210-27-M

---

24 CFR Parts 201, 203, and 234

[Docket No. N-88-1795; FR-2509]

Mortgage Insurance; Changes to the Maximum Mortgage Limits for Single Family Residences, Condominiums and Manufactured Homes and Lots

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Notice of revisions to FHA maximum mortgage limits for high-cost areas.

SUMMARY: This Notice amends the listing of areas eligible for "high-cost" mortgage limits under certain of HUD's insuring authorities under the National Housing Act by increasing the mortgage limits Pitt County, North Carolina; and adding "high-cost" mortgage limits for Carteret County, North Carolina and the Lafayette, Indiana MSA which is comprised of Tippecanoe County, Indiana. Mortgage limits are adjusted in an area when the Secretary determines that middle- and moderate-income persons have limited housing opportunities because of high prevailing housing sales prices.

EFFECTIVE DATE: April 25, 1988.

FOR FURTHER INFORMATION CONTACT: For single family: Morris Carter, Director, Single Family Development Division, Room 9270; telephone (202) 755-6720. For manufactured homes: Robert J. Coyle, Director, Title I Insurance Division, Room 9160; telephone (202) 755-6880; 451 Seventh Street SW., Washington, DC 20410. (These are not toll-free numbers.)

SUPPLEMENTARY INFORMATION:

Background

The National Housing Act (NHA), 12 U.S.C. (1710-1749), authorizes HUD to insure mortgages for single family residences (from one- to four-family structures), condominiums, manufactured homes, manufactured home lots, and combination manufactured home lots. The NHA, as amended by the Housing and Community Development Amendments of 1980 and the Housing and Community Development Amendments of 1981, permits HUD to increase the maximum mortgage limits under most of these programs to reflect regional differences in the cost of housing. In addition, sections 2(b) and 214 of the NHA provide for special high-cost limits for insured mortgages in Alaska, Guam and Hawaii.

On March 3, 1988 (53 FR 6922), the Department published its most recent annual complete listing of areas eligible for "high-cost" mortgage limits under certain of HUD's insuring authorities under the national Housing Act, and their applicable limits for such areas.

This Document

Today's document increases high-cost mortgage amounts for Pitt County, North Carolina; and adds high-cost mortgage limits for Carteret County, North Carolina and the Lafayette, Indiana MSA which is comprised of Tippecanoe County, Indiana.

These amendments to the high-cost areas appear in two parts. Part I explains high-cost limits for mortgages insured under Title I of the National Housing Act. Part II lists changes for single family residences insured under section 203(b) or 234(c) of the National Housing Act.

National Housing Act High Cost Mortgage Limits

I. Title I: Method of Computing Limits

A. Section 2(b)(1)(D). Combination Manufactured Home and Lot (Excluding Alaska, Guam and Hawaii)

To determine the high-cost limit for a combination manufactured home and lot loan, multiply the dollar amount in the "one family" column of Part II of this list by .80. For example, Pitt County (North Carolina) has a one-family limit of $75,050. The combination home and lot loan limit for Pitt County is $75,050 × .80, or $60,040.

B. Section 2(b)(1)(E): Lot Only (Excluding Alaska, Guam and Hawaii)

To determine the high-cost limit for a lot loan, multiply the dollar amount in the "one-family" column of Part II of this list by .20. For example, Pitt County (North Carolina) has a one-family limit of $75,050. The lot-only loan limit for Pitt County is $75,050 × .20, or $15,010.

C. Section 2(b)(2). Alaska, Guam and Hawaii Limits

The maximum dollar limits for Alaska, Guam and Hawaii may be 140% of the statutory loan limits set out in section 2(b)(1).

Accordingly, the dollar limits for Alaska, Guam and Hawaii are as follows:

1. For manufactured homes: $56,700. (40,500 × 140%).

2. For combination manufactured homes and lots: 75,600. ($54,000 × 140%).

3. For lots only: $18,900. (13,500 × 140%).

II. Title II: Updating of FHA Sections 203(b), 234(c) and 214 Area Wide Mortgage Limits

REGION IV.—HUD FIELD OFFICE—GREENSBORO OFFICE

Market area designation and local	1-family and condo unit	2-family	3-family	4-family
Carteret County	$70,300	$79,150	$96,200	$111,000
Pitt County	75,050	84,500	102,750	118,500

REGION V.—HUD FIELD OFFICE—INDIANAPOLIS OFFICE

Market area designation and local	1-family and condo unit	2-family	3-family	4-family
Lafayette, IN MSA Tippecanoe County	$76,750	$86,450	$105,000	$121,200

Date: April 18, 1988.

Thomas T. Demery,

Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 88-9036 Filed 4-22-88; 8:45 am]

BILLING CODE 4210-27-M

24 CFR Part 888

[Docket No. N-88-1751; FR-2423]

Section 8 Housing Assistance Payments Program; Fair Market Rents for New Construction and Substantial Rehabilitation—Detroit, MI; Special Revision

AGENCY: Office of the Assistant Secretary for Housing—Federal Housing Commissioner, HUD.

ACTION: Final notice.

SUMMARY: Section 8(c)(1) of the United States Housing Act of 1937 requires the Secretary to establish Fair Market Rents (FMRs) periodically, but not less frequently than annually. This document announces the Fiscal Year 1986 Fair Market Rent Schedule to establish new Fair Market Rents for the Detroit market area in the State of Michigan. These rents are necessary to provide fair market rents more comparable to market rents for new construction in this market area.

EFFECTIVE DATE: April 25, 1988.

ADDRESS: Interested persons are invited to submit comments to the Rules Docket Clerk, Office of General Counsel, Room 10276, Department of Housing and Urban Development, 451 Seventh Street SW., Washington, DC 20410. Communications should refer to the above docket number and title. A copy of each communication submitted will be available for public inspection during regular business hours at the above address.

FOR FURTHER INFORMATION CONTACT: Edward M. Winiarski, Chief Appraiser, Valuation Branch, Technical Support Division, Office of Insured Multifamily Housing Development, 451 Seventh Street SW., Washington, DC 20410-0500. Telephone (202) 426-7624. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION:

Background

Section 8 of the United States Housing Act of 1937 (42 U.S.C. 1437f) (the Act) authorizes a system of housing assistance payments to aid lower income families in renting decent, safe, and sanitary housing. These programs, known collectively as the Section 8 Housing Assistance Payments Program, provide assistance payments for lower income families for a variety of housing options, including new construction and substantial rehabilitation.

Under these programs, HUD or public housing agencies (PHAs) make rental assistance payments on behalf of eligible families to owners. When families lease an eligible unit, the housing assistance payment is made and is based upon the difference between the total housing expense and the total family contribution. Initial contract rents, plus an allowance for utilities generally may not exceed area-wide Fair Market Rents (FMRs) established by the Department. FMRs are based primarily on the level of rentals paid for recently completed or newly constructed dwelling units of modest design within each market area as determined by HUD Field Office staff. In addition, for the Fair Market Rents most recently promulgated by the Department (see the August 7, 1986 **Federal Register**, 51 FR 28486), these rents reflected the Department's cost containment efforts in relation to housing assistance provided in the Section 8 New Construction and Substantial Rehabilitation Programs.

Public Comments

On December 21, 1987, the Department published a Proposed Notice at 52 FR 48278 and invited comments from the public on the proposal to adjust the Fiscal Year 1986 FMRs for Detroit, Michigan. Four public comments were received. Three of the four comments were in support of the revision of the proposed Fiscal Year 1986 FMRs for the Detroit market area. The fourth commenter claimed that the proposed rents were too low and would not support his project. This commenter, however, offered no data to support his assertions. Nevertheless, the Department reviewed a number of proposals using the proposed FRM schedule and found that these rents as proposed would permit these projects to be feasible. However, in the light of the last comment, the Department wishes to point out that since the FMRs principally reflect building costs and rentals as a whole in a given market or jurisdiction, not the costs associated with building a particular project or the rents necessary to service the debt on that proposal, the Department could not properly change the FMRs to accommodate the higher rentals that the commenter might expect.

Accordingly, the Department is adopting the same FMR schedule that was published in the Proposed Notice of December 21, 1987, as set forth below.

Other Information

HUD regulations in 24 CFR Part 50, implementing section 102(2)(c) of the National Environmental Policy Act of 1969, contain categorical exclusions from their requirements for the actions, activities and programs specified in § 50.20. Since the FMRs announced in this Notice are within the exclusion set forth in § 50.20(l), no environmental assessment is required, and no environmental finding has been prepared.

The Catalog of Federal Domestic Assistance Program number and title for the activities covered by this Notice are 14.156, Lower Income Housing Assistance Program (Section 8).

Accordingly, the following amendment to the 1986 Fair Market Rent schedule is adopted for the Detroit, Michigan market area:

Schedule A.—Fair Market Rents for New Construction and Substantial Rehabilitation (Including Housing Finance and Development Agencies' Programs)

REGION 5.—DETROIT OFFICE—MARKET: DETROIT

Structure Type	Number of Bedrooms				
	0	1	2	3	+
Detached			703	774	901
Semi-Detached/Row	434	470	576	673	777
Walkup	362	448	524	620	719
Elevator 2-4 STY	387	473	549		
Elevator 5+ STY	396	486	631		

Dated: April 18, 1988.

James E. Schoenberger,

General Deputy, Assistant Secretary for Housing—Federal Housing Commissioner.

[FR Doc. 88-9035 Filed 4-22-88; 8:45 am]

BILLING CODE 4210-27-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Part 165

[COTP Savannah, GA, Regulation 88-01]

Safety Zone Regulations; Mackay River, Mile 675 Atlantic Intracoastal Waterway

AGENCY: Coast Guard, DOT.

ACTION: Emergency rule.

SUMMARY: The Coast Guard is establishing a safety zone around Mackay River Bridge, Mile 675, ICW. The zone is needed to protect the bridge from a possible hazard associated with damage to the fender system from a recent collision. Entry into this zone is prohibited except as authorized by the captain of the port. The COTP has authorized transit of the Mackay River Bridge navigation span by tug and barge traffic during daylight hours only. All other vessels are authorized to transit at any time.

EFFECTIVE DATES: This regulation becomes effective on 14 April 1988. It terminates upon completion of damage assessment unless sooner canceled or extended.

FOR FURTHER INFORMATION CONTACT: LT R.M. Gaudiosi, Coast Guard Marine Safety Office, Savannah, GA, Phone (912) 944-4353.

SUPPLEMENTARY INFORMATION: In accordance with 5 U.S.C. 553, a notice of proposed rulemaking was not published for this regulation and good cause exists for making it effective in less than 30 days after **Federal Register** publication. Publishing an NPRM and delaying its effective date would be contrary to the public interest since immediate action is needed to prevent further damage to the bridge or vessels transitting the span.

Drafting Information

The drafters of this regulation are LT R.M. Gaudiosi, project officer for the captain of the port, and LCDR S.T. Fuger, project attorney, Seventh Coast Guard District Legal Office.

Discussion of Regulation

The circumstances requiring this regulation resulted from a collision which carried away or severely damaged the existing fender system rendering the bridge vulnerable to further impact.

This regulation is issued pursuant to 33 U.S.C. 1225 and 1231 as set out in the authority citation for all of Part 165.

List of Subjects in 33 CFR Part 165

Harbors, Marine safety, Navigation (water), Security measures, Vessels, Waterways.

Regulation

In consideration of the foregoing, Subpart C of Part 165 of Title 33 Code of Federal Regulations, is amended as follows:

1. The authority citation for Part 165 continues to read as follows:

Authority: 33 U.S.C. 1225 and 1231; 50 U.S.C. 191; 49 CFR 1.46 and 33 CFR 1.05-1(G), 6.04-1, 6.04-1, 6.04-6, and 160.5.

2. A new § 165.T07-01 is added to read as follows:

§ 165.T07-01 Safety Zone: Mackay River Bridge, Mile 675 Atlantic Intracoastal Waterway.

(a) *Location.* The following area is a safety zone: The navigation span of the Mackay River Bridge at Mile 675 Atlantic Intracoastal Waterway.

(b) *Effective date.* This regulation becomes effective on 14 April 1988. It terminates on completion of damage assessment unless sooner canceled or extended.

(c) *Regulations:* (1) In accordance with the general regulations in § 165.23 of this part, entry into this zone is prohibited unless authorized by the captain of the port.

(2) The COTP has authorized transit of the Mackay River Bridge navigation span by tug and barge traffic during daylight hours only. All other vessels are authorized to transit at any time.

Dated: April 14, 1988.

J.E. Shkor,

Captain, U.S. Coast Guard, Captain of the Port.

[FR Doc. 88-9016 Filed 4-22-88; 8:45 am]

BILLING CODE 4910-14-M

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR Part 1228

Disposition of Federal Records

AGENCY: National Archives and Records Administration (NARA).

ACTION: Final rule.

SUMMARY: The National Archives and Records Administration is revising § 1228.154 and § 1228.162 to incorporate procedures for Federal civilian employee medical records which were outlined in NARA Bulletin No. 87-4 of January 13, 1987. These procedures were develop as a result of regulations established by the Office of Personnel Management for the Employee Medical File System. 5 CFR Part 293, Subpart E, Employee Medical File System Records, requires the use of an Employee Medical Folder (Standard Form 66-D) for maintenance of occupational medical records. Like the official personnel

folder (OPF), the employee medical folder (EMF) will accompany the employee during his/her Federal career. When the employee is separated from Federal service, the EMF will be transferred along with the OPF to the National Personnel Records Center. A new reference request form, Standard Form 184, Request for Employee Medical Folder (Separated Employee), has been developed by NARA for use by Federal agencies in requesting medical records from the National Personnel Records Center.

NARA also is amending § 1228.162(a) to identify the National Personnel Records Center as a point of contact for members of the public and for non-governmental organizations seeking copies of Standard Form 180, Request Pertaining to Military Records. Subsection (a) was revised on June 30, 1986 (51 FR 23538), to remove the reference to purchasing Standard Form 180 from the Superintendent of Documents. In order to make the form more accessible to members of the public and to non-governmental organizations, NARA has designated the national Personnel Records Center as a point of contact.

EFFECTIVE DATE: April 25, 1988.

FOR FURTHER INFORMATION CONTACT: Adrienne C. Thomas or Nancy Allard at 202–523–3214 (FTS 523–3214).

SUPPLEMENTARY INFORMATION: The Administrative Procedures Act's notice and comment rulemaking procedures, 5 U.S.C. 553, do not apply to this amendment of 36 CFR Part 1228 because the matters addressed by this final rule are matters "relating to agency management or personnel or to public property." The retirement and reference service procedures for Federal civilian employee medical records prescribed in § 1228.154 and § 1228.162(b) of this final rule were announced in NARA Bulletin No. 87–4 of January 13, 1987. The new reference request form recently developed by NARA for medical files stored at the National Personnel Records Center was coordinated with officials of the Office of Personnel Management and with several agency medical records officers. Section 1228.162(a) is only being amended to identify an additional source for copies of Standard Form 180.

This rule is not a major rule for the purposes of Executive Order 12291 of February 17, 1981. As required by the Regulatory Flexibility Act, it is hereby certified that this rule will not have a significant impact on small business entities.

List of Subjects in 36 CFR Part 1228

Archives and records.

For the reasons set forth in the preamble, Chapter XII of Title 36 of the Code of Federal Regulations is amended as follows:

PART 1228—DISPOSITION OF FEDERAL RECORDS

1. The authority citation for Part 1228 continues to read as follows:

Authority: 44 U.S.C. 2907.

2. Section 1228.154 is revised to read as follows:

§ 1228.154 Transfers to the National Personnel Records Center (NPRC).

General Records Schedules 1 and 2 specify that certain Federal civilian personnel, medical, and pay records must be centrally stored at the National Personnel Records Center (Civilian Personnel Records), 111 Winnebago Street, St. Louis, Missouri 63118.

(a) The following four types of records are so specified:

(1) Official personnel folders of separated Federal civilian employees;

(2) Service record cards of employees who separated or transferred on or before December 31, 1947;

(3) Audited individual earnings and pay cards and comprehensive payrolls; and

(4) Employee medical folders of separated Federal civilian employees.

(b) The official personnel folder (OPF) and the employee medical folder (EMF) must be forwarded to the National Personnel Records Center at the same time. Only x rays that will easily fit inside the EMF without folding will be accepted by the Center. X rays over 11¾" × 10" in size that are required for long-term retention must be retained by the agency. The agency must place a notice in the EMF indicating how a subsequent Federal employer may obtain the oversized x rays. The OPF and the EMF must be labeled in the upper right corner to identify the employee by name (last name first), date of birth, and social security number only. Temporary records must be removed from the folders before transmittal. Agencies must make every effort to locate all long-term documents required to be part of the folders and to file them before the folders are transferred. Small quantities of folders (OPF's and EMF's) must be mailed in a sealed envelope. Larger quantities must be mailed in a carton. No advance notification of transmittal or SF 135, Records Transmittal and Receipt, is required from the transferring agency, and no receipt will be furnished by the Center.

(c) A cover letter must accompany loose personnel or medical documents forwarded for interfiling in an OPF or EMF previously sent to the Center. Only those documents required for long-term retention may be forwarded for interfiling. Each document must contain the former employee's current name and name under which formerly employed, if different; date of birth; social security number; and date of separation. Letters accompanying loose personnel documents must clearly identify the agency personnel office and address. Letters accompanying loose medical documents must include the name and address of the agency's designated medical records manager (i.e., medical, health, safety, or personnel officer or other designee). Medical documents required to be part of the EMF may not be sent for interfiling in agency accessions retired prior to September 1, 1984. Such documents must be placed in an EMF and sent to the National Personnel Records Center in accordance with the instructions in paragraph (b) of this section if the employee has left Federal service.

(d) Transfer of fiscal records must be in accordance with the procedures outlined in § 1228.152.

(e) Standard Form 127, Request for Official Personnel Folder (Separated Employee), must be used by agencies when requesting transmission of personnel folders of separated employees. Standard Form 184, Request for Employee Medical Folder (Separated Employee), must be used when requesting medical folders. The name and address of the agency's designated medical records manager must be shown on the request form. Use of the appropriate request form will help ensure prompt transmission of the desired folder. Each request must be submitted in duplicate.

(f) Occupational medical records of separated Federal civilian employees who were not in positions subject to civil service rules and regulations may be retired if the records are properly scheduled and if access procedures are furnished for use by the Center.

(1) It is recommended that a folder similar to the SF 66–D, Employee Medical Folder, but different in color, be used for medical records of non-civil-service employees.

(2) If the records are not scheduled, an exception may be obtained by submitting a request to the Assistant Archivist for Federal Records Centers, National Archives and Records Administration (NC), Washington, DC

20408. The request must identify the location(s) of records and the volume proposed for transfer. The request will be considered only if an SF 115, Request for Records Disposition Authority, has been received by NARA's Records Appraisal and Disposition Division (NIR).

(g) Medical records of non-Federal employees (e.g., contractor employees and student volunteers) must be disposed of in accordance with the approved agency disposition schedule.

3. Section 1228.162 is amended by revising paragraphs (a) and (b) to read as follows:

§ 1228.162 Use of records in Federal Records Centers.

* * * * *

(a) Standard Form 180, Request Pertaining to Military Records, must be used by Federal agencies to obtain information from military service records in the National Personnel Records Center (Military Personnel Records). Agencies may furnish copies of that form to the public to aid in inquiries. Members of the public and non-governmental organizations also may obtain copies of Standard Form 180 by submitting a written request to the National Personnel Records Center (Military Personnel Records), 9700 Page Boulevard, St. Louis, Missouri 63132.

(b) Requests for Federal civilian personnel files and medical files from the National Personnel Records Center must be made in accordance with § 1228.154. Requests for medical records retired to other Federal Records Centers prior to September 1, 1984, must be made on Optional Form 11, Reference Request—Federal Records Centers. The request must include the name and address of the agency's designated medical records manager.

* * * * *

Dated: March 17, 1988.

Don W. Wilson,

Archivist of the United States.

[FR Doc. 88-8989 Filed 4-22-88; 8:45 am]

BILLING CODE 7515-01-M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 87-418; RM-5769]

Radio Broadcasting Services; Sioux Rapids, IA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Donald A. Swanson, allocates Channel 275C2 to Sioux City, Iowa, as the community's first local FM service. Channel 275C2 can be allocated to Sioux Rapids, Iowa, in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates are North Latitude 42-53-18 and West Longitude 95-08-54. With this action, this proceeding is terminated.

DATES: Effective June 1, 1988. The window period for filing applications will be open on June 2, 1988, and close on July 2, 1988.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 87-418, adopted March 28, 1988, and released April 15, 1988. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.202 [Amended]

2. Section 73.202(b), the FM Table of Allotments for Iowa is amended by adding an entry for Sioux Rapids, Channel 275C2.

Federal Communications Commission.

Steve Kaminer,

Deputy Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 88-9026 Filed 4-22-88; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 86-326; RM-5323; RM-5588; RM-5592]

Television Broadcasting Services; Albany, Buffalo, Ilion and Utica, NY, and Boston, MA

AGENCY: Federal Communications Commission.

ACTION: Final rule.

SUMMARY: The Commission, at the request of Frederick W. Bowen and Sherril W. Taylor, allocates VHF TV Channel 4- to Utica, New York, as the community's fourth local commercial television service, and at the request of Mohawk Valley Broadcasting, Inc. allocates UHF TV Channel 67- to Ilion, New York, as the community's first local television service. In addition, the offset designations for Station WIVB-TV, Channel 4-, Buffalo, New York, and Station WBZ-TV, Channel 4-, Boston, Massachusetts, are changed to zero and plus, respectively. Channel 4- can be allocated to Utica in compliance with the Commission's minimum distance separation requirements with a site restriction of 13.4 miles east to avoid a short-spacing to Station WSTM-TV, Channel 3, Syracuse, New York. Channel 67- can be allocated to Ilion, New York, in compliance with the Commission's minimum distance separation requirements with a site restriction of 8.6 miles southeast to avoid a short-spacing to unoccupied and unapplied for Channel *59 at Utica, New York. Canadian concurrence in these allotments has been received. With this action, this proceeding is terminated.

EFFECTIVE DATE: June 2, 1988.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Report and Order, MM Docket No. 86-326, adopted March 14, 1988, and released April 18, 1988. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

List of Subjects in 47 CFR Part 73

Television broadcasting.

PART 73—[AMENDED]

1. The authority citation for Part 73 continues to read as follows:

Authority: 47 U.S.C. 154, 303.

§ 73.606 [Amended]

2. Section 73.606(b), the TV Table of Allotments for Massachusetts is amended by amending the entry for Boston by removing Channel 4- and adding Channel 4+. The TV Table of Allotments for New York is amended by adding Ilion, Channel 67-, by amending

the entry for Buffalo by removing Channel 4- and adding Channel 4, and by amending the entry for Utica by adding Channel 4-.

Federal Communications Commission.

Steve Kaminer,

Deputy Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 88-9017 Filed 4-22-88; 8:45 am]

BILLING CODE 6712-01-M

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

48 CFR Part 733

[AIDAR Notice 88-4]

Procedures for Protests

AGENCY: Agency for International Development, IDCA.

ACTION: Final rule.

SUMMARY: The A.I.D. Acquisition Regulation (AIDAR) is being amended by removing the requirement that protests to the Agency be filed with the Head of the Contracting Activity, instead specifying that protests to the Agency be filed with the Contracting Officer.

EFFECTIVE DATE: April 25, 1988.

FOR FURTHER INFORMATION CONTACT: M/SER/PPE, Mr. James M. Kelly, Room 1600I, SA-14, Agency for International Development, Washington, DC 20523. Telephone (703) 875-1534.

SUPPLEMENTARY INFORMATION: Following publication of A.I.D. procedures for submission of protests to the Agency in the February 19, 1988 **Federal Register** (53 FR 4979), the Office of Federal Procurement Policy pointed out that the A.I.D. requirement that protests be filed with the Head of the Contracting Activity, established by the new AIDAR subsections 733.7002(d) and 733.7003(b), conflicted with FAR 52.233-2, "Service of Protest," which specified that protests be filed with the Contracting Officer. OFPP recommended that the A.I.D. Acquisition Regulation be corrected to remove this conflict.

The changes being made by this Notice are not considered significant rules subject to FAR 1.301 or Subpart 1.5. This Notice is exempted from the requirements of Executive Order 12291 by OMB Circular 85-7. This Notice will not have impact on a substantial number of small entities, nor does it establish any information collection as contemplated by the Regulatory Flexibility Act and Paperwork Reduction Act.

List of Subjects in 48 CFR Part 733

Government procurement.

For the reasons set out in the Preamble, Chapter 7 of Title 48 of the Code of Federal Regulations is amended as follows:

PART 733—PROTESTS, DISPUTES AND APPEALS

1. The authority citation in Part 733 continues to read as follows:

Authority: Sec. 621, Pub. L. 87-195, 75 Stat. 445 (22 U.S.C. 2381), as amended; E.O. 12163, Sept. 29, 1979 44 FR 56673, 3 CFR 1979 Comp., p. 435.

Subpart 733.70—A.I.D. Procedures for Protests

733.7002 [Amended]

2. Paragraph (d) of section 733.7002, Definitions, is amended by removing "HCA," replacing it with "Contracting Officer."

733.7003 [Amended]

3. Paragraph (b) of section 733.7003, Filing of protest, is amended by removing "HCA," replacing it with "Contracting Officer."

Date: April 13, 1988.

John F. Owens,

Procurement Executive.

[FR Doc. 88-8988 Filed 4-22-88; 8:45 am]

BILLING CODE 6116-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 611

[Docket No. 80472-8072]

Foreign Fishing

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Emergency final rule.

SUMMARY: NOAA issues an emergency rule to change the definition of "fishing" to include processing, transfer, and supply activities supporting the harvest of fish outside the U.S. Exclusive Economic Zone (EEZ). The change will improve enforcement of the Magnuson Fishery Conservation and Management Act (Magnuson Act), and will allow NOAA to monitor more closely harvests in the entire Bering Sea ecosystem.

EFFECTIVE DATE: Effective April 25, 1988. Comments will be accepted on or before May 25, 1988.

ADDRESS: Send written comments to Alfred J. Bilik, Fees and Permits Branch, F/TS21, National Marine Fisheries Service, 1825 Connecticut Avenue NW., Washington, DC 20235. Telex 467856 US COM FISH CI.

FOR FURTHER INFORMATION CONTACT: Alfred J. Bilik, (202) 673-5319.

SUPPLEMENTARY INFORMATION: Under the Magnuson Act, the United States claims exclusive rights to conserve and manage all fish within the EEZ and all U.S.-origin anadromous species and Continental Shelf fishery resources beyond the EEZ that are not within the EEZ of another nation. In the past, however, NOAA has by regulation narrowed this assertion of management authority by defining "fishing" to include only activities supporting the harvest of "fish over which the United States exercises exclusive fishery management authority." This definition is narrower than the definition of "fishing" in the Magnuson Act, which does not so qualify "fish." The result of this regulatory definition is that activities such as processing and transfers of fish harvested outside the EEZ are beyond the scope of the permitting, recordkeeping, and reporting requirements of the foreign fishing regulations.

In the last major revision to these regulations, NOAA proposed (at 49 FR 50510, December 28, 1984) to broaden the definition by dropping the restrictive phrase. In the final rulemaking (at 50 FR 34964, August 28, 1985), however, the narrower definition was retained with the explanation that "[t]he United States asserts jurisdiction over support activities in the FCZ [fishery conservation zone] only if the supported harvest activity involves fish under U.S management authority."

At the time, it was thought that enforcement problems, particularly with transfers from harvesting to transport vessels, could be adequately addressed by adding a rebuttable presumption at 50 CFR 611.3(a)(1)(ii). The discovery of illegal fishing and the suspicion of extensive poaching in the EEZ, along with growing concern that resources in an area of the central Bering Sea are jeopardized by unrestrained harvests. necessitate an assertion of additional management authority and a revision in the definition.

The problems that NOAA must address are explained more fully in an Advance Notice of Proposed Rulemaking (ANPR), published in today's **Federal Register.** Foreign fishing vessels (FFVs) accustomed to operating in the EEZ are being replaced by American fleets Some of these displaced FFVs are relocating their efforts to the "donut hole," a portion of

the central Bering Sea entirely surrounded by the EEZs of the U.S. and the U.S.S.R. Others may be fishing illegally within U.S. waters, but reporting their catch as having been harvested in the "donut hole." There are indications that some FFVs have been abusing the right to fish within the central Bering Sea to the detriment of the interests of the U.S., whose waters provide many of the spawning grounds for the resources beyond.

In the past year, the Coast Guard has documented aerial sightings of FFVs in the Bering Sea EEZ, but either could not identify the vessels or could not prove they were engaged in harvesting activities. A Mexican shark vessel was boarded in the EEZ off San Diego, but could not be seized until it was later observed harvesting sharks.

Then on January 13, 1988, as many as seven trawler-processors of Japanese registry—some with markings concealed—were videotaped fishing without valid permits on Bowers Ridge, 35 miles inside the U.S. EEZ, despite the fact that foreign nations have received no allocations of Alaskan groundfish in 1988. Some of these vessels were found two weeks later in the "donut hole';' and claimed they had been there all along. U.S. enforcement officials are concerned that unregulated fisheries in the "donut hole" provide an opportunity for FFVs fishing illegally within the U.S. EEZ to avoid detection by enforcement patrols.

The reported catch from the "donut hole" has increased dramatically from about 15,000 metric tons in 1980 to about 993,000 metric tons in 1986. There is considerable doubt as to whether the resource base in the central Bering Sea is productive enough to support the level of reported harvests. If the harvest in the "donut hole" is actually as high as reported, U.S. scientists are concerned that this level of fishing could adversely affect the entire Bering Sea ecosystem.

On the other hand, some of the reported catch from the "donut hole" may actually have been illegally taken in the EEZ. To deter poaching by FFVs crossing the EEZ boundary from the "donut hole," NOAA must have more control over and more information about these vessels' activities. The ANPR presents several options: requiring an FFV carrying an observer within the U.S. EEZ to continue carrying that observer on any voyage to the "donut hole"; prohibiting processing and other support activities in the EEZ unless the fish were harvested in U.S. waters; and requiring check-in/check-out inspections for FFVs conducting "fishing" operations in the EEZ.

Until NOAA chooses among the regulatory options and publishes a final rulemaking, and unless NOAA opts for restricting support operations to EEZ-harvested fish, the definition of "fishing" must be revised to eliminate the existing loophole. Fishing operations in the EEZ supporting the harvest of "donut hole" fish should not be exempt from the permit, reporting, and recordkeeping requirements of the foreign fishing regulations.

NOAA therefore amends the definition of "fish" (when used as a verb) and "fishing" in § 611.2 by deleting the qualifying phrase, "fish over which the United States exercises exclusive fishery management authority." "Fishing" or "to fish" now means any activity, other than scientific research, which does, is intended to, or can reasonably be expected to result in catching fish or removing fish from the water. Fishing also includes the acts of scouting, processing, and support. This means that FFVs conducting certain operations in the U.S. EEZ—processing or transferring fish or supplying other FFVs—must have a foreign fishing permit applied for and issued under § 611.3, even though the fish may have been harvested outside U.S. waters. Moreover, FFVs conducting these operations must make reports and maintain the logs required by §§ 611.4 and 611.9 of the foreign fishing regulations.

Vessels anticipating transfer operations in the EEZ will be required under § 611.4 to send BEGIN and TRANSFER messages to the Coast Guard and NMFS on entering the EEZ. Messages will contain the date, time, position, and area of the anticipated transfer, as well as the quantity of all fish and fish products on board. The TRANSFER message must identify the vessel from which the fish will be transferred. OFFLOADED and RECEIVED messages must be sent within 12 hours after completion of the transfer, accounting for all fish and fish products transferred between vessels. CEASE messages must be delivered to the Coast Guard at least 24 hours before the vessel leaves the EEZ.

All vessels taking part in such transfers must also maintain communications and transfer logs required by § 611.9. The logs must be kept available for inspection by authorized officers.

Not wishing unnecessarily to burden freedom of navigation on the high seas, NOAA redefines "support" to encompass all transfer and supply operations in the EEZ, but to include transport operations only if they support harvest operations in the EEZ. Vessels with fishery products aboard are entitled to freedom of passage through the EEZ, so long as they conduct no support operations in the zone.

These revisions will allow NOAA to monitor more closely the activities of these vessels in the EEZ and in the "donut hole." Conforming amendments are also made to § 611.1(a), to remove the same qualifying phrase that is deleted from the definition of "fishing," and to § 611.3(a)(1), to remove the rebuttable definition previously used in connection with transfers.

Classification

The Assistant Administrator for Fisheries, NOAA, has determined that this rule is necessary to respond to an emergency situation and is consistent with the Magnuson Act and other applicable law. Because of the suspected magnitude of ongoing illegal fishing in the U.S. EEZ and possibly intense harvests in the "donut hole," the Assistant Administrator also finds it impracticable and contrary to the public interest to provide notice and an opportunity for public comment.

NOAA Directive 02–10, published at 45 FR 49312 (July 24, 1980), adopts internal procedures to implement the National Environmental Policy Act (NEPA), 42 U.S.C. 4321 *et seq.* Under those procedures, programmatic functions with no potential for significant environmental impacts are generally excluded from NEPA requirements. This emergency rule is not expected to have direct impacts on fishery resources in the EEZ. It is intended to improve enforcement of U.S. fishery regulations and to collect additional information on "donut hole" harvests, and thus indirectly to benefit U.S. fishery resources.

The Assistant Administrator has also determined that this rule will have no impact on the Coastal Zone Management Program of any State.

This emergency rule is exempt from the normal review procedures of Executive Order 12291 as provided in section 8(a)(1) of that order. This rule is being reported to the Director, Office of Management and Budget, with an explanation of why it is not possible to follow the procedures of that order.

This rule is exempt from the procedures of the Regulatory Flexibility Act because the rule is issued without opportunity for prior public comment.

This rule contains a collection of information requirement previously approved by OMB and given OMB control number 0648–0075.

The rule does not contain policies with federalism implications sufficient to warrant preparation of a federalism

assessment under Executive Order 12612.

List of Subjects in 50 CFR Part 611

Fish, Fisheries, Foreign relations, Recordkeeping and reporting requirements.

Dated: April 20, 1988.

James E. Douglas, Jr.,

Acting Assistant Administrator for Fisheries, National Marine Fisheries Service.

For the reasons set out in the preamble, 50 CFR Part 611 is amended as follows:

PART 611—FOREIGN FISHING

1. The authority citation for 50 CFR Part 611 continues to read as follows:

Authority: 16 U.S.C. 1801 *et seq.*

2. In § 611.1, paragraph (a) is revised to read as follows:

§ 611.1 [Amended]

(a) This part governs all foreign fishing under the Magnuson Fishery Conservation and Management Act. Foreign vessels which are not operated for profit and are conducting recreational fishing only must comply with the provisions of this section, § 611.2, § 611.6(a)(1), applicable portions of § 611.7, and § 611.15.

* * * * *

3. In § 611.2, the definition of "*Fishing* or *to fish*" and the definition of "*support*" are revised to read as follows:

§ 611.2 [Amended]

* * * * *

Fishing or *to fish* means any activity, other than scientific research, which does, is intended to, or can reasonably be expected to result in catching fish or removing fish from the water. Fishing also includes the acts of scouting, processing and support.

* * * * *

Support means any operation by a vessel assisting fishing by foreign or U.S. fishing vessels, including—

(a) Transferring fish or fish products;

(b) Transporting fish over which the United States exercises exclusive fishery management authority, or fish products made from such fish; or

(c) Supplying water, fuel, provisions, fishing equipment, fish processing equipment, or other supplies to a fishing vessel.

* * * * *

4. In § 611.3, paragraph (a)(1) is revised to read as follows:

§ 611.3 [Amended]

(a) *General.* (1) Each FFV fishing under the Magnuson Act must have on board a completed permit form for a permit issued under this section, unless it is engaged only in recreational fishing.

* * * * *

[FR Doc. 88-9081 Filed 4-21-88; 11:52 am]

BILLING CODE 3510-08-M

Proposed Rules

Federal Register
Vol. 53, No. 79
Monday, April 25, 1988

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

7 CFR Part 917

Fresh Pears, Plums, and Peaches Grown in the State of California; Extension of Comment Period on Proposal to Increase Size Requirements and to Clarify Maturity Regulations for Plums

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule; extension of comment period.

SUMMARY: Notice is hereby given that the time period for filing written comments on the proposed size and maturity requirement changes for plums is being extended from April 25 to May 2, 1988. The extension will give interested persons additional time to analyze and prepare comments on the proposed changes. The proposed rule was published in the **Federal Register** on April 8, 1988.

DATE: Comments must be received by May 2, 1988.

ADDRESS: Comments should be sent to the Docket Clerk, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, Room 2085–S, Washington, DC 20090–6456. Three copies of all written material shall be submitted , and they will be available for public inspection in the office of the Docket Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT: Jerry N. Brown, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, Room 2525–S, Washington, DC 20090–6456; telephone 202–475–5464.

SUPPLEMENTARY INFORMATION: The proposed rule was issued under Marketing Order No. 917 [7 CFR Part 917], regulating the handling of fresh pears, plums, and peaches grown in California. This order is effective under the Agricultural Marketing Agreement Act of 1937, as amended [7 U.S.C. 601–674].

The proposal was issued April 5, 1988, and published in the **Federal Register** on April 8, 1988 [53 FR 11669]. Comments were due on April 25, 1988.

The proposal includes changes in the variety-specific size requirements for numerous plum varieties, adds seven new varieties of plums to the variety-specific list, and removes one from that list. The proposal also specifies the current maturity requirements in greater detail and simplifies the maturity determination system currently used by the plum industry.

The Department received a request from an interested person to extend the comment period to provide additional time to analyze the proposed changes and to prepare written comments. After reviewing this requests, the Department has determined that the comment period should be extended until May 2, 1988. This will provide interested persons with an additional seven days for analyzing the proposal, and preparing and submitting any written comments they desire.

List of Subjects in 7 CFR Part 917

Marketing agreements and orders, Pears, Plums, Peaches, California.

1. The authority citation for 7 CFR Part 917 continues to read as follows:

Authority: Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

Dated: April 21, 1988.

Robert C. Keeney,

Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 88–9059 Filed 4–22–88; 8:45 am]

BILLING CODE 3410–02–M

7 CFR Part 959

South Texas Onions; Increase in Assessment Rate

AGENCY: Agricultural Marketing Service, USDA.

ACTION: Proposed rule.

SUMMARY: This proposed rule would increase the assessment rate under Marketing Order 959 for the 1987–88 fiscal period. Funds to administer this program are derived from assessments on handlers.

DATE: Comments must be received by May 5, 1988.

ADDRESS: Interested persons are invited to submit written comments concerning this proposal. Comments must be sent in triplicate to the Docket Clerk, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, Room 2085–S, Washington, DC 20090–6456. Comments should reference the date and page number of this issue of the **Federal Register** and will be available for public inspection in the Office of the Docket Clerk during regular business hours.

FOR FURTHER INFORMATION CONTACT: Robert F. Matthews, Marketing Order Administration Branch, Fruit and Vegetable Division, AMS, USDA, P.O. Box 96456, Room 2525–S, Washington, DC 20090–6456, telephone 202–447–2431.

SUPPLEMENTARY INFORMATION: This rule is proposed under Marketing Order No. 959 (7 CFR Part 959) regulating the handling of onions grown in South Texas. This order is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601–674), hereinafter referred to as the Act.

This proposed rule has been reviewed under Executive Order 12291 and Departmental Regulation 1512–1 and has been determined to be a "non-major" rule under criteria contained therein.

Pursuant to requirements set forth in the Regulatory Flexibility Act (RFA), the Administrator of the Agricultural Marketing Service (AMS) has considered the economic impact of this proposed rule on small entities.

The purpose of the RFA is to fit regulatory actions to the scale of business subject to such actions in order that small businesses will not be unduly or disproportionately burdened. Marketing orders issued pursuant to the Act, and rules issued thereunder, are unique in that they are brought about through group action of essentially small entities acting on their own behalf. Thus, both statutes have small entity orientation and compatibility.

There are approximately 40 handlers of Texas onions under this marketing order, and approximately 160 Texas onion producers. Small agricultural producers have been defined by the Small Business Administration (13 CFR 121.2) as those having annual gross revenues for the last three years of less than $500,000, and small agricultural service firms are defined as those whose

gross annual receipts are less than $3,500,000. The majority of the handlers and producers may be classified as small entities.

The marketing order requires that the assessment rate for a particular fiscal year shall apply to all assessable onions handled from the beginning of such year. An annual budget of expenses is prepared by the committee and submitted to the Department of Agriculture for approval. The members of the committee are handlers and producers of onions. They are familiar with the committee's needs and with the costs for goods, services, and personnel in their local area and are thus in a position to formulate an appropriate budget. The budget was formulated and discussed in a public meeting. Thus, all directly affected persons have had an opportunity to participate and provide input.

The assessment rate recommended by the committee is derived by dividing anticipated expenses by expected shipments of onions. Because that rate is applied to actual shipments, it must be established at a rate which will produce sufficient income to pay the committee's expected expenses. A recommended budget and rate of assessment is usually acted upon by the committee before the season starts, and expenses are incurred on a continuous basis. Therefore, budget and assessment rate approval must be expedited so that the committee will have funds to pay its expenses.

On December 31, 1987, expenses of $312,380 by the South Texas Onion Committee were approved and an assessment rate of 5½ cents per 50-pound container was established for the fiscal period ending July 31, 1988. The South Texas Onion Committee conducted a telephone poll on April 7, 1988, and unanimously recommended increasing the established assessment rate from 5½ cents to 7 cents per 50-pound container. The reason for the assessment increase is production for this season will be less than anticipated. Cool, wet weather has contributed to a large number of seed stems. While shipments for the 1988 season were projected to be 5.76 million 50-pound bags, the estimate has been reduced to 4.50 to 4.75 million bags. The original assessment rate would have yielded $316,800 in assessment income if the level of expected fresh market shipments was achieved. With the reduced estimate, such income will fall about $69,000 short of the amount anticipated. The committee would therefore be required to reduce its reserve by about $65,000 to meet its budgeted expenses. Increasing the assessment rate would prevent a depletion in reserve which is needed to fund operations at the beginning of the new fiscal period. In accordance with the marketing order requirements, this 1½ cent increase would be retroactive.

While this proposed action would impose some additional costs on handlers, the costs are in the form of uniform assessments on all handlers. Some of the additional costs may be passed on to producers. However, these costs would be significantly offset by the benefits derived from the operation of the marketing order. Therefore, the Administrator of AMS has determined that this action would not have a significant economic impact on a substantial number of small entities.

Based on the foregoing, it is found and determined that a comment period of less than 30 days is appropriate because the 1988 shipping season has begun and therefore the assessment rate approval needs to be expedited. The committee needs to have sufficient funds to pay its expenses which are incurred on a continuous basis.

List of Subjects in 7 CFR Part 959

Marketing agreements and orders, Onions (Texas).

For the reasons set forth in the preamble, it is proposed that 7 CFR Part 959 be amended to read as follows:

PART 959—[AMENDED]

1. The authority citation for 7 CFR Part 959 continues to read as follows:

Authority: Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674.

2. Section 959.228 is revised to read as follows:

§ 959.228 Expenses and assessment rate.

Expenses of $312,380 by the South Texas Onion Committee are authorized, and an assessment rate of $0.07 per 50-pound container or equivalent quantity of onions is established for the fiscal period ending July 30, 1988. Unexpended funds may be carried over as a reserve.

Dated: April 20, 1988.

Robert C. Keeney,

Deputy Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[FR Doc. 88–8962 Filed 4–22–88; 8:45 am]

BILLING CODE 3410–02–M

DEPARTMENT OF COMMERCE

International Trade Administration

DEPARTMENT OF THE INTERIOR

Office of Territorial and International Affairs

15 CFR Part 303

[Docket No. 80103–8003]

Proposed Limit on Duty-Free Insular Watches in Calendar Year 1988

AGENCIES: Import Administration, International Trade Administration, Department of Commerce; Office of Territorial and International Affairs, Department of the Interior.

ACTION: Proposed rule and request for comments.

SUMMARY: This action invites the comments of interested persons on a proposal to establish the total quantity of duty-free insular watches and watch movements for 1988 at 6,700,000 units and to divide this amount among the three insular possessions of the United States and the Northern Mariana Islands. We propose to do this by amending § 303.14(e), which now permits a total of 6,000,000 units distributed among the three insular possessions and the Northern Mariana Islands.

DATE: Comments must be received on or before May 5, 1988.

ADDRESS: Address written comments to Frank Creel, Director, Statutory Import Programs Staff, Room 1523, U.S. Department of Commerce, Pennsylvania Avenue and 14th Street NW, Washington, DC 20230.

FOR FURTHER INFORMATION CONTACT: Faye Robinson, (202) 377–1660, same address as above.

SUPPLEMENTARY INFORMATION: The insular possessions watch industry provision in section 110 of Pub. L. 97–446 (96 Stat. 2331) (1983) (19 U.S.C. 1202 note) requires the Secretary of Commerce and the Secretary of the Interior, acting jointly, to establish a limit on the quantity of watches and watch movements which may be entered free of duty during each calendar year. The law also requires the Secretaries to establish the shares of this limited quantity which may be entered from the Virgin Islands, Guam, American Samoa and the Northern Mariana Islands. Regulations on the establishment of these quantities and

shares are contained in §§ 303.3 and 303.4 of Title 15, Code of Federal Regulations (15 CFR 303.3 and 303.4).

The Departments propose to establish for calendar year 1988 a total quantity and respective territorial shares as shown in the following table:

Virgin Islands	4,700,000
Guam	1,000,000
American Samoa	500,000
Northern Mariana Islands	500,000
Total	6,700,000

Compared with the total quantity established for 1987 (52 FR 3794; Feb. 6, 1987), this amount would be a increase of 700,000 units. The proposed Virgin Islands territorial shares would be increased by 700,000 units. The proposed shares for Guam, American Samoa, and the Northern Mariana Islands would not change.

Our reasons for proposing these amounts are as follows:

1. There are no producers in American Samoa and the Northern Mariana Islands. This proposal would establish these territories' shares at the minimum required by the statute.

2. There is only one producer in Guam, and the amount we propose is consistent with the needs of the existing producer and with the existing set-aside of 500,000 units for possible allocation to the new firms in Guam.

3. We expect total Virgin Islands shipments in 1988 to exceed 4 million units. The amount we propose is consistent with the anticipated needs of the existing producers along with a set-aside of 500,000 units for possible allocation to new firms in the Virgin Islands.

Classification

Executive Order 12291.

In accordance with Executive Order 12291 (46 FR 13193, February 19, 1981), the Departments of Commerce and the Interior have determined that this rule does not constitute a "major rule" as defined by section 1(b) of the Order. It is not likely to result in:

(1) An annual effect on the economy of $100 million or more;

(2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(3) Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Therefore, preparation of a Regulatory Impact Analysis is not required.

This regulation was submitted to the Office of Management and Budget for review, as required by Executive Order 12291.

Regulatory Flexibility Act.

In accordance with the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, the General Counsel of the Department of Commerce has certified that this action will not have a significant economic impact on a substantial number of small entities. Fewer than ten entities are directly affected by this action. The commercial benefits of the program governed by these regulations, for entities both directly and indirectly affected, are less than $10 million per year.

Paperwork Reduction Act.

This rule does not contain information collection requirements subject to the Paperwork Reduction Act of 1980, 44 U.S.C. 3501 *et seq.*

List of Subjects in 15 CFR Part 303

Imports, Customs duties and inspection, Watches and jewelry, Marketing quotas, Administrative practice and procedure, Reporting and recordkeeping requirements, American Samoa, Guam, Virgin Islands, Northern Mariana Islands.

PART 303—[AMENDED]

For reasons set forth above, we propose to amend Part 303 as follows:

1. The authority citation for Part 303 continues to read as follows:

Authority: Pub. L. 97–446, 96 Stat. 2329, 2331 (19 U.S.C. 1202 note); Pub. L. 94–241, 90 Stat. 263 (48 U.S.C. 1681, note).

2. Section 303.14 is amended by revising paragraph (e) to read as follows:

§ 303.14 Allocation factors and miscellaneous provisions.

* * * * *

(e) *Territorial shares.* The shares of the total duty exemption are 4,700,000 for the Virgin Islands, 1,000,000 for Guam, 500,000 for American Samoa, and 500,000 for the Northern Mariana Islands.

Joseph A. Spetrini,

Deputy to the Deputy Assistant Secretary for Import Administration.

Mark Hayward,

Deputy Assistant Secretary for Territorial and International Affairs.

[FR Doc. 88–9007 Filed 4–22–88; 8:45 am]

BILLING CODE 3510 DS–M and 4310–93–M

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Part 702

Surface Coal Mining and Reclamation Operations; Exemption for Coal Extraction Incidental to the Extraction of Other Minerals

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: Proposed rule; notice of reopening of public comment period.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSMRE) of the United States Department of the Interior published a proposed rule on June 1, 1987. The proposed rule would establish regulations relating to the exemption contained in section 701(28) of the Surface Mining Control and Reclamation Act of 1977 (SMCRA) concerning the extraction of coal incidental to the extraction of other minerals. The proposed rule was amended and the comment period reopened on February 24, 1988. Subsequently, the comment period was extended to April 4, 1988.

By this notice, OSMRE is reopening the comment period on all issues associated with the proposed rule. In addition the notice describes and requests comments on additional modifications to the proposed rule concerning the requirement that operators would also have to demonstrate compliance with either a revenue or an economic viability test to establish the coal extraction is incidental to the extraction of other minerals in accordance with section 701(28) of SMCRA.

DATES: Written Comments: OSMRE will accept written comments on the proposed rule until 5 p.m., Eastern time on May 25, 1988.

ADDRESSES: Written Comments: Hand-deliver to the Office of Surface Mining Reclamation and Enforcement, Administrative Record, Room 5131, 1100 L Street NW., Washington, DC, or mail to the Office of Surface Mining Reclamation and Enforcement, Administrative Record, Room 5131–L, 1951 Constitution Avenue NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: James Fary, Division of Abandoned Mine Land Reclamation, Office of Surface Mining Reclamation and Enforcement, U.S. Department of the Interior, 1951 Constitution Avenue NW.,

Washington, DC 20240; Telephone: 202–343–5819 (Commercial or FTS).

SUPPLEMENTARY INFORMATION:

I. Public Comment Procedures
II. Regulatory Text of Proposed Modifications
III. Discussion of Proposed Modifications

I. Public Comment Procedures

Commenters (including the House of Representatives Committee on Interior and Insular Affairs, see letter of March 21, 1988, Administrative Record) have suggested that OSMRE consider an economic viability test such as provided below as part of the requirements for the exemption in section 701(28) of SMCRA. In addition, these commenters suggest the replacement of the use of the life of mine exemption standard with an annual value (revenue) and production rate test, as well as the elimination of the proposed market tests and the "good faith" standard. Moreover, these commenters urge OSMRE to modify the information requirements to include: The average unit price received or expected for the coal and non-coal materials, and the gross value of the coal and non-coal materials sold or used for the report period. OSMRE specifically seeks public comment on these and all other issues on the incidential exemption.

As an alternative way of determining if coal extraction is incidental to the extraction of other minerals, comments are also solicited on applying an economic viability concept as recently discussed in an Interior Board of Land Appeals (IBLA) decision (*McNabb Coal Co. Inc. vs. OSMRE*, 101 IBLA 282, March 15, 1988). Although this specific decision involved the current regulations, the IBLA found that extration of coal is not incidental to the extraction of other minerals where the mining of coal is essential to the economic viability of the mine. The IBLA found on the particular facts of the case that: (1) The coal was the deepest strata mined for commercial use or sale, (2) the acreage of the shallower deposits extracted for commercial use or sale was less that 50 percent of the coal deposit extracted, (3) the acreage of the mineral deposit immediately above the coal was less than 5 percent of the acreage of coal extracted, and (4) the decision to mine the deposit immediately above the coal was based on the decision to mine the coal, in ruling that the extraction of coal by the operator could not be considered "incidental." OSMRE solicits comments on the economic viability concept in comparison to the revenue test. OSMRE is particularly interested in receiving comments on the methodology for determining economic viability and the impact such a test would have on existing operations.

The comments should be specific, confined to issues pertinent to the June 1, 1987 (52 FR 20546) proposed rules, the modifications contained in the February 24, 1988 notice (53 FR 5430), and the modifications in this notice, and should explain the reasons for any recommended change. Where practical, commenters should submit three copies of their comments (see "ADDRESSES"). Comments received after the close of the comment period (see "DATES") may not necessarily be considered or included in the Administrative Record for the final rule.

II. Regulatory Text of Proposed Modifications

The proposed revenue test which OSMRE is considering is provided below. A discussion describing the proposed changes follows the regualtory text. Where no replacement language is proposed by this notice, the June 1, 1987 notice, as modified on February 24, 1988, continues to be the agency's proposal. To provide greater clarity, the italicized sections of the proposed rules below refer to the new language proposed by this notice. It should be noted that the proposed rule uses a 50 percent revenue test. This would establish a threshold over which coal revenues for the life of the mining area could not exceed. A final decision on whether a revenue or economic viability test will be used or if used, what the threshold level would be or how it would be administered, will only be made after evaulation of comments on the subject.

Section 702.12 Contents of application for exemption.

An application for exemption shall include at a minimum:

* * * * *

(b) A list of the minerals sought to be extracted and estimates of the annual and life-of-the-mine production to include;

(1) Tonnages of other minerals to be extracted for commerical use or sale and coal to be produced within each mining area,

(2) The basis for all tonnage, *revenue, and fair market value estimates,*

(3) *Estimated revenues to be derived from bona fide sales of the other minerals to be removed and coal to be extracted within the mining area, and*

(4) *Where coal or the other minerals are to be used rather than sold, fair market values at the time of projected use of the coal to be extracted and other minerals to be removed from the mining area.*

* * * * *

Section 702.14 Requirements for exemption.

Activities are exempt from the requirements of the Act if all of the following conditions are satisfied:

* * * * *

(d) *The revenue derived from the coal extracted from the mining area will not exceed 50 percent of the total revenue derived from the coal and other minerals removed for purposes of bona fide sale or reasonable commercial use over the life of the mining operation. If the coal extracted or the minerals removed are used by the operator or transferred to a related entity for use instead of being sold in a bona fide sale, then the fair market value of the coal or other minerals shall be determined at the time of use or transfer and shall be considered rather than revenue.*

Section 702.18 Reporting requirements.

(a) At the conclusion of each 12-month period following approval of the exemption, a person conducting activities covered by this part shall file a written report with the regulatory authority containing the information required by paragraphs (b) and (c) of this section with respect to:

(1) The preceding twelve-month period; and

(2) The entire life period of active operations at the mining area.

(b) The report shall be filed no later than 30 days following the end of such twelve-month period. Information in the report shall be separately identified for each mining area covered by the exemption.

(c) For each period and mining area covered by the report, the report shall specify:

(1) The number of tons of extracted coal sold in bona fide sales *and total revenue derived from such sales;*

(2) The number of tons of coal extracted and used by the operator or related entity *and the estimated total fair market value of such coal;*

(3) The number of tons of other commercially valuable minerals removed and sold in bona fide sales *and total revenue derived from such sales; and*

(4) The number of tons of other commercially valuable minerals removed and used by the operator or related entity *and the estimated total fair market value of such minerals.*

III. Discussion of Proposed Modifications

OSMRE is proposing to adopt a revenue test to determine whether the coal removal is "incidental" to the other mining activities. The House of Representatives Committee on Interior and Insular Affairs and other commenters have recommended that a revenue or an economic viability test is appropriate to meet the "incidental" part of the requirement for the exemption. OSMRE has decided to request comments on the merits of the proposal.

Section 702.12 Contents of application for exemption.

Proposed § 702.12(b) would be modified to reflect the revenue test which OSMRE is proposing in § 702.14(d), discussed below. As previously proposed, the application was required to contain an estimate of the annual and life-of-mine tonnages for the coal and other minerals to be removed from the mining area. To provide a basis for the regulatory authority to evaluate whether the applicant would be able to meet the revenue test, the application would also have to include estimates of the annual and life-of-the-mine revenues to be derived from bona fide sales of the other minerals to be removed and coal to be extracted within the mining area.

OSMRE recognizes that a revenue test would not be appropriate when the coal extracted or the other minerals removed are used by the operator or a related entity instead of being sold. In such situations, no "revenue" is obtained from the material used. The appropriate revenue factor to consider in such instances is the fair market value at the time of projected use of the coal to be extracted and other minerals to be removed. Proposed § 702.12(b) would require the application to include annual and life-of-mine estimates of the fair market values of the coal and other minerals to be used by the operator and related entities. The application would also have to provide the basis for revenue and fair market value estimates.

Section 702.14 Requirements for exemption.

Revenue Test

OSMRE is proposing to adopt § 702.14(d) which would establish a revenue test to determine whether the coal removal is "incidental" to the other mining activities.

Under proposed paragraph (d), the extraction of coal would qualify for the exemption only if the revenue derived from the coal extracted from the mining area would not exceed, for example, 50 percent of the total revenue derived from the coal and other minerals removed for purposes of bona fide sale or reasonable commercial use over the life of the mining operation. The proposal would provide further that if the coal extracted or the minerals removed are used by the operator or transferred to a related entity for use instead of being sold in a bona fide sale, then the fair market value of the coal used or other mineral used at the time of the use shall be considered rather than revenue. OSMRE is considering excluding the value of stockpiled minerals in calculating the revenue test and specifically requests comments with regard to this issue. Specific comments are also requested on how the revenue test would be applicable to existing operations.

Section 702.18 Reporting requirements.

Proposed § 702.18 would impose an annual reporting requirement relating to the proposed tonnage and revenue tests. The regulatory authority would not have to reapply the tonnage and revenue tests every year and each operator would not have to demonstrate that it satisfies these tests for every 12 month period. OSMRE recognizes that in certain instances, the tonnage of the coal extracted may exceed 16⅔ percent for a particular period or the revenue derived from the coal extracted may exceed, for example, 50 percent for a particular period, but would be less than those figures over the life of the mine. Such circumstances would depend upon the mining sequence and location of the coal relative to the other minerals in the mining area and would have been projected in the exemption application. The annual report would provide a basis for monitoring to assure that the operation is proceeding as contemplated in the approved application.

Under proposed § 702.18, each person conducting activities covered by Part 702 would be required annually to file a report with the regulatory authority. Under the proposal, information in the report would have to be separately identified for each mining area covered by the exemption. Such information would cover two periods. It would cover the 12 consecutive month period following approval of the exemption and it would also cumulatively cover the life of active operations at the mining area.

For each period and mining area covered by the report, the report would have to specify: (1) The number of tons of extracted coal sold in bona fide sales and total revenue derived from such sales; (2) The number of tons of coal extracted and used by the operator or related entity and the estimated total fair market value of such coal; (3) The number of tons of other commercially valuable minerals removed and sold in bona fide sales and total revenue derived from such sales; and (4) The number of tons of other commercially valuable minerals removed and used by the operator or related entity and the estimated total fair market value of such minerals. Having this information would enable the regulatory authority to monitor the progress of the operation.

List of Subjects in 30 CFR Part 702

Administrative practice and procedures, Surface mining, Underground mining.

Robert H. Gentile,

Director, Office of Surface Mining Reclamation and Enforcement.

Date: April 19, 1988.

[FR Doc. 88-8954 Filed 4-22-88; 8:45 am]

BILLING CODE 4310-05-M

DEPARTMENT OF TRANSPORTATION

Coast Guard

33 CFR Parts 173 and 174

[CGD 82-015]

State Marine Casualty Reporting; Accident Report Thresholds

AGENCY: Coast Guard, DOT.

ACTION: Notice of proposed rulemaking.

SUMMARY: The Coast Guard proposes to raise the reporting requirement threshold to $400 for vessel accidents involving only property damage. Because of inflation since 1979, the existing $200 threshold has resulted in the submission of increasing numbers of accident reports for minor incidents. These reports tend to distort the statistical base for the Boating Safety Program. These additional accident reports, which were not required to be submitted in 1979, have also increased the administrative burden on the Coast Guard and the reporting burden on the boating public. Raising the accident reporting threshold to $400 will compensate for the effects of inflation, provide for a consistent statistical base and reduce the administrative burden on the Coast Guard and the reporting burden on the boating public. State casualty reporting systems may continue to require submission of accident reports at a lower threshold than that required by the Coast Guard.

DATES: Comments must be received on or before June 24, 1988.

ADDRESSES: Comments should be submitted to Commandant (G-CMC/21), [CGD 82-015], U.S. Coast Guard, Washington, DC 20593-0001. Comments may be delivered to and will be available for examination and copying at the Marine Safety Council (G-CMC/21), Room 2110, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593-0001, between 8 a.m. and 3 p.m., Monday through Friday, except holidays.

FOR FURTHER INFORMATION CONTACT: Carlton Perry, Office of Boating, Public, and Consumer Affairs (202) 267-0979.

SUPPLEMENTARY INFORMATION: Interested persons are invited to submit written views, data or arguments on these proposed rules. Persons submitting comments should include their names and addresses, identify this Notice (CGD 82-015) and give the reasons for the comment. Persons desiring acknowledgment that their comments have been received should include a stamped, self-addressed postcard or envelope. The proposal may be changed in light of comments received. All comments received by the expiration of the comment period will be considered before final rule action is taken on this proposal. No public hearing has been scheduled, but one may be held at a time and place to be set in a later notice in the **Federal Register**, if requested by persons raising a genuine issue and it is determined that the rulemaking will benefit from oral presentations.

Drafting Information

The principal persons involved in drafting this proposed rule are Carlton Perry, Project Manager and Christena Green, Project Attorney.

Discussion of the Proposed Amendment

Sections 173.55 and 174.101 of Title 33 Code of Federal Regulations, require the submission of a casualty or accident report for accidents involving fatalities, injuries requiring medical treatment beyond first aid, or property damage more than $200 or complete loss of vessel. The casualty reporting system has helped to achieve uniform reporting of boating accident information and has provided a statistical base to evaluate the need for safety standards and to help analyze program effectiveness.

In 1972 the original reporting threshold for vessel accidents resulting in only property damage was $100. The reports required under this criterion provided an adequate statistical base for boating safety analyses. However, the effects of inflation on the reporting system necessitated an increase in the reporting threshold to $200 in 1979, both to reduce the number of reports required to be filed and to correct the distortion on the year to year data in the statistical base. The reporting threshold again needs to be adjusted to compensate for the effects of inflation.

Any fixed figure selected as the reporting threshold amount will, over time, become outdated. The Coast Guard plans to review the reporting threshold amount annually, applying the Gross National Product (GNP) deflator, published by the Department of Commerce. When appropriate, the Coast Guard will raise the threshold in $100 increments.

Using this method on the original $100 threshold set in 1972 results in accident reporting threshold of $400 for the year 1985 and $500 for the year 1990. In 1972, the GNP deflator was 46.5, on a 1982 base. In 1978, the GNP deflator was 72.2., on a 1982 base. Multiplying $100 by 72.2 and dividing by 46.5 yields an equivalent of $155.27. Rounding to the nearest hundred dollars yields and equivalent figure of $200 for 1978 (final rule raising the threshold to $200 effective 1979). Applying the formula to subsequent years yields equivalent figures of $300 for 1981, $400 for 1985 and $500 for 1990.

Determining the Appropriate Level for the Reporting Threshold

The proposed rule will simply adjust the reporting threshold to compensate for inflation and to maintain a statistical data base comparable to previous years. The Coast Guard is also interested, however, in receiving comments on the desirability of establishing a reporting threshold between $500 and $1,000. A reporting threshold between $500 and $1,000 would not only reduce the number of reports required to be submitted, but it would also reduce the amount of information received by eliminating the reporting requirement for lower levels of property damage historically contained in our statistical data base. The Coast Guard publishes these statistics in an annual report, *Boating Statistics*, and distributes it to about 4,000 entities interested in recreational boating safety, including the news media, State, local and private organizations, and individuals.

The following table represents the effects that various accident reporting threshold levels between $400 and $1,000 would have had on the property damage accident reports actually received during Calendar Year 1986, when the reporting threshold was $200.

Reporting Threshold Effects on CY 1986 Property Damage Reports

Reporting threshold amount	Number of reports received	Cumulative percent reduction of reports required	Incremental percent reduction of reports required
$1,000	2,124	40.6	2.2
900	2,201	38.4	3.3
800	2,321	35.1	2.7
700	2,418	32.4	3.5
600	2,543	28.9	8.9
500	2,859	20.0	4.4
400	3,018	15.6	.....
200	3,573	.....	.....

The Coast Guard specifically seeks public comment on the following questions, as they relate to the information contained in the above table.

Questions

1. Should the reporting threshold be raised to $400 now for CY 1989, to preserve a comparable data base, and be raised to $500 for CY 1990 to maintain the data base, if still supported by the indexing formula?
2. Should the reporting threshold be raised to $500 now for CY 1989, to avoid repeating the regulatory process for CY 1990?
3. Should the reporting threshold be set at some higher level between $600 and $1,000, establishing a new data base on which to apply the indexing formula?
4. Should the reporting dollar threshold be replaced by the specific types of damage which should be reported, regardless of dollar value of the property damage?
5. For what purposes are the Coast Guard statistics on recreational boating property damage used?
6. What impacts, if any, would result from the loss of information, if a reporting threshold above $400 were established?

Improving Compliance with Requirements for Reporting Property Damage

Coast Guard and State officials recognize that failure of recreational boaters to report boating accidents is a continuing concern. The Coast Guard is working with the States to increase the boating community's awareness and compliance with accident reporting requirements. The Coast Guard is interested in improving this effort. Therefore, public comment is requested on any measures that could be taken to improve boaters' compliance with requirements for reporting property damage. Your participation will assist the Coast Guard in the development of

appropriate data affecting recreational boating safety. If regulatory action is indicated, it will be subject to a separate notice of proposed rule making.

The National Boating Safety Advisory Council and the National Association of State Boating Law Administrators have been consulted and their opinions and advice have been considered in the formulation of this proposed rule. The transcripts of the proceedings of the National Boating Safety Advisory Council at which this proposed rule was discussed are available for examination in Room 4306, U.S. Coast Guard Headquarters, 2100 Second Street SW., Washington, DC 20593–0001. The minutes of the meetings are available from the Executive Director, National Boating Safety Advisory Council, c/o Commandant (G–BBS), U.S. Coast Guard, 2100 Second Street SW., Washington, DC 20593–0001.

Regulatory Evaluation

This proposed regulation is considered non-major under Executive Order No. 12291 and nonsignificant under Department of Transportation regulatory policies and procedures (44 FR 11034; February 26, 1979). This amendment is being proposed to make an adjustment to an accident reporting criterion and does not reflect interpretations of statutory language. The Coast Guard collects and analyzes accident data on a calendar year basis and the intent of this proposed amendment is to keep accident data comparable from year to year. The effect of the proposed amendment is to reduce the number of reports being submitted for accidents of decreasing seriousness due to economic inflation. Raising the reporting criteria from "more than $200" to "more than $400" will reduce the number of reports presently required because minor cosmetic damage repair costs exceed the reporting threshold. Applying the proposed $400 threshold to the reporting burden for accidents involving only property damage in 1986, reduces the 1,787 hours of reporting burden by 356 hours. The adequacy of this alternative and method of annual application of GNP deflators to the reporting threshold will be reconsidered during a review of all Coast Guard recreational boating safety regulations scheduled for May 1991. For these reasons, the economic impact of the proposal has been found to be so minimal that further evaluation is unnecessary. Since the impact of the proposal is expected to be minimal, the agency certifies that it will not have a significant economic impact on a substantial number of small entities.

List of Subjects in 33 CFR Parts 173 and 174

Marine safety, Reporting requirements.

In consideration of the foregoing, the Coast Guard proposes to amend Parts 173 and 174 of Title 33, Code of Federal Regulations to read as follows:

PART 173—[AMENDED]

1. The authority for Part 173 is revised to read as follows:

Authority: 46 U.S.C. 6101, 12302; 49 CFR 1.46.

2. Section 173.55 is amended by revising paragraph (a)(3) to read as follows:

§ 173.55 Report of casualty or accident.

(a) * * *

(3) Damage to the vessel and other property totals more than $400 or there is a complete loss of the vessel; or

* * * * *

PART 174—[AMENDED]

3. The authority for Part 174 is revised to read as follows:

Authority: 46 U.S.C. 6101, 12302; 49 CFR 1.46.

4. Section 174.101 is amended by revising paragraph (b) to read as follows:

§ 174.101 Applicability of State casualty reporting system.

* * * * *

(b) The State casualty reporting system may also require vessel casualty or accident reports for property damage in amounts less than that required under § 173.55 of this chapter.

* * * * *

Dated: April 20, 1988.

M.E. Gilbert,

Rear Admiral, U.S. Coast Guard, Chief, Office of Boating, Public and Consumer Affairs.

[FR Doc. 88–9015 Filed 4–22–88; 8:45 am]

BILLING CODE 4910–14–M

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Part 73

[MM Docket No. 88–157, RM–6150]

Radio Broadcasting Services; Arcadia, MI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Kenneth J. Burch, proposing the allocation of FM Channel 300A to Arcadia, Michigan, as that community's first FM broadcast service. Concurrence of the Canadian government will be requested since Arcadia is located within 320 kilometers (200 miles) of the common U.S.-Canadian border. The coordinates for this proposal are 44–29–36 and 86–14–12.

DATES: Comments must be filed on or before June 9, 1988, and reply comments on or before June 24, 1988.

ADDRESS: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Kenneth J. Burch, P.O. Box 92037, Warren, Michigan 48092–0037.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 88–157, adopted March 18, 1988, and released April 18, 1988. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857–3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Steve Kaminer,

Deputy Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 88–9020 Filed 4–22–88; 8:45 am]

BILLING CODE 6712–01–M

47 CFR Part 73

[MM Docket No. 88-155, RM-6149]

Radio Broadcasting Services; Pentwater, MI

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by James J. McCluskey proposing the allocation of FM Channel 231A to Pentwater, Michigan, as that community's second FM broadcast service. Concurrence of the Canadian government is required for the allocation of Channel 231A at Pentwater. The coordinates used for this proposal are 43-46-30 and 86-26-24.

DATES: Comments must be filed on or before June 9, 1988, and reply comments on or before June 24, 1988.

ADDRESS: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: James J. McCluskey, 220½ South Michigan, Big Rapids, Michigan 49307.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 88-155, adopted March 18, 1988, and released April 18, 1988. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Steve Kaminer,

Deputy Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 88-9022 Filed 4-22-88; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 88-156, RM-6018]

Radio Broadcasting Services; Mora and Nisswa, MN

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by John Godfrey, requesting the allocation of FM Channel 227C1 to Mora, Minnesota, as that community's second FM broadcast service. Petitioner also requests the deletion of FM Channel 227C at Nisswa, Minnesota, to accommodate the new channel at Mora. There is a site restriction 12.8 kilometers north imposed on Channel 227C1 at Mora. The coordinates for Channel 227C1 at Mora are 45-59-50 and 93-17-54. Canadian concurrence is required for the allotment of the channel at Mora.

DATES: Comments must be filed on or before June 9, 1988, and reply comments on or before June 24, 1988.

ADDRESS: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: John Godfrey, 1100 Sixth Street NE., Minneapolis, Minnesota 55413.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 88-156, adopted March 18, 1988, and released April 18, 1988. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Steve Kaminer,

Deputy Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 88-9018 Filed 4-22-88; 8:45 am]

BILLING CODE 6712-01-M

47 CFR Part 73

[MM Docket No. 88-149, RM-6128]

Radio Broadcasting Services; Wabasha, MN

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition filed by Interstate Communications, Inc., proposing the allocation of FM Channel 273A to Wabasha, Minnesota, as that community's first FM broadcast service. There is a site restriction 4.6 kilometers (2.9 miles) west of the community. The restricted site coordinates are 44-23-06, 92-05-12.

DATES: Comments must be filed on or before June 9, 1988, and reply comments on or before June 24, 1988.

ADDRESS: Federal Communications Commission, Washington DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows:

Mark E. Fields, Miller & Fields, P.C., P.O. Box 33003, Washington, DC 20033 (Counsel for the petitioner);

Interstate Communications, Inc., Box 46, Wabasha, Minnesota 55981.

FOR FURTHER INFORMATION CONTACT: Kathleen Scheuerle, Mass Media Bureau (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No.

88–149, adopted March 16, 1988, and release April 18, 1988. The full text of this Commission decision is available for inspection and copying normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857–3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Steve Kaminer,

Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 88–9025 Filed 4–22–88; 8:45 am]

BILLING CODE 6712–01–M

---

47 CFR Part 73

[MM Docket No. 88–160, RM–6202]

Radio Broadcasting Services; Bayard, NE

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by Charles Ellis seeking the allocation of Channel 280C to Bayard, Nebraska, as the community's first local FM service. Channel 280C can be allocated to Bayard in compliance with the Commission's minimum distance separation requirements without the imposition of a site restriction. The coordinates for 280C at Bayard are: North Latitude 41–45–24; West Longitude 103–19–30.

DATES: Comments must be filed on or before June 9, 1988, and reply comments on or before June 24, 1988.

ADDRESS: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Daniel F. Van Horn, Esq., Arent, Fox, Kintner, Plotkin & Kahn, 1050 Connecticut Avenue NW., Washington, DC 20036–5339.

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 88–160, adopted March 23, 1988, and released April 18, 1988. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857–3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Steve Kaminer,

Deputy Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 88–9023 Filed 4–22–88; 8:45 am]

BILLING CODE 6712–01–M

---

47 CFR Part 73

[MM Docket No. 88–159, RM–6204]

Radio Broadcasting Services; New London, NH

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by Kevin O'Kane to allocate of Channel 259A to New London, New Hampshire, as the community's first local FM service. Channel 259A can be allocated to New London in compliance with the Commission's minimum distance separation requirements without a site restriction. Canadian concurrence is required. The coordinates for 259A at New London are: North Latitude 43–24–50; West Longitude 71–59–08.

DATES: Comments must be filed on or before June 9, 1988, and reply comments on or before June 24, 1988.

ADDRESS: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Kevin O'Kane, RR 2, Box 73, Munnsville, New York 13409 (Petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 634–6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 88–159, adopted March 23, 1988, and released April 18, 1988. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857–3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Steve Kaminer,

Deputy Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 88–9019 Filed 4–22–88; 8:45 am]

BILLING CODE 6712–01–M

47 CFR Part 73

[MM Docket No. 88-158, RM-6203]

Radio Broadcasting Services; Lenoir, NC

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: The Commission requests comments on a petition by Foothills Broadcasting of Lenoir to allocation of Channel 277A to Lenoir, North Carolina, as the community's first local FM service. Channel 277A can be allocated to Lenoir in compliance with the Commission's minimum distance separation requirements with a site restriction of 6.9 kilometers (4.3 miles) northwest to avoid a short-spacing to Station WSOC-FM, Channel 279C, Charlotte, North Carolina, and to the construction permit of Station WRLX, Channel 275C1, Hickory, North Carolina. The restricted site coordinates are: North Latitude 35-58-38; West Longitude 81-33-57. This site restriction does not negate the short-spacing to the licensed site of Station WRLX at Hickory. Therefore, final action herein is contingent upon the licensing of Station WRLX at the site specified in its construction permit (BMPH-870112IB).

DATES: Comments must be filed on or before June 9, 1988, and reply comments on or before June 24, 1988.

ADDRESS: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioner, or its counsel or consultant, as follows: Lawrence J. Bernard, Jr., Ward & Mendelsohn, P.C., 1100-17th Street, NW., Suite 900, Washington, DC 20036 (Counsel to petitioner).

FOR FURTHER INFORMATION CONTACT: Leslie K. Shapiro, Mass Media Bureau, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 88-158, adopted March 23, 1988, and released April 18, 1988. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractor, International Transcription Service, (202) 857-3800, 2100 M Street NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. See 47 CFR 1.1231 for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, see 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Steve Kaminer,

Deputy Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 88-9021 Filed 4-22-88; 8:45 am]

BILLING CODE 6712-01-M

---

47 CFR Part 73

[MM Docket No. 88-152, RM-6291]

Radio Broadcasting Services; Denison, TX

AGENCY: Federal Communications Commission.

ACTION: Proposed rule.

SUMMARY: This document requests comments on a petition by Sunbelt Wireless Company, licensee of Station KMKT-FM, Channel 285A Denison, Texas, proposing the substitution of Class C2 Channel 285 for Channel 285A and modification of the station license accordingly. A site restriction of 21.0 kilometers (13.0 miles) east of Denison is required. The coordinates for the proposal are 33-45-22 and 96-46-22.

DATE: Comments must be filed on or before June 9, 1988, and reply comments on or before June 24, 1988.

ADDRESS: Federal Communications Commission, Washington, DC 20554. In addition to filing comments with the FCC, interested parties should serve the petitioners, or their counsel or consultant, as follows: Herbert D. Miller, Jr., Esquire, Koteen & Naftalin, 1150 Connecticut Avenue, NW., Washington, DC 20036 (Counsel for petitioner).

FOR FURTHER INFORMATION CONTACT: Patricia Rawlings, (202) 634-6530.

SUPPLEMENTARY INFORMATION: This is a summary of the Commission's Notice of Proposed Rule Making, MM Docket No. 88-152, adopted March 24, 1988, and released April 18, 1988. The full text of this Commission decision is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text of this decision may also be purchased from the Commission's copy contractors, International Transcription Service, (202) 857-3800, 2100 M Street, NW., Suite 140, Washington, DC 20037.

Provisions of the Regulatory Flexibility Act of 1980 do not apply to this proceeding.

Members of the public should note that from the time a Notice of Proposed Rule Making is issued until the matter is no longer subject to Commission consideration or court review, all *ex parte* contacts are prohibited in Commission proceedings, such as this one, which involve channel allotments. This is restricted notice and comment rule making proceeding. See 47 CFR 1,1208. See 1.1204(b) for rules governing permissible *ex parte* contact.

For information regarding proper filing procedures for comments, See 47 CFR 1.415 and 1.420.

List of Subjects in 47 CFR Part 73

Radio broadcasting.

Federal Communications Commission.

Steve Kaminer,

Deputy Chief, Policy and Rules Division, Mass Media Bureau.

[FR Doc. 88-9024 Filed 4-22-88; 8:45 am]

BILLING CODE 6712-01-M

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

50 CFR Part 611

[Docket No. 80472-8073]

Foreign Fishing

AGENCY: National Marine Fisheries Service (NMFS), NOAA, Commerce.

ACTION: Advance notice of proposed rulemaking.

SUMMARY: NOAA seeks comments on regulatory and other options to respond to illegal fishing in the U.S. Exclusive Economic Zone (EEZ) of the Bering Sea, and to the possibility of harvests in an adjacent area that threaten U.S. stocks. The options include: (1) Requiring foreign fishing vessels (FFVs) carrying U.S. observers within the EEZ to continue carrying them on any voyage beyond the EEZ in the Bering Sea; (2) allowing processing and support activities in the EEZ only for fish harvested inside U.S. waters; and (3) requiring inspection of FFVs entering and leaving the EEZ in the Bering Sea. Implementation of one or more of these

options would allow NOAA to monitor more closely harvests in the Bering Sea and to combat illegal fishing within the EEZ.

DATES: Comments must be filed on or before May 25, 1988.

ADDRESS: Send written comments to Alfred J. Bilik, Fees and Permits Branch, F/TS21, National Marine Fisheries Service, 1825 Connecticut Avenue, NW., Washington, DC 20235. Telex 467856 US COM FISH CI

FOR FURTHER INFORMATION CONTACT: Alfred J. Bilik, (202) 673–5319.

SUPPLEMENTARY INFORMATION: The remote Bering Sea, despite hostile weather and sea conditions, is the world's most productive fishing ground. The Bering Sea's primary production areas that support a wide variety of fish and shellfish are located almost entirely within the U.S. EEZ and the U.S.S.R. economic zone (EZ). A small portion of the central Bering Sea, entirely surrounded by the two zones and referred to as the "donut hole," supports fisheries based on pelagic resources such as Alaska pollock and several species of anadromous Pacific salmon and steelhead.

The United States has implemented fishery conservation, management, and development policies, consistent with international law, that are rapidly displacing foreign fishing fleets from the EEZ. In the EEZ off Alaska, the phase-out of foreign fishing has ended foreign directed fishing, at least for the first part of 1988, and is reducing the dependence of the U.S. harvesting sector on foreign fish processing vessels.

As a result, displaced FFVs are either relocating their efforts to the "donut hole," or may be fishing illegally within U.S. waters but may be reporting their catch as having been harvested in the "donut hole." There are indications that some FFVs have been abusing the right to fish within the central Bering Sea to the detriment of the interests of the U.S., whose waters provide many of the spawning grounds for the resources beyond.

The Coast Guard has documented numerous aerial sightings of FFVs in the Bering Sea EEZ, but either could not identify the vessels or could not prove they were engaged in harvesting activities. Then on January 13, 1988, as many as seven modern trawler-processors of Japanese registry were videotaped from a privately chartered airplane as they were fishing on Bowers Ridge, 35 miles inside the U.S. EEZ, despite the fact that no foreign nation has received an allocation for Alaska groundfish in 1988. Several of the vessels had concealed their identification numbers. There is little doubt that these vessels entered the EEZ from or on their way to the "donut hole." U.S. enforcement officials are concerned that unregulated fisheries in the "donut hole" provide an opportunity for FFVs to fish illegally within the U.S. EEZ and avoid detection by enforcement patrols.

In addition to providing a sanctuary for FFVs poaching in the EEZ, the "donut hole" may be a "last frontier" for foreign fishing vessels. During certain times of the year, Alaska pollock form large spawning aggregations subject to deepwater trawling in the "donut hole." Vessels from Japan, the Republic of Korea, Poland, the People's Republic of China, and possibly from North Korea and Taiwan have recently fished there. The reported catch from the "donut hole" has increased dramatically from about 15,000 metric tons in 1980 to about 993,000 metric tons in 1986. The "donut hole" is the only area in the Bering Sea ecosystem where FFVs can take significant amounts of fish free of even the mildest conservation limitations. If the harvest in the "donut hole" is actually as high as reported, U.S. scientists are concerned that this level of fishing could adversely affect the entire Bering Sea ecosystem. Continued unrestrained fishing in the "donut hole" may ultimately adversely affect the conservation efforts of the United States in the EEZ.

NOAA is responding to these problems by implementing an Emergency Final Rule, published in today's **Federal Register** to change the definition of "fishing" to improve enforcement and to gather additional information on Bering Sea harvests. NOAA is considering other options that, individually or in combination, would address the situation.

Option 1—Observers

Late last year, the North Pacific Fishery Management Council (Council) recommended that NOAA condition foreign fishing permit authorizations for vessels which support U.S. fishing vessels in the Bering Sea and Aleutian Islands groundfish fishery, and which also conduct directed fishing operations in the adjacent waters beyond the EEZ. The condition was that the flag nation be required to agree that such vessels would carry U.S. observers while fishing in the "donut hole."

NOAA replied that it could not implement the recommendation until adequate preparations were completed. Permit authorizations were approved for 1988 without the recommended condition, but applicant nations were notified that the Council's recommendation was under consideration and that the permit authorizations might be amended later. Such an amendment can be made under the provisions of 50 CFR 611.3(l); no rulemaking is required.

This notice is published in compliance with § 611.3(l)(3) as a proposed "additional restriction." NOAA proposes to implement an "extended" observer program by amending the 1988 foreign fishing permit authorizations that allow vessels to receive Alaska groundfish from U.S. vessels under the Bering Sea and Aleutian Islands Groundfish Fishery Management Plan. Appropriate authorizations would be amended by adding an item (c) to the section entitled "Other Activities Authorized and Additional Conditions and Restrictions Applicable to Permits":

(c) If requested by the Regional Director, Alaska Region, the named vessels must carry a U.S. observer aboard when conducting fishing operations in waters of the Bering Sea beyond the seaward boundary of the EEZ of any nation.

This observer program would further conservation and management of Bering Sea groundfish because of the probable relation between removals from the "donut hole" and stocks in the EEZ. A bilateral arrangement between a foreign nation and the U.S. for an observer program in the "donut hole" would be an acceptable substitute for compliance with the observer condition.

Comments on this option will be considered in any decision to amend existing permit authorizations.

Option 2—Support Limitations

It is extremely rare for FFVs to be caught conducting unauthorized harvesting operations in the EEZ, as Japanese trawlers were observed doing January 13. The unusual circumstances of this discovery lead to the conclusion that such illegal fishing may be commonplace. We suspect most such activities occur at night, during bad weather, or by monitoring the whereabouts of U.S. enforcement patrols. FFVs encountered merely processing or transferring fish in the Bering Sea EEZ have been effectively exempt from the foreign fishing regulations, because of our inability to disprove that the fish involved were taken outside the EEZ.

Today's emergency rulemaking revises the definition of "fishing" so that all processing and transfer activities in the EEZ will be subject to U.S. permitting and reporting requirements. But, since a permitted support vessel would still have a legitimate reason for being in the Bering Sea EEZ, enforcement officials would have

difficulty in distinguishing whether any fish aboard came from the EEZ or from outside waters. (FFV logs usually do not implicate the vessel as having fished illegally in the EEZ.)

One approach to this enforcement problem is to limit processing and transfer operations in the Bering Sea EEZ to activities involving only fish that is harvested in U.S. waters. This could be accomplished by amending § 611.93, either (1) by directly prohibiting in the EEZ any activities supporting the harvest of fish taken seaward of the Bering Sea management area (BSMA), as defined in § 611.93(a)(1); or (2) by requiring FFVs entering the BSMA to conduct joint ventures with U.S. fishing vessels to enter with empty holds. Mere transit of the BSMA with non-EEZ fish aboard would be allowed. Either alternative could be combined with Option 3, described below.

Option 2 essentially would require vessels engaged in "donut hole" fishing to remain outside the EEZ, or to conduct processing operations in Alaskan internal waters, if allowed by the Governor of Alaska. "Donut hole" operations and fishing in U.S. waters would be separated in time and space. The only way an FFV could hide "donut" fish or fish illegally taken in the EEZ would be by underlogging, which is subject to detection by observers or by enforcement boardings.

While Option 2 is attractive from an enforcement viewpoint, it sacrifices opportunities to gain information on Bering Sea harvests. FFVs operating only in the "donut hole" would have no need for U.S. permits, and thus would not be subject to reporting, inspection, or observer requirements. It would also place burdens on foreign fishing fleets, which prefer the calmer waters of loading zones inside the EEZ for transfer operations.

Option 3—Inspections

It has been suggested that all FFVs entering the Bering Sea EEZ with the intent of conducting support operations should be required to make a port call in Alaska to be inspected; exit inspections of such vessels would also be mandatory. This could be accomplished by amending the regulations governing foreign fishing in the Bering Sea and North Pacific Ocean (§ 611.90(f)).

This proposal could not be carried out under the present budget of the National Marine Fisheries Service (NMFS). During 1987, there were 4,364 foreign fishing vessel entries to and exits from the EEZ off Alaska. The NMFS Enforcement Office in Alaska estimates a cost of $95,000 per month, plus salaries, to ensure full inspection of each FFV entering and exiting the EEZ. Without assistance from a private or other governmental source, this option is not viable.

Option 3A, a variation on 100 percent inspection, would be to inspect in port only some of the FFVs entering and exiting the Bering Sea management area (BSMA), as defined in § 611.93(a)(1). Section 611.90(f) would be revised to add an inspection opportunity before the FFV leaves the BSMA and to clarify that entry and exit inspections may occur at sea or in port. Within the 24 hours following a BEGIN or SHIFT (into a BSMA area) message, NOAA would send notice to the FFV that it must come to port to be inspected before it could begin any "fishing" operation (as redefined in today's emergency rulemaking). Within the 24 hours following a CEASE message, NOAA would send notice to come to port before leaving the BSMA. If no notice were received, the FFV would be free to begin fishing or to leave the area. The cost of Option 4A would obviously depend on the number of FFVs called into port.

Either option would facilitate inspection of fish, fish products, and fishing gear aboard vessels that conduct fishery support operations in the Bering Sea management area. BEGIN messages, which must include the amount of fish and fish products on board upon entry into the EEZ, could be verified. The capacity of vessels arriving with empty holds could be measured, to be compared with cargoes upon exit. Inspection would provide some cross-checking with reports on transfers within the BSMA. And, since some FFVs would be entering the BSMA after harvesting fish in the "donut hole," some information pertinent to that fishery could be gathered.

On the other hand, the proposal would impose substantial costs in lost fishing time, fuel, and pilotage fees on foreign vessels. More important in enforcement terms, one-point inspection would not stop all illegal poaching. An FFV could still proceed to the "donut hole" but re-enter the EEZ at night, during bad weather, or by monitoring U.S. enforcement activities. After loading up with fish, the FFV could check in, ascribe its load to harvest in the "donut," and conduct transfer or joint venture operations in the BSMA. On its way out, the FFV would reverse the strategy, poaching after being inspected in port.

NOAA is allowing only 30 days for comments on these proposals due to the urgency of the situation. We recognize that the two purposes of the rulemaking—improving enforcement and collecting information—cannot each be accomplished to the maximum extent by any of the proposed options; we are seeking an appropriate balance. NOAA also welcomes suggestions for additional measures.

Date: April 20, 1988.

James E. Douglas, Jr.,

Acting Assistant Administrator For Fisheries, National Marine Fisheries Service.

[FR Doc. 88-9082 Filed 4-21-88; 11:52 am]

BILLING CODE 3510-08-M

Notices

Federal Register
Vol. 53, No. 79
Monday, April 25, 1988

This section of the FEDERAL REGISTER contains documents other than rules or proposed rules that are applicable to the public. Notices of hearings and investigations, committee meetings, agency decisions and rulings, delegations of authority, filing of petitions and applications and agency statements of organization and functions are examples of documents appearing in this section.

DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service

[Docket No. 88-045]

Secretary's Advisory Committee for Swine Health Protection; Meeting

AGENCY: Animal and Plant Health Inspection Service, USDA.

ACTION: Notice of meeting.

SUMMARY: We are giving notice of a meeting of the Secretary's Advisory Committee for Swine Health Protection.

Place, Dates, and Time of Meeting: The meeting will be held in Room 244W of the Administration Building, U.S. Department of Agriculture, 14th Street and Independence Avenue SW., Washington, DC, on May 19, 1988, from 8:15 a.m. to 4:30 p.m.

FOR FURTHER INFORMATION CONTACT: Dr. R.R. Ormiston, Senior Staff Veterinarian, Program Planning Staff, VS, APHIS, USDA, Room 846, Federal Building, 6505 Belcrest Road, Hyattsville, MD 20782, (301) 436-5961.

SUPPLEMENTARY INFORMATION: The purpose of the Secretary's Advisory Committee for Swine Health Protection (Committee) is to advise the Secretary of Agriculture concerning matters within the scope of the Swine Health Protection Act. We anticipate that, during the meeting, members of the Committee and the public will provide valuable information, opinions, and recommendations concerning the policies and procedures of the Swine Health Protection Program.

The meeting will be open to the public. Anyone interested in the Swine Health Protection Program should send their written statements concerning the program to Dr. R.R. Ormiston at the address listed in this document, or present them at the time of the meeting. Please refer to Docket Number 88-045 when submitting your statements.

Done in Washington, DC, this 20th day of April, 1988.

James W. Glosser,

Acting Administrator, Animal and Plant Health Inspection Service.

[FR Doc. 88-9011 Filed 4-22-88; 8:45 am]

BILLING CODE 3410-34-M

Forest Service

Mono Basin National Forest Scenic Area; Private Property Development Guidelines

AGENCY: Forest Service, USDA.

ACTION: Adoption of final guidelines.

SUMMARY: The Forest Service hereby establishes a set of guidelines for the development of private property within the boundaries of the Mono Basin National Forest Scenic Area. The guidelines are written to comply with directions set forth in the California Wilderness Act of 1984 (16 U.S.C. 478, 511), which established the Scenic Area. Application of these guidelines will determine if proposed private property development is compatible with the purposes of the Scenic Area. Properties determined to be incompatible with the guidelines must be brought into compliance or will be subject to acquisition by the Federal Government.

EFFECTIVE DATE: These guidelines are effective April 25, 1988.

FOR FURTHER INFORMATION CONTACT: Marcus Petty, Recreation Staff, Washington, DC, (202) 447-2311 or Nancy Upham, Scenic Area Manager, Lee Vining, CA, (619) 647-6525.

SUPPLEMENTARY INFORMATION: In accordance with the provisions of the California Wilderness Act (16 U.S.C. 478, 511) establishing the Mono Basin National Forest Scenic Area, the Forest Service hereby adopts guidelines that provide the basis for determinations of detrimental or incompatible uses of private land within the Scenic Area. The guidelines assist the Forest Service and landowners in meeting the statutory management objectives to protect the natural, scenic, ecologic, geologic and cultural resources of the area.

Under section 303(a) of the California Wilderness Act, the Secretary is authorized to acquire all lands and interest therein within the boundary of the Scenic Area by donation, exchange, or purchase with donated or appropriated funds, except that:

1. Any lands or interests therein within the boundary of the Scenic Area which are owned by the State of California or political subdivision thereof (including the city of Los Angeles) may be acquired only by donation or exchange; and

2. Lands or interests therein within the boundary of the Scenic Area which are not owned by the State of California or any political subdivision thereof (including the city of Los Angeles) may be acquired only with the consent of the owner unless the Secretary determines, after written notice to the owner and after opportunity for comment, that the property is being developed, or proposed to be developed, in a manner which is detrimental to the integrity of the Scenic Area or which is otherwise incompatible with the purpose of the act.

These guidelines being adopted provide a process for determining compatibility of private land uses with the intent of the Act. Lands which are being used in a compatible manner will be certified by the Forest Service. Certification protects the owner from land acquisition by the Federal Government without the owner's consent. Certification of private property within the Scenic Area, or decertification with subsequent Federal land acquisition, is based on these guidelines.

These guidelines were developed after meetings were held with Scenic Area landowners and persons from the local community of Lee Vining. The Mono County Planning Department advised the Forest Service on how to design the guidelines to be consistent with County zoning ordinances in terminology and some specific land use requirements. The Scenic Area Advisory Board was consulted and their input incorporated.

A notice of proposed private property development guidelines was published in the **Federal Register** on June 27, 1986 (51 FR 23449). Comments were invited for the period ending July 27, 1986, analyzed and are summarized below.

Public Comments and Responses

Comments were received from 12 parties: Landowners within the Scenic Area (9), attorneys representing landowners within the Scenic Area (2), and a local business owner (1). Major

comments and responses are summarized below.

Comment: Several comments were received which noted that there existed a disparity between land use categories. Landowners in the developed land use category were prohibited from constructing detached structures. Only attached structural additions would be allowed. The recommendation was that all properties should be allowed detached structures not to exceed 100% of the square footage of existing buildings.

Response: The final guidelines allow for the construction of detached structures in lieu of attached structural additions for properties in all three land use categories. Detached structures may be built in lieu of attached structural additions as long as the Forest Service determines that the visual impact of a detached structure would be no greater than the visual impact of an attached structural addition.

Comment: Several comments were received which recommended that more flexibility be built into the guidelines, allowing the Forest Service to address each situation on a case-by-case basis, rather than absolute regulations applying to all situations.

Response: The Forest Service believes that it has built in as much flexibility as possible while still remaining within the intent of the Scenic Area legislation.

Comment: Two comments were received which requested that the Forest Service adopt the Mono County building codes in lieu of new development guidelines which further restrict what landowners can do with their property.

Response: The Mono County Planning Department advised the Agency on how to design the guidelines to be consistent with County zoning ordinances and land use requirements. However, langauge in the Scenic Area legislation required further restrictions by referring to anything "significantly different from, or a significant expansion of development existing as of June 1, 1984", as being detrimental to the integrity of the Scenic Area. Therefore, to meet the intent of the law, the guidelines of necessity are more stringent than the Mono County zoning ordinances and land use requirements.

Comment: Two comments were received which requested that commercial property be treated with leniency and on a case-by-case basis so that businesses could expand and/or change as local economics dictate. They stated that it could be difficult to maintain a business under new restrictions placed on them by the guidelines.

Response: The proposed guidelines allowed only new *recreational* or *interpretive* facilities to be constructed in compatibility with the Scenic Area. The final guidelines are less restrictive and allow for new commercial businesses deemed compatible with the Scenic Area in the Comprehensive Management Plan as follows: In the Natural Land Use Category, new commercial developments may serve recreational, interpretive or research purposes; in the Developed Land Use Category, new commercial developments may be for any purpose as long as they are deemed compatible in the Comprehensive Management Plan; and in the Relicted Land Use Category, facilities may be constructed that are needed for uses and developments identified in the Comprehensive Management Plan.

Comment: One reviewer suggested the implementation of a "grace" period of ten years under which landowners could develop their land to protect their investments.

Response: The Scenic Area legislation established a benchmark date of June 1, 1984 by which to measure any proposals for new development and/or expansion of existing development. As this date precedes the date of enactment, it is clear that Congress did not intend to allow a "grace" period for new construction and development, prior to the implementation of new restrictions on development.

Comment: One reviewer stated that landowners owning property of 100 acres or more on the west side of U.S. 395 between Lee Vining and Lundy Lake Road, should be allowed to parcel their property into no more than three parcels of no less than 20 acres each.

Response: A subdivision at the location described would result in a situation that is "significantly different from that which existed June 1, 1984", and would thereby render it detrimental to the integrity of the Scenic Area. Therefore, such subdivisions cannot be allowed.

Comment: One respondent stated that the section on land disturbance under general compatibility standards is not nearly restrictive enough. A simple prohibition against any new land disturbance was recommended.

Response: In the final guidelines the language of the land disturbance section has been strengthened to say that any new land disturbance, regardless of size, must not substantially impair or detract from natural, scenic, ecologic, geologic, and cultural values.

Comment: One respondent stated that there should be no expansion of the present mining activity.

Response: The Forest Service believes that the restrictions on mining operations outlined in the guidelines are sufficient to ensure that mining activity will not be detrimental to the integrity of the Scenic Area. Landowners are required to submit to the District Ranger a plan of operations by which a mining proposal can be screened for potential impairment of protected Scenic Area values, compliance with the general compatibility standards of these guidelines and State and Federal air and water quality standards, as well as planned mitigation. A proposal that did not meet these standards would not be certified.

Comment: One respondent stated that unimproved property in the developed land use category should be classified under the natural land use category. Development of that property should not be allowed.

Response: The Forest Service believes that, under the restrictions outlined in the guidelines, development of the six unimproved properties in the developed land use category would not be detrimental to the integrity of the Scenic Area. The developed land use category was so named because of the relative density of development in comparison to other places in the Scenic Area. Therefore, we believe that development of the unimproved property would not be significantly different from or a significant expansion of development existing June 1, 1984.

Comment: One respondent suggested that buildings with historical significance should be saved and landowners should be allowed the full square footage to construct another structure on the same property.

Response: The final guidelines allow for a variance to the compatibility standards for the preservation of historically significant structures as set forth in the National Historic Preservation Act (80 Stat. 915, 16 U.S.C. 470 *et seq.*). Significance would be determined by eligibility criteria for the National Register of Historic Places.

Comment: One respondent stated that the Forest Service should have the authority to require private property owners to divest their property of litter in the form of abandoned junk cars and trucks, vehicle parts, wheels, tires, etc.

Response: The agency has added a clause to section 4(b) of the guidelines on general compatibility standards applicable to all private property to ensure that private landowners protect scenic and aesthetic values by not accumulating debris, junk automobiles, and unused or unusable equipment on their properties.

Comment: One reviewer said that there should be a provision for amendments to the guidelines when in the future changes might be beneficial and/or necessary.

Response: A clause was added to section 1 of the guidelines to provide for amendments to these guidelines. Proposed amendments will be published in the **Federal Register**, with final adoption after interested persons have been given an opportunity to participate through submission of comments.

Comment: One reviewer said that landowners should be advised in writing when certification is denied or rescinded.

Response: A clause was added to section 3 of the guidelines that requires the District Ranger to notify an affected landowner in writing of the basis for denial or rescission of certification. The new language also states that the District Ranger may set a deadline by which the landowner may correct the non-conforming use.

Comment: One respondent stated that once the District Ranger determines that a proposal is non-detrimental and compatible with the purposes of the Scenic Area, it should be so certified.

Response: This is the intent of the certification process. We have added a clause to section 3 on new uses and developments that states that, once a determination of proposal compatibility has been made, it shall be so certified in writing.

Comment: One respondent asked for clarification concerning the definition of "guest housing" and its application to residential structures or structures designed for transient occupancy, such as motel units.

Response: The definitions of "guest housing" and "secondary housing" were both modified to clarify that the terms do not include structures designed for authorized transient occupancy, such as certified motel units.

Comment: One reviewer asked if private landowers can subdivide their property for the purposes of sale, leasing or financing new construction or reconstruction.

Response: Under the general compatibility standards, the section on subdivision was clarified to allow subdivision of property by private landowners only when subdivision is intended to facilitate sale to the government to benefit the Scenic Area.

Comment: One reviewer asked if the requirement for placing utilities underground is from the nearest utility pole, or the like, owned by the applicable public utility and not offsite public utilities.

Response: The requirement for placing utilities underground in Section 4(b) applies only to modifications, expansion, replacement, or new utilities, to the nearest utility pole or the like, and does not affect any offsite public utilities. The original wording in the proposed guidelines is clear and therefore was not changed.

Comment: One repondent asked if both the reconstruction of an existing building and additions may not exceed 100% of the original building authorized.

Response: Both reconstruction and additions not to exceed 100% of the original building are considered compatible and will be certified. The word "and" was added to section 4(a)(2)(A) between the two authorizing clauses to clarify this point.

Comment: One reviewer asked if approval for new construction has to wait until the comprehensive management plan is completed.

Response: The only decisions on new development or construction proposals that will be delayed until the management plan is completed are those for new commercial businesses. A screening process will be designed in the management plan for making decisions on the compatibility of commerical proposals. This is referred to in section 5, parts (a), (b), and (c).

Comment: One respondent asked if livestock grazing constitutes a vegetative removal land disturbance.

Response: Grazing of livestock does not constitute a vegetative removal land disturbance as defined in section 4(b)(5) of the general compatibility standards. Grazing that existed as of June 1, 1984 is protected as a compatible use under the Scenic Area legislation. No wording changes were made in the guidelines.

In addition, the provision related to appeals of denials of certification has been revised to accommodate any future changes the Agency may make to its appeal regulations. This change will eliminate the necessity to revise guidelines for what would essentially be a technical matter.

Having considered the comments received in response to the proposed guidelines, the Forest Service hereby adopts the guidelines with the changes noted. These guidelines will be appended to the comprehensive management plan being developed for the Area. The text of the final guidelines appears at the end of this notice.

George M. Leonard,

Associate Chief.

April 7, 1988.

Guidelines for the Development of Private Lands Within the Mono Basin National Forest Scenic Area

Section 1—General

(a) *Introduction.* These guidelines shall provide standards for the use and development of private lands within the Mono Basin National Forest Scenic Area (hereafter "Scenic Area") as provided by the California Wilderness Act (Pub. L. 98–425; 98 Stat. 1632) hereafter, "Act". Private property meeting these standards shall be deemed compatible with the purposes of the Scenic Area.

(b) *Purposes of the Scenic Area.* Congress has directed the Secretary of Agriculture to manage the Scenic Area to protect its geologic, ecologic, cultural, natural, and scenic resources.

(c) *Amendments.* Amendments to these guidelines shall be made by publishing proposed changes in the **Federal Register**, with final adoption after interested persons have been given an opportunity to participate through submission of comments.

(d) *Definitions.*

(1) "Accessory building" means a subordinate building incidental to main building on the same lot, which is not for habitation.

(2) "Attached" as applied to structural additions means structures which share at least one wall with the original structure and the height does not exceed that of the original.

(3) "Certified or certification" means a determination by the Forest Service that development or use of a property is compatible with the purposes of the Scenic Area.

(4) "Continuous use" means any building or structure used full time or seasonally (at least 3 months of the year) prior to June 1, 1984.

(5) "Existing use" means a use, including development or practice, that was occurring as of June 1, 1984 (or if seasonal, within the twelve (12) months prior to June 1, 1984) by, or with the consent of, the landowner, consistent with applicable laws and regulations; including, but not limited to local zoning and State and local pollution abatement requirements. An exception to this definition is found in section 3(b).

(6) "Expansion" means an increase in the square footage of a structure or an increase in the size, area, or effect (visual, noise, etc.) of any improvement or disturbance.

(7) "Guest housing" means a second structure on a lot designed for habitation. This does not include structures designed for authorized transient occupancy, such as certified motel units.

(8) "Improved property" means a parcel containing any improvements requiring a building permit (residence, accessory building, fence or other non-earth development, etc). An exception to this definition is found in section 3(b).

(9) "Improvements" means any manmade structure of a permanent or semi-permanent nature without regard to size.

(10) "Private property" means all land owned by other than the Federal Government, the State of California, or any subdivision thereof (including the City of Los Angeles).

(11) "Reconstruction" means remodeling (including replacement of worn or damaged items) including roofing, siding, and other structural replacement up to and including total building removal and reconstruction.

(12) "Secondary housing" or guest housing means a second structure on a lot designed for habitation. This does not include structures designed for authorized transient occupancy, such as certified motel units.

(13) "Secretary" means the Secretary of Agriculture acting by or through the Forest Service, Mono Lake Ranger District, Inyo National Forest.

(14) "Serviceable" means the condition of a building or structure which renders it ready for its designed use (i.e., habitation, storage, etc.) for the present and in the future.

(15) "Significant geologic features" includes, but is not limited to, craters, volcanic domes, fissures, hot water and steam vents, the eastern Sierra escarpment as a whole, and all tufa within the Scenic Area.

(16) "Structure" means an improvement in such condition that it is available for its designed use.

(17) "Unimproved property" means a parcel without improvements. Minor earthwork which does not require a county grading permit does not render property improved.

(18) "Use" means an activity or development, associated with a parcel of land.

(19) "Use and development plan" includes all documents required by Mono County and all specific details the District Ranger deems necessary.

Section 2—Land Use Classifications

(a) *General.* For purposes of managing the Scenic Area and achieving the statutory objectives for the area, the Forest Service shall classify the lands within the Scenic Area in one of three land use categories: Natural, Developed, and Relicted as shown on the Land Use Category Map dated May 7, 1985, on file and available for public inspection in the office of the District Ranger, Mono Lake Ranger District on the Inyo National Forest, Lee Vining, CA.

(b) *Relicted Land Use Category.* This category consists of all lands below elevation 6,417 feet.

This land use category includes exposed lake bottom containing open vistas, outstanding geologic features and wildlife habitat. Only isolated development exists and is essentially limited to scattered interpretive facilities, boat access, range and wildlife improvements and a few residence. Management emphasis on lands in this category is to protect and interpret the natural ecosystems, cultural values and outstanding geologic features of the area.

(c) *Developed Land Use Category.* This category consists of lands north of Lee Vining in a strip approximately one mile each side of US 395 and above elevation 6,417 feet.

This area is characterized by a predominantly rural and natural appearing landscape with some developments and structures. Private parcels in this area have historically been used for commercial, residential and community purposes. Management emphasis on lands in this category is to maintain the rural and natural appearing landscape while allowing and providing for recreational and interpretive developments where appropriate. Limited further development and continued use of privately owned land compatible with the purposes of the Scenic Area are consistent with the management emphasis for this portion of the Scenic Area.

(d) *Natural Land Use Category.* This category includes all lands within the Scenic Area not included in the Relicted and Developed Land Use Categories.

These lands are predominately natural in appearance, containing essentially uninterrupted vistas, outstanding geologic features and extensive rangeland and grazing with no significant impacts on wildlife habitats, ecologic processes and dispersed recreational uses. Management of lands in the natural category emphasizes protection of the natural character, ecosystems, cultural values and outstanding geologic features; and providing recreational and interpretive facilities and opportunities consistent with the purposes and values for which the Scenic Area was established. Management of lands in this category also recognizes compatible development and resource uses.

Section 3—Certification

(a) *General.* Private lands used in a manner consistent with the land use standards of these guidelines are deemed compatible with the purposes of the Scenic Area. The District Ranger certifies that the land use is consistent with the management standards. Uses will be recorded by diagrams, written descriptions and photographs, which will provide accurate base line data from which new construction, reconstruction, or expansion will be reviewed. Landowners who have not been certified shall apply to the Forest Service for certification prior to any change in use or development of their property. Certification of uses will not be affected by a change in ownership, for that reason only. The Secetary will not acquire by condemnation certified property within the Scenic Area.

The certification of any structure or use located on relicted lands is not deemed a waiver of any claim by the U.S. Government to title of lands in the relicted area.

(b) *Pre-existing uses.* All land uses and developments existing on June 1, 1984, shall be depicted on maps and in records at the District Ranger's office, shall be deemed compatible with the purposes of the scenic area, and shall be certified by letter to the landowner. Developments occurring after June 1, 1984, shall be certified as though they existed on June 1, 1984, if the landowner was issued a valid Mono County building permit between June 1, 1984, and May 22, 1985.

(c) *New Uses and Developments.* All new uses and developments are subject to certification, including changes from uses existing on June 1, 1984. All new uses after that date shall be certified, if they are confined to locations where they may be conducted without detracting from the purposes and objectives of the Scenic Area. Any landowner who proposes to change uses or develop property shall submit to the District Ranger a use and development plan setting forth the manner in which the property is proposed to be developed and proposed uses of the property. If the District Ranger determines that the development and use plan conforms to the applicable standards established for the land use category in which the property is located, the District Ranger will declare the proposal non-detrimental and compatible with the purposes of the Scenic Area, and it shall be so certified in writing.

Landowners may develop new recreation and interpretative facilities in locations deemed appropriate through the Comprehensive Management Plan. Such facilities must be certified.

(d) *Historically Significant Structures.* A variance to the compatibility

standards may be allowed for the preservation of historically significant structures as set forth in the National Historic Preservation Act, 36 CFR Part 800, and determined by eligibility criteria for the National Register of Historic Places, 36 CFR 60.4.

(e) *Coordination with County Zoning Ordinances.* If the County enacts zoning regulations consistent with these guidelines, the District Ranger may coordinate compatibility determinations with the County approval process in order to reduce duplication of review and facilitate approvals. In such an event, the Forest Service would effectively be providing staff input to the County process, and would certify compatible uses, upon approval by the County.

Should the County grant a zoning variance in conflict with these guidelines, the Secretary may acquire the property without consent of the owner if the property use is otherwise deemed incompatible.

(f) *Denial or Rescission of Certification.* The District Ranger shall deny or rescind certification when a change in use or developments results in non-conformance with applicable standards. The District Ranger shall notify an affected landowner in writing of the basis for such denial or rescission and may provide a period of time for correction of the non-conforming use.

(g) *Appeals.* In giving written notice of a decision to deny certification to a land owner, the District Ranger shall specifically advise the landowner of any available opportunity to appeal the decision and include the name and address of the officer with whom an appeal may be filed.

Section 4—Compatibility Standards

(a) *Existing Improvements.* As required by section 303(b)(2) of the Act, the District Ranger shall certify the following uses as compatible with the purposes of the Scenic Area:

(1) Development and uses existing as of June 1, 1984.

(2) Reconstruction and expansion of buildings, support systems and facilities existing on June 1, 1984, and new construction of support systems and facilities as follows:

(A) Reconstruction of an existing building, and

(B) Construction of attached structural additions, not to exceed 100 percentum of the square footage of the original building, and

(C) Construction of reasonable support development such as roads, parking, water and sewage systems.

(b) *General Compatibililty Standards.* Landowners must conform to the following standards for their continued land uses to be compatible and remain certified:

(1) *Disposal of Wastes.* Landowners provide for disposal of solid and liquid waste originating on or resulting from use of their properties, consistent with State and County law.

(2) *Utilities.* Landowners place underground all utility modifications, expansion, replacement, or new utilities, (including cable TV). Any utility structures required to be above ground (e.g. satellite dishes, windmills, etc.) are painted in earth tones and properly placed to be screened by vegetation and/or topography.

(3) *Discharge of Pollutants.* Landowners obtain required permits for discharging pollutants, as defined by State law.

(4) *Use of Recreation Vehicles.* Landowners use or store recreation vehicles, including but not limited to, motor homes, camper trucks and travel trailers, on private property within the Scenic Area as follows:

(A) For no more than 60 days recreational use,

(B) For one year during construction of a residence.

(C) For storage by an owner, at the owner's residence.

(5) *Land Disturbance* Landowners obtain approval of the District Ranger for any new land disturbance (movement of 200 cubic yards of soil or more, or clearing land 10,000 square feet or more) and/or vegetative removal on other than a building site (e.g. tree farm, alfalfa field, mining roads, etc.). Any new land disturbance, regardless of size, must not substantially impair or detract from natural, scenic, ecologic, geologic and cultural values.

(6) *Mobile Homes.* Landowners provide the following conditions for new placement and use of mobile homes (manufactured housing):

(A) Mobile home is on permanent foundation,

(B) Mobile home has a pitched roof,

(C) Mobile home is paneled with wood siding, which is painted or stained an earth tone color that harmonizes with the natural surroundings.

(7) *Commercial Signs.* Landowners use commercial signs as follows:

(A) Signs are located on the site on which the use occurs,

(B) Signs do not exceed 40 square feet in size with a maximum length of 8 feet and maximum height from the ground of 15 feet,

(C) Signs do not feature flashing or neon devises, and

(D) Signs are of colors that harmonize with the natural surroundings.

(8) *Subdivision.* Landowners subdivide their property only when subdivision is intended to facilitate sale to the government to benefit the Scenic Area.

(9) *Secondary Housing.* Landowners do not construct or provide secondary or guest housing.

(10) *Damage to a Certified Structure.* Landowners reconstruct or remove structures damaged by fire, flood, or other catastrophe in conformance with the applicable standards. A landowner does not need new certification for reconstruction unless the damage reduces the value of the structure by 50% or more.

(11) *Storage.* Landowners do not utilize cargo containers, semi-trailers, train cars, or other trailers for storage or other incompatible uses.

(12) *Maintenance.* Landowners maintain buildings, structures, and grounds, including fences, in an equal or upgraded condition to that noted in the original certification, or they remove said buildings and structures.

(13) *Home Industry.* Landowners establish only those home industries deemed compatible with the purposes of the Scenic Area. Home industries must be certified by the District Ranger.

(14) *Grazing.* Landowners maintain or reduce the level of grazing that existed June 1, 1984. Increased levels of grazing must be certified by the District Ranger.

(15) *Scenic and Aesthetic Values.* Landowners protect scenic and aesthetic values by not accumulating debris, junk automobiles, and unused or unusable equipment on their properties.

(16) *Conformance with Other Standards.* When appropriate, landowners adopt all applicable and practicable guidelines for unimproved residential property in the Developed Land Use Category, section 5(b)(1)(A).

(17) *Conformance with Other Regulations.* Landowners use and develop their property in conformance with applicable Federal, State and local laws, regulations and ordinances.

(c) *Mining.* The standards set forth in this paragraph shall apply to private property in any land use category which is used for mineral operations. To aid in determining whether a planned mineral operation will conform to these guidelines, the landowner shall submit to the District Ranger a proposed plan of operations in compliance with agency regulations at 36 CFR 228.8.

All existing mining operations as of June 1, 1984, will be certified. The District Ranger will certify all other operations in the Scenic Area if the following conditions are met:

(1) Landowners confine operations to locations where they may be conducted without substantially impairing or detracting from the natural, scenic, ecologic, geologic and cultural values of the area.

(2) Operators meet the general compatibility standards set forth in paragraphs (b)(1)-(17) of this section.

(3) Landowners describe in their operating plans how the operations will:

(A) Comply with Federal and State air and water quality waste disposal standards.

(B) Minimize adverse impacts on scenic values.

(C) Provide for prompt stabilization and restoration of areas disturbed by the operations.

(4) Operators meet all pertinent provisions of the rules governing mining set forth in 36 CFR Part 228.

Section 5—Standards for New Development

New use and development of private lands will be deemed compatible and will be certified if landowners comply with the standards in section 4, paragraphs (b)(1)-(17) and the following additional specific land use category standards:

(a) *Natural Land Use Category.*

(1) *Unimproved Property.* Landowners may construct and provide only those new commercial developments which serve recreational, interpretive, or research purposes and which are deemed compatible with the Scenic Area in the Comprehensive Management Plan.

(2) *Improved Property.*

(A) Landowners may construct and provide only those new commercial developments which serve recreational, interpretive, or research purposes and which are deemed compatible with the Scenic Area in the Comprehensive Management Plan.

(B) Landowners may construct up to two new detached structures in lieu of an attached structural addition as long as (1) the total of all new detached structures does not exceed 100 percentum of the square footage of existing buildings and (2) the Forest Service determines that the visual impact of the detached structures would not be any greater than the visual impact of attached additions. New detached structures may not be used for habitation.

(i) Parcels with certified development resulting from an original building permit issued between June 1, 1984, and May 22, 1985, shall be considered "unimproved" as of June 1, 1984, but exceptions will be made to allow the completion of improvements authorized by such building permits. However, provisions of 4(a)(2) and 5(a)(2)(B) shall not apply to these parcels. Construction or expansion in addition to that authorized by the original building permit shall not be allowed.

(b) *Developed Land Use Category.* (1) Unimproved Property. (A) Residential. (i) Landowners must submit a proposed use and development plan which includes a preliminary landscape plan indicating visual screening of structures from main travel routes and public use areas. Such visual screening may be achieved by a combination of vegetative screening, topography, structure design and site development.

(ii) Landowners must submit a proposed grading and earth movement plan with the use and development plan, which minimizes all excavation or topographic changes that may be required for buildings, roads, and utilities.

(iii) Landowners may construct no more than one single family dwelling on each separately owned parcel as recorded in the records of Mono County as of June 1, 1984. Dwelling size may not exceed 2,000 square feet of floor space (excluding below ground basement).

(iv) Landowners may construct up to two accessory buildings, including a detached garage or a garage attached to the residence. Such accessory buildings are not to be used for habitation and may not exceed 900 square feet total (both buildings and/or attached garage).

(v) Landowners may construct buildings that are single story structures and do not exceed 18 feet from the ground to the highest point of the roof.

(vi) Landowners must utilize building architecture that is compatible with the rural environment, location, and scale; visually unobtrusive to passing motorists; rustic in nature; and uses harmonious earth tone colors and non-reflective roofing and sidings. Any fence is clearly necessary, made of natural materials (such as split rail), and compatible with the building architecture.

(vii) Landowners may construct structural improvements that cover up to 40% of the parcel.

(viii) Landowners may remove live trees and other vegetation only when necessary to accommodate buildings and roads and to allow installation of utilities. All mature trees and vegetation stands that are proposed to be removed must be identified in the proposed use and development plan.

(ix) Landowners minimize adverse aesthetic impacts and soil erosion in the design, location and construction of roads.

(x) Landowners place identification signs only on the site. Signs may not exceed two (2) square feet in size. Sale and rental signs may be located only on the site and do not exceed four (4) square feet in size.

(B) Commercial. Landowners may construct and provide only those new commercial developments deemed compatible with the Scenic Area in the Comprehensive Management Plan.

(2) Improved Property. (A) Residential. Landowners may reconstruct and expand residential property as specified in (i) or (ii) below, whichever is larger:

(i) Landowners may construct up to two new detached structures in lieu of an attached structural addition as long as (1) the total of all new detached structures does not exceed 100 percentum of the square footage of existing buildings and (2) the Forest Service determines that the visual impact of the detached structures would not be any greater than the visual impact of attached additions. New detached structures may not be used for habitation.

(ii) Landowners may reconstruct or expand their single family dwellings up to 2000 square feet of floor space (excluding below ground basement); and up to 900 square feet of accessory buildings (total square footage of old and new structures), including a detached garage or a garage attached to the residence.

No new accessory buildings may be used for habitation; only those existing buildings certified as guest housing may be used as such. No more than two new accessory buildings, including a detached garage, may be constructed.

(B) Commercial. (i) Landowners may reconstruct and expand commerical development by the standards for residential property [section 5(b)(2)(A)].

(ii) Commerical use and development is compatible when the purpose and intent of a commerical business is the same as that existing June 1, 1984 or found not to be detrimental to the integrity of the Scenic Area in the Comprehensive Management Plan.

(c) *Relicted Land Use Category.* For any private lands within the relicted land use category, the following will apply:

(1) Unimproved Property. Landowners, and/or Federal, State, or local units of government upon receipt of an easement, may construct reasonable roads, utilities, parking or other facilities that are needed for existing uses or developments, or uses and developments identified in the Comprehensive Management Plan.

(2) Improved Property. (A) Landowners may construct up to two detached structures in lieu of attached structural additions as long as (1) the total of all new detached structures does not exceed 100 percentum of the square footage of existing buildings and (2) the Forest Service determines that the visual impact of the detached structures would not be any greater than the visual impact of attached additions. New detached structures may not be used for habitation.

(B) Landowners, and/or Federal, State, or local units of government upon receipt of an easement, may construct reasonable roads, utilities, parking or other facilities that are needed for existing uses or developments, or uses and developments identified in the Comprehensive Management Plan.

[FR Doc. 88-8961 Filed 4-22-88; 8:45 am]

BILLING CODE 3410-11-M

COMMISSION ON CIVIL RIGHTS

Oregon Advisory Committee; Meeting Change

Notice is hereby given, pursuant to the provisions of the Rules and Regulations of the U.S. Commission on Civil Rights, that a meeting of the Oregon Advisory Committee to the Commission previously scheduled for April 21, 1988, convening at 1:30 p.m. and adjourning at 6:00 p.m. at the Hilton Hotel, 921 Southwest Sixth Avenue, Portland, Oregon 97204 (FR Doc. Vol. 53, No. 57, March 24, 1988) has a new meeting date.

The meeting convening and adjourning times and location will remain the same. The meeting date will change to May 26, 1988.

Dated at Washington, DC, April 15, 1988.

Susan J. Prado,

Acting Staff Director.

[FR Doc. 88-8982 Filed 4-22-88; 8:45 am]

BILLING CODE 6335-01-M

DEPARTMENT OF COMMERCE

International Trade Administration

[C-357-801]

Initiation of Countervailing Duty Investigations; Certain Welded Carbon Steel Pipe and Tube Products From Argentina

AGENCY: Import Administration, International Trade Administration, Commerce.

ACTION: Notice.

SUMMARY: On the basis of a petition filed in proper form with the U.S. Department of Commerce, we are initiating countervailing duty investigations to determine whether manufacturers, producers, or exporters in Argentina of certain welded carbon steep pipe and tube products as described in the "Scope of Investigations" section of this notice, receive benefits which constitute bounties or grants within the meaning of the countervailing duty law. If these investigations proceed normally, we will make our preliminary determinations on or before June 23, 1988.

EFFECTIVE DATE: April 25, 1988.

FOR FURTHER INFORMATION CONTACT: Barbara Tillman, Import Administration, International Trade Administration, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230; telephone: (202) 377-2438.

SUPPLEMENTARY INFORMATION:

The Petition

On March 30, 1988, we received a petition in proper form filed on behalf of the U.S. industry producing certain welded carbon steel pipe and tube products from the Standard Pipe, Line Pipe, Structural Tubing and Mechanical Tubing Subcommittees of the Committee on Pipe and Tube Imports and the individual manufacturers which are members of the aforementioned subcommittees. In compliance with the filing requirements of § 355.26 of the Commerce Regulations (19 CFR 355.26), the petition alleges that manufacturers, producers, or exporters in Argentina of certain welded carbon steel pipe and tube products receive bounties or grants within the meaning of section 303 of the Tariff Act of 1930, as amended ("the Act").

Argentina is not a "country under the Agreement" within the meaning of section 701(b) of the Act, and the merchandise being investigated is dutiable. Therefore, sections 303(a)(1) and (b) of the Act apply to these investigations. Accordingly, petitioners are not required to allege that, and the U.S. International Trade Commission is not required to determine whether, imports of the subject merchandise materially injure, or threaten material injury to, a U.S. industry.

Initiation of Investigations

Under section 702(c) of the Act, we must determine, within 20 days after a petition is filed, whether the petition sets forth the allegations necessary for the initiation of a countervailing duty investigation, and whether it contains information reasonably available to the petitioners supporting the allegations. We have examined the petition on certain welded carbon steel pipe and tube products from Argentina and have found that it meets the requirements of section 702(b) of the Act. Therefore, we are initiating countervailing duty investigations to determine whether manufacturers, producers, or exporters in Argentina of certain welded carbon steel pipe and tube products as described in the "Scope of Investigations" section of this notice, receive benefits which constitute bounties or grants within the meaning of the Act. If our investigations proceed normally, we will make our preliminary determinations on or before June 23, 1988.

Scope of Investigations

The United States has developed a system of tariff classification based on the international harmonized system of customs nomenclature. Congress is considering legislation to convert the United States to this Harmonized System ("HS"). In view of this, we will be providing both the appropriate Tariff Schedules of the United States Annotated ("TSUSA") item numbers and the appropriate HS item numbers with our product descriptions on a test basis, pending Congressional approval. As with the TSUSA, the HS item numbers are provided for convenience and Customs purposes. The written description remains dispositive.

We are requesting petitioners to include the appropriate HS item number(s) as well as the TSUSA item number(s) in all new petitions filed with the Department. A reference copy of the proposed Harmonized System is available for consultation at the Central Records Unit, Room B-099, U.S. Department of Commerce, 14th Street and Constitution Avenue NW., Washington, DC 20230. Additionally, all Customs offices have reference copies, and petitioners may contact the Import Specialist at their local Customs office to consult the schedule.

We have determined for purpose of this initiation that the products covered by these investigations constitute four separate "class or kind" categories; we thus will conduct four separate investigations with these products.

The four separate "class or kind" categories are as follows:

(1) Certain circular welded carbon steel pipes and tubes, 0.375 inch or more but not over 16 inches in outside diameter, generally known in the industry as standard pipe. This is a general-purpose commodity used in such

applications as plumbing pipe, sprinkler systems, and fence posts. Standard pipe may be supplied with an oil coating (black pipe) or may be galvanized, and is sold in plain ends, threaded, threaded and coupled, or beveled. These products are generally produced to ASTM specifications A–120, A–53, or A–135. Imports of these products are classified under TSUSA categories 610.3231, 610.3234, 610.3241, 610.3442, 610.3243, 610.3252, 610.3254, 610.3256, 610.3258, and 610.4925, and are classified under HS categories 7306.1000, 7306.30.5025, 7306.30.5030, 7306.30.5040, 7306.30.5045, 7306.30.5050, 7306.30.5060, 7306.30.5065, and 7306.30.5075. Oil country tubular goods entering under TSUSA categories 610.3242, 610.3243, 610.3252, 610.3254, and 610.3258 are already covered by a countervailing duty order and are not covered by this investigation.

(2) Certain welded carbon steel American Petroleum Institute (API) line pipe, 0.375 inch or more but not over 16 inches in outside diamenter known in the industry as line pipe. Line pipe generally is produced to API specification 5L. Line pipe is used for the transportation of gas, oil, or water, generally in pipeline or utility distribution systems. API line pipe not over 16 inches in outside diameter is classified under TSUSA categories 610.3209 and 610.3208, and will be classified under HS categories 7306.10.1010 and 7306.10.1050.

(3) Certain heavy-walled carbon steel rectangular tubing having a wall thickness of 0.156 inch or greater, which is generally used for support members for construction or load-bearing purposes in construction, transportation, farm, and material-handling equipment. The product is generally produced to ASTM specification A–500, Grade B. Imports of heavy-walled rectangular tubing are classified under TSUSA category 610.3955, and are classified under HS category 7306.60.1000.

(4) Certain light-walled carbon steel rectangular tubing having a wall thickness of less than 0.156 inch, which is generally employed in a variety of end uses not involving the conveyance of liquid or gas, such as agricultural equipment frames and parts, and furniture parts. The product is generally produced to ASTM specification A–513 or A–500, Grade A. Imports of light-walled rectangular tubing are classified under TSUSA category 610.4928, and are classified under HS category 7306.60.5000.

Allegation of Bounties or Grants

The petition lists a number of practices by the Government of Argentina which allegedly confer bounties or grants on manufacturers, producers, or exporters in Argentina of certain pipe and tube products. We are initiating investigations on the following alleged programs:

- Reembolso
- Pre-Export Financing
- Post-Export Financing

Although not specifically alleged by petitioners, we are also investigating whether the Argentina pipe and tube industry receives countervailable benefits under the following programs, which we have found to be either countervailable or not used in previous Argentina investigations.

- Corrientes Regional Tax Incentives
- Industrial Parks
- Low Cost Loans for Projects Outside Buenos Aires
- Discounts of Foreign Currency Accounts Receivable Under Circular RF–21
- Exemption from Stamp Tax Under Decree 186/76
- Government Trade Promotion Programs

We are not initiating investigations on the following three programs: (1) Incentives for Exports from Southern Ports, (2) Tax Reductions for Investors, and (3) Refund on Patagonian Exports. These programs were found to be either countervailable or not used in previous Argentina investigations. Eligibility for these programs is contingent upon location in the Patagonian region of Argentina. Petitioners have indicated that the producers and exporters of certain welded carbon steel pipe and tube products are not located in the Patagonian region and therefore, are not eligible for the three aforementioned programs. Thus, we are not initiating investigations on these programs.

This notice is published pursuant to section 702(c)(2) of the Act.

Date: April 19, 1988.

Joseph A. Spetrini,

Acting Assistant Secretary for Import Administration.

[FR Doc. 88–9008 Filed 4–22–88; 8:45 am]

BILLING CODE 3510–DS–M

National Bureau of Standards

[Docket No. 80470–8070]

National Voluntary Laboratory Accreditation Program; Publication of Directory Supplement

AGENCY: National Bureau of Standards, Commerce.

ACTION: Publication of NVLAP Directory Supplement.

SUMMARY: The National Bureau of Standards (NBS) announces laboratory accreditation actions taken during the first quarter of 1988.

FOR FURTHER INFORMATION CONTACT: Harvey W. Berger, Manager, Laboratory Accreditation, ADMIN A531, National Bureau of Standards, Gaithersburg, MD 20899, (301) 975–4016.

SUPPLEMENTARY INFORMATION: This supplement to the 1987–88 NVLAP Directory of Accredited Laboratories (NBSIR 88–3718) is published pursuant to § 7.6(b) of the National Voluntary Laboratory Accreditation Program (NVLAP) Procedures (15 CFR 7.6(b)).

The following table summarizes NVLAP accreditation actions for the period January 1, 1988 through March 31, 1988.

	TIM	CTS	CAR	STO	ACO	CPL	DOS	ECT	Total
Initial		1					7		8
Suspended							−2		−2
Terminate		−2					−2		−2
Balance	36	22	22	4	9	8	56	17	174

The laboratories awarded initial accreditation are:

CTS: PHR&E Material Laboratory, Chantilly, VA, John Kent, 703–263–0400
DOS: Arkansas Power & Light, Russellville, AR, Robert E. Green, 501–964–3226; Long Island Lighting, Wading, Wading River, NY, Roger Thompson, 516–929–8300; USAF Occupational & Environmental Health Lab, Brooks AFB, Edward F. Maher, 512–536–2378; General Dynamics/Elect. Boat Div., Groton, CT, Robert B. Lavimoniere, 203–446–2371; Naval Nuclear Propulsion Program, Washington, DC, J.J. Mangenor, 202–692–8712; Newport News Shipbuilding, Newport News, VA, C.T. Hill, 804–380–2369; Pennsylvania Power & Light, Allentown, PA, Stephen Ingram, 215–770–7892

The laboratories whose accreditation was suspended are:

DOS: Gulf Nuclear, Webster, TX
Mallinckrodt Diagnostics, Maryland Heights, MO

The laboratories whose accreditation was terminated are:

CTS: Garco Testing Laboratories, Salt Lake City, UT
Architectural Testing, York, PA
TIM—Insulation LAP
CTS—Construction Testing Services LAP (formerly Concrete LAP)
CAR—Carpet LAP
ACO—Acoustical Testing Services LAP
STO—Stove LAP
CPL—Commercial Products LAP (Paint, Paper, Seals and Sealants)
DOS—Dosimetry LAP
SEA—Seals and Sealants LAP
ECT—Electromagnetic Compatibility and Telecommunications

Ernest Ambler,

Director.

Date: April 19, 1988.

[FR Doc. 88–8956 Filed 4–22–88; 8:45 am]

BILLING CODE 3510–13–M

National Oceanic and Atmospheric Administration

Pacific Fishery Management Council; Public Meeting

AGENCY: National Marine Fisheries Service, NOAA, Commerce.

The Pacific Fishery Management Council's Offshore Processing Committee will convene a public meeting, May 10, 1988, at 11 a.m., at the Council's office (address below), to develop a policy on management of vessels which process fish at sea. The Committee will evaluate different management approaches including, but not limited to: (1) Amending the groundfish fishery management plan (FMP) to include shrimp; (2) developing a generic policy on offshore processing and (3) adopting a shrimp FMP. The Committee has been directed to report its progress at the July 1988 Council meeting in Portland, OR.

For further information contact Mr. Lawrence D. Six, Executive Director, Pacific Fishery Management Council, Metro Center, Suite 420, 2000 SW. First Avenue, Portland, OR 97201; telephone: (503) 221–6352.

Date: April 20, 1988.

Richard H. Schaefer,

Director, Office of Fisheries Conservation and Management, National Marine Fisheries Service.

[FR Doc. 88–9010 Filed 4–22–88; 8:45 am]

BILLING CODE 3510–22–M

National Technical Information Service

Government-Owned Inventions; Availability for Licensing; Department of Agriculture et al

The inventions listed below are owned by agencies of the U.S. Government and are available for licensing in the U.S. in accordance with 35 U.S.C. 207 to achieve expeditious commercialization of results of federally funded research and development. Foreign patents are filed on selected inventions to extend market coverage for U.S. companies and may also be available for licensing.

Technical and licensing information on specific inventions may be obtained by writing to: Office of Federal Patent Licensing, U.S. Department of Commerce, P.O. Box 1423, Springfield, Virginia 22151.

Pleast cite the number and title of inventions of interest.

Douglas J. Campion,

Associate Director, Office of Federal Patent Licensing, National Technical Information Service, U.S. Department of Commerce.

Department of Agriculture

SN 6–713,733 (4,724,147)
Preparation of Pellets Containing Fungi for Control of Soilborne Diseases
SN 6–860,351 (4,721,727)
Control of Pests with Annonaceous Acetogenins
SN 7–128,836
Avian Herpesvirus Amplicon as a Eucaryotic Expression Vector
SN 7–130,484
Use of Auxins to Reduce Accumulation of Limonoate A-Ring Lactone in Fruit-Bearing Plants of the Genus Citrus or Fortunella or Hybrids Thereof
SN 7–139,599
Cellulolytic, N2-Fixing Bacteria and Use Thereof

Department of Health and Human Services

SN 6–872,508
Cell Lines Secreting Anti-Insulin Antibodies and Test Kits
SN 7–107,994
New Anti-Receptor Peptides and Therapeutic Agents
SN 7–122,163
Alteration of Biological Properties of Vaccinia Virus by Insertion of Lymphokine Genes
SN 7–137,796
Cloned DNA for Synthesizing Unique Glucocerebrosidase
SN 7–140,269
Pyrimindine and Purine 1, 2-Butadinene-4 Ols as Anti-Retroviral Agents
SN 7–146,249
Plaque Transfer Assay for Detecting Retrovirus and Measuring Neutralizing Antibodies
SN 7–148,692
A Snytehtic Antigen Evoking Anti-HIV Response
SN 7–153,933
Novel Technique for Isolating New Retroviruses
SN 7–155,799
Polysaccharide-Protein Conjugates
SN 7–156,579
A Method for High Efficiency Transformation of Mammalian Cells
SN 7–166,824
Novel Carbamates Related to (−)-Physostigmine as Cholinergic Agents
SN 7–166,825
Novel Carbamates Related to (+)-Physostigmine as Cholinergic Agents
SN 7–167,252
Portable Light Dosage System
SN 7–168,493
Assay for Human Immunodeficiency Virus

Department of the Air Force

SN 6–158,418 (4,701,125)
Thermal Method for Destruction of Microfilm Products
SN 6–716,863 (4,698,587)
Method of Characterizing Critical Timing Paths and Analyzing Timing Related Failure Modes in Very Large Scale Integrated Circuits
SN 6–755,394 (4,702,438)
Adaptive Landing Gear
SN 6–784,128 (4,700,763)
Remotely Controlled Aircraft Tire Inflation/Deflation Valve
SN 6–788,189 (4,699,335)
Aircraft Window Clamping Device
SN 6–792,098 (4,700,122)
Power Supply Filtering with

Rechargeable Battery Element
SN 6-936,680 (4,700,099)
Stored Energy Thermionics Modular Power System
SN 7-084,239 (4,700,190)
Missile Decoy Radar Cross Section Enhancer

Department of the Army

SN 7-135,404
Parallel Neural Network for a Full Binary Adder
SN 7-152,128
A Solid State Gamma Ray Dosimeter Which Measures Radiation in Terms of Absorption in a Material Different From the Detector Material
SN 7-152,206
Millimeter Wave Microstrip Phase Shifter
SN 7-156,124
Method of Etching Titanium Diboride

Tennessee Valley Authority

SN 6-902,721 (4,702,896)
Thermal Treatment of Phosphate Rock.

[FR Doc. 88-8983 Filed 4-22-88; 8:45 am]
BILLING CODE 3510-04-M

COMMITTEE FOR THE IMPLEMENTATION OF TEXTILE AGREEMENTS

Adjustment of Import Limits for Certain Cotton Textile Products Produced or Manufactured in Sri Lanka

April 19, 1988.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing directives to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: April 19, 1988.

Authority: Executive Order 11651 of March 3, 1972, as amended; Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854)

FOR FURTHER INFORMATION CONTACT: Kimbang Pham, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212. For information on the quota status of the current limit, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 343-6580. For information on embargoes and quota re-openings, call (202) 377-3715.

SUPPLEMENTARY INFORMATION: The current limit for Category 369-S is being increased for carryover from the June 1, 1987 through December 31, 1987 period. The limit for the June 1, 1987 through December 31, 1987 period is being adjusted in a separate directive.

A description of textile categories in terms of T.S.U.S.A. numbers is available in the CORRELATION: Textile and Apparel Categories with Tariff Schedules of the United States Annotated (see **Federal Register** notice 52 FR 47745, dated December 11, 1987). Also see 52 FR 18413, published on May 15, 1987 and 53 FR 52 and 53 FR 53, published on January 4, 1988.

The letters to the Commissioner of Customs and the actions taken pursuant to them are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

James H. Babb,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

April 19, 1988.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229

Dear Mr. Commissioner: This directive amends, but does not cancel, the directive issued to you on December 30, 1987 by the Chairman, Committee for the Implementation of Textile Agreements, concerning imports into the United States of certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products, produced or manufactured in Sri Lanka and exported during the period which began on January 1, 1988 and extends through May 31, 1988.

Effective on April 19, 1988, the directive of December 30, 1987 is hereby amended to adjust the limit for Category 369-S [1] to 687,134 pounds,[2] as provided under the terms of the bilateral agreement of May 10, 1983, as amended.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

James H. Babb,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 88-8944 Filed 4-22-88; 8:45 am]
BILLING CODE 3510-DR-M

[1] In Category 369-S, only TSUSA number 366.2840.

[2] The limit has not been adjusted to account for any imports exported after December 31, 1987.

Adustment of Import Limits for Certain Cotton, Man-Made Fiber, Silk Blend and Other Vegetable Fiber Textiles and Textile Products Produced or Manufactured in Sri Lanka

April 19, 1988.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing directives to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: April 19, 1988.

Authority: Executive Order 11651 of March 3, 1972, as amended; Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

FOR FURTHER INFORMATION CONTACT: Kimbang Pham, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port or call (202) 343-6580. For information on embargoes and quota re-openings, call (202) 377-3715.

SUPPLEMENTARY INFORMATION: The current limits for Categories 347 and 642/842 are being increased for swing. The current limits for Categories 334 and 636/836 are being reduced to account for the swing applied to Categories 347 and 642/842.

A description of textile categories in terms of T.S.U.S.A. numbers is available in the CORRELATION: Textile and Apparel Categories with Tariff Schedules of the United States Annotated (see **Federal Register** notice 52 FR 47745, dated December 11, 1987). Also see 52 FR 18413, published on May 15, 1987 and 53 FR 52 and 53 FR 53, published on January 4, 1988.

The letter to the Commissioner of Customs and the actions taken pursuant to it is not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

James H. Babb,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

April 19, 1988.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229

Dear Mr. Commissioner: This directive amends, but does not cancel, the directive issued to you on December 30, 1987 by the Chairman, Committee for the Implementation of Textile Agreements, concerning imports

into the United States of certain cotton, wool, man-made fiber, silk blend and other vegetable fiber textiles and textile products, produced or manufactured in Sri Lanka and exported during the period which began on January 1, 1988 and extends through May 31, 1988.

Effective on April 19, 1988, the directive of December 30, 1987 is hereby amended to adjust the restraint limits for the following categories, as provided under the terms of the current bilateral agreement between the Governments of the United States and Sri Lanka.

Category	Adjusted 5-month limit dozen[1]
334	123,484
347	207,096
636/836	92,516
642/842	72,529

[1] The limits have not been adjusted to account for any imports exported after December 31, 1987.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

James H. Babb,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 88-8945 Filed 4-22-88; 8:45 am]

BILLING CODE 3510-DR-M

Announcement of an Import Limit for Certain Wool Textile Products Produced or Manufactured in the People's Republic of Bulgaria

April 20, 1988.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs establishing a limit for the new agreement year.

EFFECTIVE DATE: May 1, 1988.

Authority: E.O. 11651 of March 3, 1972, as amended; sec. 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854).

FOR FURTHER INFORMATION CONTACT: Jerome Turtola, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212. For information on the quota status of this limit, refer to the Quota Status Reports posted on the bulletin boards of each Customs port. For information on embargoes and quota re-openings, call (202) 377-3715.

SUPPLEMENTARY INFORMATION: A copy of the current Bilateral Textile Agreement between the Governments of the United States and the People's Republic of Bulgaria is available from the Textiles Division, Economic Bureau, U.S. Department of State, (202) 647-1998.

A description of the textile categories in terms of T.S.U.S.A. numbers is available in the CORRELATION: Textile and Apparel Categories with Tariff Schedules of the United States Annotated (see **Federal Register** notice 52 FR 47745, dated December 11, 1987).

The letter to the Commissioner of Customs and the action taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

James H. Babb,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementation of Textile Agreements

April 20, 1988.

Commissioner of Customs,
Department of the Treasury,
Washington, D.C. 20229

Dear Mr. Commissioner: Under the terms of Section 204 of the Agricultural Act of 1956, as amended (7 U.S.C. 1854); pursuant to the Bilateral Textile Agreement of June 20, 1986 and November 27, 1986; and in accordance with the provisions of Executive Order 11651 of March 3, 1972, as amended, you are directed to prohibit, effective on May 1, 1988, entry into the United States for consumption and withdrawal from warehouse for consumption of wool textile products in Category 435, produced or manufactured in Bulgaria and exported during the twelve-month period which begins on May 1, 1988 and extends through April 30, 1989, in excess of 11,731 dozen.

Trade falling into the category limit for the period May 1, 1987 through April 30, 1988 shall be charged against that level of restraint to the extent of any unfilled balance. In the event the limit established for that period has been exhausted by previous entries, such goods shall be subject to the level set forth in this directive.

The restraint limit set forth above is subject to adjustment in the future under the provisions of the current bilateral agreement between the Governments of the United States and the People's Republic of Bulgaria.

In carrying out the above directions, the Commissioner of Customs should construe entry into the United States for consumption to include entry for consumption into the Commonwealth of Puerto Rico.

The Committee for the Implementation of Textile Agreements has determined that this action falls within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

James H. Babb,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 88-8990 Filed 4-22-88; 8:45 am]

BILLING CODE 3510-DR-M

Adjustment of Import Limits for Certain Wool and Man-Made Fiber Textile Products Produced or Manufactured in the Hungarian People's Republic

April 20, 1988.

AGENCY: Committee for the Implementation of Textile Agreements (CITA).

ACTION: Issuing a directive to the Commissioner of Customs adjusting limits.

EFFECTIVE DATE: April 26, 1988.

Authority: E.O. 11651 of March 3, 1972, as amended; sec. 204 of Agricultural Act of 1956, as amended (7 U.S.C. 1854).

FOR FURTHER INFORMATION CONTACT: Jerome Turtola, International Trade Specialist, Office of Textiles and Apparel, U.S. Department of Commerce, (202) 377-4212. For information on the quota status of these limits, refer to the Quota Status Reports posted on the bulletin boards of each Customs port. For information on embargoes and quota re-openings, call (202) 377-3715.

SUPPLEMENTARY INFORMATION: The current limits for Categories 434 and 645/646 are being reduced for carryforward used during the 1987 agreement year.

A description of textile categories in terms of T.S.U.S.A. numbers is available in the CORRELATION: Textile and Apparel Categories with Tariff Schedules of the United States Annotated (see **Federal Register** notice 52 FR 47745, dated December 11, 1987). Also see 53 FR 50, published in the **Federal Register** on January 4, 1988.

The letter to the Commissioner of Customs and the actions taken pursuant to it are not designed to implement all of the provisions of the bilateral agreement, but are designed to assist only in the implementation of certain of its provisions.

James H. Babb,

Chairman, Committee for the Implementation of Textile Agreements.

Committee for the Implementations of Textile Agreements

April 20, 1988.

Commissioner of Customs,
Department of the Treasury, Washington, DC 20229

Dear Mr. Commissioner: This directive amends, but does not cancel, the directive issued to you on December 30, 1987, by the Chairman, Committee for the Implementation of Textile Agreements, concerning imports into the United States of certain wool and man-made fiber textile products, produced or manufactured in the Hungarian People's Republic and exported during the period

which began on January 1, 1988, and extends through December 31, 1988.

Effective on April 26, 1988, the directive of December 30, 1987, is hereby amended to adjust the limits for wool and man-made fiber textile products in the following categories, as provided under the terms of the current bilateral agreement:

Category	Adjusted limit (dozen) [1]
434	6,975
645/646	88,997

[1] The limits have not been adjusted to account for any imports exported after December 31, 1987.

The Committee for the Implementation of Textile Agreements has determined that these actions fall within the foreign affairs exception to the rulemaking provisions of 5 U.S.C. 553(a)(1).

Sincerely,

James H. Babb,

Chairman, Committee for the Implementation of Textile Agreements.

[FR Doc. 88-8991 Filed 4-22-88; 8:45 am]

BILLING CODE 3510-DR-M

COMMODITY FUTURES TRADING COMMISSION

Financial Products Advisory Committee Meeting

This is to give notice pursuant to section 10(a) of the Federal Advisory Committee Act, 5 U.S.C. App. 1, 10(a) and 41 CFR 101-6.1015(b), that the Commodity Futures Trading Commission's Financial Products Advisory Committee will conduct a public meeting on Monday, May 9, 1988, at the Longworth House Office Building, Independence Avenue, between C Street and South Capitol Street, SE. in Washington, DC. The meeting will be held between 10:00 a.m. and 3:30 p.m. in the U.S. House of Representatives Committee on Agriculture's Hearing Room 1301 of the Longworth Building. The agenda will consist of:

1. Discussion of analyses, reports and recommendations concerning the October 1987 stock market decline.

2. Discussion of the efficacy of intermarket cashflow during volatile market situations, including discussions of:

a. Bank daylight overdraft and credit mechanisms.

b. Information sharing to improve oversight of financial condition.

c. The advantages of a more coordinated clearing system.

4. Discussion of proposals to distinguish control from ownership when aggregating positions for speculative limit purposes.

5. Other Committee business:

a. Discussion of agenda items and scheduling for future Committee meetings; and

b. Any other business that may properly come before the Committee.

The purpose of this meeting is to solicit the views of the Committee on the above-listed agenda matters. The Advisory Committee was created by the Commodity Futures Trading Commission for the purpose of receiving advice and recommendations on financial products issues. The purposes and objectives of the Advisory Committee are more fully set forth at 52 FR 17313 (May 7, 1987).

The meeting is open to the public. The Chairman of the Advisory Committee, Commissioner Robert R. Davis, is empowered to conduct the meeting in a fashion that will, in his judgment, facilitate the orderly conduct of business.

Any member of the public who wishes to file a written statement with the Advisory Committee should mail a copy of the statement to the attention of: The Commodity Futures Trading Commission Financial Products Advisory Committee, c/o Maureen Donley-Hoopes, Commodity Futures Trading Commission, 2033 K Street NW., Washington, DC 20581, to be received prior to the date of the meeting. Members of the public who wish to make oral statements also should inform Ms. Donley-Hoopes in writing at the above address at least three days prior to the meeting. Provision will be made, if time permits for an oral presentation of reasonable duration.

Issued in Washington, DC the 20th day of April, by the Commission.

Jean A. Webb,

Secretary to the Commission.

[FR Doc. 88-8933 Filed 4-22-88; 8:45 am]

BILLING CODE 6351-01-M

CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 88-1]

P&M Enterprises; Prehearing Conference

AGENCY: Consumer Product Safety Commission.

ACTION: Notice of prehearing conference.

DATE: This notice announces a prehearing conference to be held in the matter of Philip A. Dye and Marilyn J. Dye, d/b/a P&M Enterprises, on May 10, 1988, at 9:30 a.m.

ADDRESS: The prehearing conference will be in Room 1211, Interstate Commerce Commission, 12th Street NW. and Constitution Avenue, Washington, DC. For additional information contact: Sheldon D. Butts, Deputy Secretary, Consumer Product Safety Commission, Washington, DC 20207, telephone (301) 492-6800.

Notice of Prehearing Conference

Please take notice that the Presiding Officer will be Administrative Law Judge Paul J. Clerman; that the Presiding Officer has determined that for good and sufficient cause appearing the time period prescribed under 16 CFR 1025.21(a) for the holding of a prehearing conference should be extended for an additional fifteen (15) days; and that a prehearing conference in this proceeding will be held at 9:30 a.m., on May 10, 1988, in Room 1211, at the Interstate Commerce Commission, 12th Street NW. and Constitution Avenue, Washington, DC, for the purposes outlined in 16 CFR 1025.21(a).

The following issues will be addressed:

1. Setting a time limit for any discovery not completed by the date of the conference.

2. Setting a date, time and place for the hearing.

3. And such other matters as may aid in the efficient presentation of disposition of the proceedings.

Date: April 20, 1988.

Sheldon D. Butts,

Deputy Secretary.

[FR Doc. 88-8963 Filed 4-22-88; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF DEFENSE

Department of the Army

Military Traffic Management Command, Directorate of Inland Traffic; Rules and Accessorial Services Governing the Movement of Department of Defense Freight Traffic by Rail Carrier

AGENCY: Military Traffic Management Command (MTMC), Department of the Army, Department of Defense (DOD).

ACTION: Procedural changes in DOD freight rate acquisition programs; final action.

SUMMARY: On June 4, 1987 (52 FR 107), MTMC, on behalf of the DOD, published notice of intent to modify the procedures used to acquire rates and charges from

the commercial carrier industry for the movement of its freight traffic. This modification is the issuance of a rules publication designed to standardize and simplify the procurement of all rail carrier rates and services under 49 U.S.C. 10721. This publication, MTMC Freight Traffic Rules Publication No. 10, is now final. Copies of the publication may be obtained by writing to: HQ Military Traffic Management Command, ATTN: MT-INN-G, 5611 Columbia Pike, Falls Church, Virginia 22041-5050.

EFFECTIVE DATE: July 1, 1988.

FOR FURTHER INFORMATION CONTACT: Mr. Allen W. Kirby or Mr. David H. Hannaford, HQ, Military Traffic Management Command, ATTN: MT-INN-G, 5611 Columbia Pike, Falls Church, Virginia 22041-5050, or telephone (202) 756-1585.

SUPPLEMENTARY INFORMATION: The transportation regulatory reform legislation enacted over the past several years has deregulated both Trailer/Container on Flatcar (TOFC/COFC) and Boxcar shipments resulting in a corresponding proliferation of exempt rate publications, and a great diversity in the manner in which carriers' rates, rules, and services are expressed within those publications. As a result, the standardization and automation of rail carriers' rates and charges are essential to the formulation of a successful and manageable rate comparison program. Automation is feasible, of course, only if carriers' rates and charges are expressed in a uniform manner compatible with electronic data processing.

MTMC Freight Traffic Rules Publication No. 10 (MFTRP No. 10): This publication contains both rules and accessorial service requirements to govern the rates and services of rail carriers doing business with the DOD. It will govern the movement of all DOD shipments by rail EXCEPT for those rates and services concerning the movement of Foreign Military Sales shipments which are regulated by the Interstate Commerce Commission.

This publication is designed to be used with the new DOD Standard Tender of Freight Services, MT Form 364-R, and will apply from, to, or between points in the continental United States, Alaska, and/or Canada which are specified in carriers' individual tenders filed with HQMTMC. Tenders or carriers subject to these publications may not refer to any other publication for application of rates and charges therein.

Although the publication becomes effective, July 1, 1988, affected carriers are not subject to the publications until such time as they individually file the DOD tender referring to this governing publication. An implementation schedule for the DOD tender will be announced through a series of letters directed to the rail carrier industry and to all applicable carriers having the present tender, Form OP 280, on file. MFTRP No. 10 is for carrier reference and will not be submitted to MTMC with or as part of, individual carrier tender filings.

John O. Roach II,

Army Liaison Officer with the Federal Register.

[FR Doc. 88-8935 Filed 4-22-88; 8:45 am]

BILLING CODE 3710-08-M

DEPARTMENT OF ENERGY

Floodplain/Wetland Involvement Determination for the University of South Carolina John E. Swearingen Center for Engineering Phase II Building Project

ACTION: Floodplain/wetland involvement and opportunity for comment.

SUMMARY: The University of South Carolina, through a construction grant from the Department of Energy, proposes to convert and renovate a portion of an existing complex of buildings to serve as an engineering research facility for the Mechanical and Civil Engineering Departments. The University of South Carolina is located in Columbia, South Carolina.

DATES: Comments are due on or before May 10, 1988.

ADDRESS: Send written comments or suggestions to Linda Freeman, Environment, Safety, and Health Division, U.S. Department of Energy, 9800 S. Cass Avenue, Argonne, Illinois 60349, (312) 972-2240.

SUPPLEMENTARY INFORMATION: The University of South Carolina proposes to convert and renovate a portion of an existing complex of buildings in Columbia, South Carolina to serve as an engineering research facility whose purpose is to stimulate research and training in higher education. The conversion consists of demolition of an existing wing of the existing complex and construction of a new wing. The proposed facility will partially replace the existing engineering building and relieve the currently congested and unsafe conditions found in the existing building. The proposed John E. Swearingen Center for Engineering Phase II will house the specially designed laboratoreis and classrooms in which to conduct the research and instructional activities of the Mechanical and Civil Engineering Departments.

Pursuant to DOE's "Complaince with Floodplain/Wetlands Environmental Review Requirements" (10 CFR Part 1022), DOE has determined that this project would involve activities within a floodplain/wetland area. The site of the proposed project is lcoated within a 100 year Flood Boundary which extends on either side of the Rocky Branch River. Planned work activities within the floodplain will include construction and renovation as described above. The DOE will prepare a floodplain/wetland assessment.

Further information on this project is available from the address listed above.

Hilary J. Rauch,

Manager.

[FR Doc. 88-8966 Filed 4-22-88; 8:45 am]

BILLING CODE 6450-01-M

Office of General Counsel

Intent To Grant Exclusive Patent License; Roberts Pharmaceutical Corp.

Notice is hereby given of an intent to grant to Roberts Pharmaceutical Corp. of Eatontown, NJ., an exclusive license to practice in the United States the inventions described in U.S. Patent No. 4,698,431 entitled "Hydroxypyridonate Chelating Agents" and related U.S. patent application S.N. 067,077, directed to a method of synthesis thereof. The inventions are owned by the United States of America, as represented by the Department of Energy (DOE).

The proposed exclusive license will be subject to a license and other rights retained by the U.S. Government, and will be subject to a negotiated royalty provision. DOE intends to grant the license, upon a final determination in accordance with 35 U.S.C. 209(c), unless within 60 days of this notice the Assistant General Counsel for Patents, Department of Energy, Washington, DC 20585, receives in writing any of the following, together with supporting documents:

(i) A statement from any person setting forth reasons why it would not be in the best interests of the United States to grant the proposed license; or

(ii) An application for a nonexclusive license to either of the inventions in the United States, in which applicant states that he has already brought either of the inventions to practical application or is likely to bring either invention to practical application expeditiously.

The Department will review all written responses to this notice, and will

grant the license if, after expiration of the 60-day notice period, and after consideration of written responses to this notice, a determination is made, in accordance with 35 U.S.C. 209(c), that the license grant is in the public interest.

Issued in Washington, DC on April 7, 1988.

Eric J. Fygi,

Acting General Counsel.

[FR Doc. 88-8968 Filed 4-22-88; 8:45 am]

BILLING CODE 6450-01-M

Economic Regulatory Administration

[ERA Docket No. 88-15-NG]

DEKALB Petroleum Corp.; Application To Import Natural Gas From Canada

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of application for blanket authorization to import natural gas.

SUMMARY: The Economic Regulatory Administration (ERA) of the Department of Energy (DOE) gives notice of receipt on March 22, 1988, of an application filed by DEKALB Petroleum Corporation (DEKALB) for blanket authorization to import up to 100 MMcf of natural gas per day and a maximum of 73 Bcf over a two-year term beginning on the date of first delivery. DEKALB would import the gas on a short-term or spot basis for its own account as well as for the accounts of its Canadian suppliers and U.S. purchasers, including pipelines, local distribution companies and commercial and industrial end-users.

The application is filed with the ERA pursuant to section 3 of the Natural Gas Act and DOE Delegation Order No. 0204-111. Protests, motions to intervene, notices of intervention and written comments are invited.

DATE: Protests, motions to intervene or notices of intervention, as applicable, requests for additional procedures and written comments are to be filed no later than May 25, 1988.

FOR FURTHER INFORMATION CONTACT:

Larine Moore, Natural Gas Division, Economic Regulatory Administration, Forrestal Building, Room GA-076, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-9478

Diane Stubbs, Natural Gas and Mineral Leasing, Office of General Counsel, U.S. Department of Energy, Forrestal Building, Room 6E-042, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-6667.

SUPPLEMENTARY INFORMATION: DEKALB is a Canadian corporation with its principal place of business in Calgary, Alberta. No contracts have been executed and therefore the application does not identify the suppliers, buyers, or prices; however, DEKALB asserts that the specific terms of each import and sale would be based on competition in the marketplace. DEKALB intends to utilize existing pipeline facilities for transportation of the volumes imported and proposes to submit quarterly reports detailing each transaction.

DEKALB has requested that the ERA consider its requested authorization on an expedited basis. An ERA decision on Dekalb's request for expedited treatment, particularly with respect to whether additional written comments or other procedures will be necessary in this case, will not be made until all responses to this notice have been received and evaluated.

The decision on this application will be made consistent with the DOE's gas import policy guidelines, under which the competitiveness of an import arrangement in the markets served is the primary consideration in determining whether it is in the public interest (49 FR 6684, February 22, 1984). Parties that may oppose this application should comment in their responses on the issue of competitiveness as set forth in the policy guidelines. The applicant asserts that this import arrangement is competitive. Parties opposing the arrangement bear the burden of overcoming this assertion.

All parties should be aware that if the ERA approves this requested blanket import, it may designate a total amount of authorized volumes for the term rather than the daily or annual limit, in order to provide the applicant with maximum operating flexibility.

Public Comment Procedures

In response to this notice, any person may file a protest, motion to intervene or notice of intervention, as applicable, and written comments. Any person wishing to become a party to the proceeding and to have the written comments considered as the basis for any decision on the applicant must, however, file a motion to intervene or notice of intervention, as applicable. The filing of a protest with respect to this application will not serve to make the protestant a party to the proceeding, although protests and comments received from persons who are not parties will be considered in determining the appropriate action to be taken on the application. All protests, motions to intervene, notices of intervention, and written comments must meet the requirements that are specified by the regulation in 10 CFR Part 590.

Protests, motions to intervene, notices of intervention, requests for additional procedures, and written comments should be filed with the Natural Gas Division, Office of Fuels Programs, Economic Regulatory Administration, Room GA-076, RG-23, Forrestal Building, 1000 Independence Avenue SW., Washington, DC 20585, (202) 586-9478. They must be filed no later than 4:30 p.m. e.d.t., May 25, 1988.

The Administrator intends to develop a decision record on the application through responses to this notice by parties, including the parties' written comments and replies thereto. Additional procedures will be used as necessary to achieve a complete understanding of the facts and issues. A party seeking intervention may request that additional procedures be provided, such as additional written comments, an oral presentation, a conference, or trial-type hearing. Any request to file additional written comments should explain why they are necessary. Any request for an oral presentation should identify the substantial question of fact, law, or policy at issue, show that it is material and relevent to a decision in the proceeding, and demonstrate why an oral presentation is needed. Any request for a conference should demonstrate why the conference would materially advance the proceeding. Any request for a trial-type hearing must show that there are factual issues genuinely in dispute that are relevant and material to a decision and that a trial-type hearing is necessary for a full and true disclosure of the facts.

If an additional procedure is scheduled, the ERA will provide notice to all parties. If no party requests additional procedures, a final opinion and order may be issued based on the official record, including the application and responses filed by parties pursuant to this notice, in accordance with 10 CFR 590.316.

A copy of DEKALB's application is available for inspection and copying in the Natural Gas Division Docket Room, GA-076 at the above address. The docket room is open between the hours of 8:00 a.m. and 4:30 p.m., Monday through Friday, except Federal holidays.

Issued in Washington, DC, April 12, 1988.

Constance L. Buckley,

Director, Natural Gas Division, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 88-8967 Filed 4-22-88; 8:45 am]

BILLING CODE 6450-01-M

[Docket No. ERA C&E 88-10; Certification Notice—15]

Filing of Certification of Compliance; Coal Capability of New Electric Powerplants Pursuant to Provisions of the Powerplant and Industrial Fuel Use Act, as Amended

AGENCY: Economic Regulatory Administration, DOE.

ACTION: Notice of filing.

SUMMARY: Title II of the Powerplant and Industrial Fuel Use Act of 1978, as amended ("FUA" or "the Act") (42 U.S.C. 8301 *et seq.*) provides that no new electric powerplant may be constructed or operated as a base load powerplant without the capability to use coal or another alternate fuel as a primary energy source (section 201(a)). In order to meet the requirement of coal capability, the owner or operator of any new electric powerplant to be operated as a base load powerplant proposing to use natural gas or petroleum as its primary energy source may certify, pursuant to section 201(d) to the Secretary of Energy prior to construction, or prior to operation as a base load powerplant, that such powerplant has capability to use coal or another alternate fuel. Such certification establishes compliance with section 201(a) as of the date it is filed with the Secretary. The Secretary is required to publish in the **Federal Register** a notice reciting that the certification has been filed. One owner and operator of a proposed new electric base load powerplant has filed a self certification in accordance with section 201(d). Further information is provided in the **SUPPLEMENTARY INFORMATION** section below.

SUPPLEMENTARY INFORMATION:

The following company filed a self certification:

Name	Date received	Type facility	Megawatt capacity	Location
Intercontinental Energy Associates, Cohasset, MA	3-30-88	Powerplant Combined Cycle	726	Boswell, VA.

Amendments to FUA on May 22, 1987 (Pub. L. 100-42) altered the general prohibitions to include only new electric baseload powerplants and to provide for the self certification procedure.

Issued in Washington, DC, on April 18, 1988.

Robert L. Davies,

Director, Office of Fuels Programs, Economic Regulatory Administration.

[FR Doc. 88-8993 Filed 4-22-88; 8:45 am]

BILLING CODE 6450-01-M

Federal Energy Regulatory Commission

[Docket Nos. QF87-165-001 et al.]

Energenics/Glendon, Inc., et al.; Electric Rate, Small Power Production, and Interlocking Directorate Filings

April 20, 1988.

Take notice that the following filings have been made with the Commission:

1. Energenics/Glendon, Inc.

[Docket No. QF87-165-001]

On April 5, 1988, Glendon Energy Company (Applicant), of 711 Lehigh Street, Easton, Pennsylvania 18042 submitted for filing an application for recertification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The small power production facility will be located in the Borough of Glendon, Northampton County, Pennsylvania. The facility will consist of a 500 ton per day mass burn solid waste facility with a design point of 5200 Btu per pound HHV. The net electric power production capacity will be approximately 12 to 12.5 MW. This contrasts with the 11 MW net electric power production in the original application.

Comment date: Thirty days from publication in the **Federal Register**, in accordance with Standard Paragraph E at the end of this notice.

2. O'Brien California Cogen Limited a California Limited Partnership

[Docket No. QF85-563-001]

On March 31, 1988, O'Brien California Cogen Limited a California limited partnership (Applicant) of 225 South Eighth Street, Philadelphia, Pennsylvania 19106 submitted for filing an application for recertification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The topping-cycle cogeneration facility located in Artesia, California. The facility consists of a combustion turbine generator, a heat recovery steam generator, and an extraction condensing turbine generator. The primary energy source is natural gas. The electric power production capacity is approximately 27 MW.

By Order issued September 18, 1985, the Commission granted certification of the facility as a cogeneration facility (32 FERC ¶ 62,607).

The recertification is requested due to change of ownership from O'Brien Energy Systems Inc. to O'Brien California Cogen Limited a California limited partnership. All other facility's characteristics remain the same.

Comment date: Thirty days from publication in the **Federal Register**, in accordance with Standard Paragraph E at the end of this notice.

3. The New York Hospital Cornell Medical Center, Westchester Division

[Docket No. QF88-329-000]

On April 6, 1988, The New York Hospital Cornell Medical Center, Westchester Division, of 21 Bloomingdale Road, White Plains, New York 10605, submitted for filing an application for recertification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The topping-cycle cogeneration facility located in White Plains, New York. The facility consists of 2 dual fuel engine-generators, 2 waste heat recovery steam generators, and necessary heat transfer equipment. Thermal energy recovered from the facility will be used for space heating and for hot water production. The maximum electric power production capacity of the facility will be 2100 kW. The primary source of energy will be natural gas. Construction of the facility is planned to commence on July 1, 1988.

Comment date: Thirty days from publication in the **Federal Register**, in accordance with Standard Paragraph E at the end of this notice.

Androscoggin Reservoir Company and Aziscohos Hydro Company, Inc.

[Docket No. QF88-321-000]

On March 28, 1988, Androscoggin Reservoir Company and Aziscohos Hydro Company, Inc. (Applicant), of 150

Main Street, Lewiston, Maine 04240 and Two Greenwich Plaza, Greenwich Plaza, Greenwich, Connecticut 06830, respectively, submitted for filing an application for certification of a facility as a qualifying small power production facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The 5.2 MW hydroelectric facility (FERC P.4026) will be located on the Magalloway River in Oxford County, Maine.

A separate application is required for a hydroelectric project license, preliminary permit or exemption from licensing. Comments on such applications are requested by separate public notice. Qualifying status serves only to establish eligibility for benefits provided by PURPA, as implemented by the Commission's regulations, 18 CFR Part 292. It does not relieve a facility of any other requirements of local, State or Federal law, including those regarding siting, construction, operation, licensing and pollution abatement.

Comment date: Thirty days from publication in the **Federal Register**, in accordance with Standard Paragraph E at the end of this notice.

5. Olin Corporation

[Docket No. QF88-330-000]

On April 7, 1988, Olin Corporation (Applicant), of P.O. Box 28, McIntosh, Alabama 36553 submitted for filing an application for certification of a facility as a qualifying cogeneration facility pursuant to § 292.207 of the Commission's regulations. No determination has been made that the submittal constitutes a complete filing.

The topping cycle cogeneration facility will be located in Washington County, Alabama. The major equipment will include two combustion turbine-generators, two waste heat recovery boilers, and an extracting steam condensing turbine-generator. The facility will provide useful thermal energy to two industrial processes. The net electric power production capacity will be approximately 203 megawatts. The primary energy source will be natural gas.

Comment date: Thirty days from publication in the **Federal Register**, in accordance with Standard Paragraph E at the end of this notice.

Standard Paragraph

E. Any person desiring to be heard or to protest said filing should file a motion to intervene or protest with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, in accordance with Rules 211 and 214 of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214). All such motions or protests should be filed on or before the comment date. Protests will be considered by the Commission in determining the appropriate action to be taken, but will not serve to make protestants parties to the proceeding. Any person wishing to become a party must file a motion to intervene. Copies of this filing are on file with the Commission and are available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 88-8973 Filed 4-22-88; 8:45 am]

BILLING CODE 6717-01-M

[Docket Nos. CP88-331-000 et al.]

Northern Natural Gas Company et al., Division of Enron Corp.; Natural Gas Certificate Filings

April 20, 1988.

Take notice that the following filings have been made with the Commission:

1. Northern Natural Gas Company, Division of Enron Corp.

[Docket No. CP88-331-000]

Take notice that on April 11, 1988, Northern Natural Gas Company, Division of Enron Corp. (Northern), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP88-331-000 a request, pursuant to §§ 157.205 and 284.223 of the Commission's Regulations under the Natural Gas Act for authority to transport natural gas on behalf of Pogo Producing Company, a producer of natural gas, under the certificate issued in Docket No. CP86-435-000 on December 22, 1986, pursuant to section 7(c) of the Natural Gas Act, all as more fully set forth in the request on file with the Commission and open to public inspection.

Pursuant to a gas transportation agreement dated March 8, 1988, Northern states it would transport on an interruptible basis, up to 10,000 Mcf of natural gas per day for Pogo Producing Company from on point of receipt, East Cameron Block 104, in offshore Louisiana to one point of delivery, East Cameron Block 97, in offshore Louisiana. Construction of facilities will not be required to provide the proposed service.

Northern further states that the peak day, average day, and annual quantities would be 10,000 Mcf, 7,500 Mcf, and 3,650,000 Mcf, respectively. Applicant indicates that service under § 284.223(a) of the Commission's Regulations was reported in Docket No. ST88-2754.

Comment date: June 6, 1988, in accordance with Standard Paragraph G at the end of this notice.

2. Northern Natural Gas Company, Division of Enron Corp.

[Docket No. CP88-335-000]

Take notice that on April 11, 1988, Northern Natural Gas Company, Division of Enron Corp. (Northern), 2223 Dodge Street, Omaha, Nebraska 68102, filed in Docket No. CP88-335-000, an application pursuant to §§ 157.205 and 284.223 of the Commission's Regulations for authority to transport natural gas, on behalf of Phoenix Chemical Company, an end-user of natural gas, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Pursuant to Gas Transportation Agreement date March 1, 1988, Northern will transport up to 35,000 MMBtu/day for Phoenix Chemical Company from forty-six (46) points of receipt in Oklahoma, Kansas, Texas, Wisconsin, North Dakota, Iowa, Minnesota and New Mexico to three (3) points of delivery in North Dakota, Iowa and Illinois. Construction of facilities will not be required to provide the proposed service.

Comment date: June 6, 1988, in accordance with Standard Paragraph G at the end of this notice.

3. Arkla Energy Resources, a Division of Arkla, Inc.

[Docket No. CP88-318-000]

Take notice that on March 29, 1988, Arkla Energy Resources, a division of Arkla, Inc. (AER), P.O. Box 21734, Shreveport, Louisiana 71151, filed in Docket No. CP88-318-000 a request pursuant to § 157.205 of the Regulations under the Natural Gas Act and AER's blanket certificate issued in Docket Nos. CP82-384-000 and CP82-384-001 for authorization to construct and operate a tap and related jurisdictional facilities necessary to deliver gas from its jurisdictional system for resale by Arkansas Louisiana Gas Company, a division of Arkla, Inc. (ALG), all as more fully set forth in the request which is on file with the Commission and open to public inspection.

AER specifically proposes to construct and operate a sales tap on its Line 8-C in Greer County, Oklahoma, to deliver gas to ALG for service to W.C. Bowman, a domestic customer who would use approximately 140 Mcf per year. The proposed jurisdictional facilities would cost approximately $1,350 to install.

AER states that the gas would be delivered from its general system

supply, which it states is adequate to provide the service.

Comment date: June 6, 1988, in accordance with Standard Paragraph G at the end of this notice.

4. Greeley Gas Co. and Commercial Pipeline Co., Inc.

[Docket No. CP88-324-000]

Take notice that on March 31, 1988, Greeley Gas Company (Greeley), 1301 Pennsylvania Street, Suite 800, Denver Colorado 80203-5015, and Commercial Pipeline Company, Inc. (Commercial), 120 South Market, Wichita, Kansas 67202, filed in Docket No. CP88-324-000, a joint application pursuant to sections 7(c) and 7(b) of the Natural Gas Act, respectively, for (1) a certificate of public convenience and necessity authorizing Greeley to acquire and operate all of the gas pipeline facilities owned by Commercial and (2) an order permitting and approving Commercial to abandon such facilities, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Greeley and Commercial state that they entered into a Purchase Agreement on September 28, 1987, as amended, wherein Commercial agreed to sell its pipeline facilities to Greeley, subject to receipt of the appropriate regulatory authorization. It is stated that the facilities are located in Bourbon and Linn Counties, Kansas, and in Bates County, Missouri. As a part of that Purchase Agreement, it is further stated that Greeley also acquired the property and assets of Commercial's three distribution customers: Mound City Gas Company, Inc. (Mound City), Pleasanton Gas Company, Inc. (Pleasanton), and Rich Hill-Hume Gas Company, Inc. (Rich Hill-Hume). Greeley advises that the Mound City and Pleasanton acquisitions were approved by the Kansas Corporation Commission (KCC) and that the Rich Hill-Hume acquisition was approved by the Missouri Public Service Commission. (Missouri PSC).

Greeley proposes to operate the system of Commercial, and the acquired systems of Mound City, Pleasanton, and Rich Hill-Hume, as a single system in a manner so that there would be no change in the markets served, except that the sales for resale presently made by Commercial would be eliminated, with all sales by Greeley being regulated by either the KCC or the Missouri PSC.

Consequently, Commercial requests that the Commission cancel its FERC Gas Tariff, which includes FERC Rate Schedule F-1 covering its sales for resale. Greeley desires that the Commission waive the reporting requirements under the NGA that would result from approval of the application. Finally, it is requested that the Commission expedite its consideration of the application in order that approval might be received prior to July 31, 1988, the date by which the transaction could be closed without modifying the Purchase Agreement.

Comment date: May 11, 1988, in accordance with Standard Paragraph F at the end of this notice.

5. Alabama-Tennessee Natural Gas Company

[Docket No. CP88-325-000]

Take notice that on March 31, 1988, Alabama-Tennessee Natural Gas Company (Applicant), P.O. Box 918, Florence, Alabama 35631, filed in Docket No. CP88-325-000 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity to transport natural gas on behalf of Amoco Chemical Company (Amoco), all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant requests authorization to transport on behalf of Amoco, on an interruptible basis for a term of one year, up to 14,000 dth of gas per day. Applicant, it is said, would receive such gas at the existing point of interconnection between the facilities of Applicant and Tennessee Gas Pipeline Company in Alcorn County, Mississippi or Colbert County, Alabama, and/or Columbia Gulf Transmission Company located in Alcorn County, Mississippi, and or Tennessee River Intrastate Gas Company located in Colbert County, Alabama.

Applicant states further that it would redeliver equivalent quantities of gas to Amoco at existing points of interconnection between the facilities of Applicant and Amoco as set forth in Exhibit F of the application.

For this transportation service, applicant represents that it would charge Amoco a transportation rate based on Sheet No. 4 of Applicant's FERC Gas Tariff, First Revised Volume No. 1.

Applicant avers that the transportation agreement would remain in force for a primary term of 1 year from the date of initial deliveries, and year to year thereafter unless and until terminated by either party giving proper notice.

Comment date: May 11, 1988, in accordance with Standard Paragraph F at the end of this notice.

Standard Paragraph

F. Any peson desiring to be heard or make any protest with reference to said filing should on or before the comment date file with the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426, a motion to intervene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211 and 385.214) and the Regulations under the Natural Gas Act (18 CFR 157.10). All protests filed with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any peson wishing to become a party to a proceeding or to participate as a party in any hearing therein must file a motion to intervene in accordance with the Commission's Rules.

Take further notice that, pursuant to the authority contained in and subject to jurisdiction conferred upon the Federal Energy Regulatory Commission by sections 7 and 15 of the Natural Gas Act and the Commission's Rules of Practice and Procedure, a hearing will be held without further notice before the Commission or its designee on this filing if no motion to intervene is filed within the time required herein, if the Commission on its own review of the matter finds that a grant of the certificate is required by the public convenience and necessity. If a motion for leave to intervene is timely filed, or if the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the applicant to appear or be represented at the hearing.

G. Any person or the Commission's staff may, within 45 days after the issuance of the instant notice by the Commission, file pursuant to Rule 214 of the Commission's Procedural Rules (18 CFR 385.214) a motion to intervene or notice of intervention and pursuant to § 157.205 of the Regulations under the Natural Gas Act (18 CFR § 157.205) a protest to the request. If no protest is filed within the time allowed therefor, the proposed activity shall be deemed to be authorized effective the day after the time allowed for filing a protest. If a protest is filed and not withdrawn within 30 days after the time allowed for filing a protest, the instant request shall be treated as an application for

authorization pursuant to section 7 of the Natural Gas Act.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 88-8972 Filed 4-22-88; 8:45 am]

BILLING CODE 6717-01-M

[Docket No. GP88-14-000]

State of Kentucky, Public Service Commission, Blacklog #5 Well et al., JD81-43949 et al. Preliminary Finding That Jurisdictional Agency Determinations Are Not Supported By Substantial Evidence

Issured April 20, 1988.

On various dates between 1981 and 1985, the Public Service Commission of the State of Kentucky (Kentucky) notified the Commission of 22 well category determinations made pursuant to section 503 of the Natural Gas Policy Act of 1978 (NGPA). Absent Commission action, the notices would have become final after 45 days pursuant to § 275.202(a) of the Commission's regulations. [1] In each instance the Commission advised Kentucky within 45 days that the notices were deficient, lacking either sufficient explanation of the basis for each determination or sufficient information to complete the applications. Consequently, none of the determinations has become final.

[1] 18 CFR 275.202(a) (1987).

Despite repeated requests for necessary additional information, none of the requisite information has been provided by Kentucky or the applicants. The Appendix to this order summarizes each determination and its deficiency.

Under section 503(a) of the NGPA, when a jurisdictional state or federal agency makes a determination that natural gas qualifies under one of the pricing categories found in NGPA sections 102, 103, 107, or 108, the jurisdictional agency must provide the Commission with notice of the determination. Section 503(c)(3) authorizes the Commission to prescribe the form and content of filings made with jurisdictional agencies in connection with such determinations. Section 503(b) provides that the Commission shall reverse any jurisdictional agency determination if the Commission finds that the determination is unsupported by substantial evidence in the record upon which the determination was made.

The filing requirements for applications for determination are set forth in Subpart B of Part 274 of the Commission's regulations. These regulations specify the minimum information an applicant must file with a jurisdictional agency to support an affirmative determination. Also, these regulations specify the information a jurisdictional agency must file with this Commission to support a notice of determination. A notice of determination must include a copy of the application, all information required by §§ 274.201-208 of the Commission's regulations to be filed with the jurisdictional agency, and an explanatory statement sufficient to enable a person examining the notice to ascertain the basis for the determination without reference to information or data not contained in the notice.

The Commission's procedures for reviewing a notice of determination are set forth in Part 275 of the Commission's regulations. Under § 2754.202(a), the Commission may, before any determination becomes final, make a preliminary finding that the determination is not supported by substantial evidence. Any state or federal agency or any other person may, within 30 days after issuance of a notice of a preliminary finding, submit written comments and may request an informal conference with the Commission's staff. A final order must be issued within 120 days after issuance of the premilinary finding.

Based on the foregoing facts and circumstances, particularly because the notices of determinations have been deficient for a significant period, the Commission hereby gives notice of its preliminary finding that the subject well category determinations submitted by Kentucky are not supported by substantial evidence in the record upon which the determination were made.

By direction of the Commission.

Lois D. Cashell,

Acting Secretary.

APPENDIX

Applicant	Well name	NGPA section	FERC No.	KY APP NGPA No.	Initial FERC Ltr	Deficiency in Record	Purchaser
Alert Oil & Gas Company, Inc.	Blacklog #95	107	JD81-43949	16-15950029	9-17-81	Indicates over 5% non-shale footage.	Columbia Gas Transmission Corp.
Texas International Petroleum Corp.	Walter McClain #1	107	JD81-45208	16-175-502310	9-24-81	Well log not marked	(Unknown)
Do	Lowell Hopkins #1	107	JD81-45209	16-175-502311	9-24-81	do	(Unknown)
Reef Petroleum Corp. of Indiana.	Alberta Corum #1	102	JD83-02622	16-107-502789	11-24-82	Lacks required Behind-the-Pipe Exclusion economic test.	(Unknown)
Bow Valley Petroleum, Inc.	KRCC #120	107	JD84-02903	16-133-505210	12-2-83	Lacks gamma ray log	Columbia Gas Transmission Corp
Do	KRCC #16	107	JD84-02904	16-133-505211	12-2-83	do	Do
Do	Kentucky River Coal #107.	107	JD84-02905	16-193-505212	12-2-83	do	Do
Do	Kentucky River Coal #104.	107	JD84-02906	16-193-505213	12-2-83	do	Do
Do	Kentucky River Coal #103.	107	JD84-02907	16-193-505214	12-2-83	do	Do
Do	KRCC #156	107	JD84-02908	16-193-505215	12-2-83	do	Do
Do	Kentucky River Coal #117.	107	JD84-02909	16-133-505216	12-2-83	do	Do
Do	Kentucky River Coal #102.	107	JD84-02910	16-193-505217	12-2-83	do	Do
Do	KRCC #146	107	JD84-02911	16-193-505218	12-2-83	do	Do
Do	Harden Campbell #150.	107	JD84-02912	16-133-505219	12-2-83	do	Do
Do	Kentucky River Coal #106.	107	JD84-02913	16-133-505220	12-2-83	do	Do
Do	KRCC #115	107	JD84-02914	16-133-505221	12-2-83	do	Do
Do	Kenneth Loudy #157	107	JD84-02915	16-193-505222	12-2-83	do	Do
William P. Brown and Ralph Maertz.	Clifton Zentmyer #1	107	JD84-20592	16-047-506552	3-29-84	Well log not marked	Western Kentucky Gas Co.
Cobra Oil and Gas, Inc.	Carpenter Heirs (Earl Spurlock #1).	103	JD84-28392	16-153-506922	5-21-84	Lacks location plat	Columbia Gas Co. of Kentucky, Inc.
Welch Bros. Oil & Gas Inc.	Harold Prewitt #1	103	JD84-28443	16-235-506973	5-21-84	Lacks Original spud date	(Unknown)
Bowling Green Petroleum Corp.	Earl & Sarah Pyle #1A.	103	JD85-33842	16-169-507383	7-17-85	do	Atlantic Resources, Inc.
Bow Valley Petroleum, Inc.	Kentucky River Coal #105.	107	JD85-34188	16-193-507498	7-25-85	Well log not correctly marked	Columbia Gas Transmission Corp.

FR Doc. 88-8974 Filed 4-22-88; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. RP88-42-000]

Pacific Offshore Pipeline Co.; Informal Settlement Conference

April 20, 1988.

Take notice that an informal settlement conference will be convened in the above proceeding on May 5, 1988, at 10:00 a.m. at the offices of the Federal Energy Regulatory Commission, 825 North Capitol Street NE., Washington, DC 20426.

Any party, as defined by 18 CFR 385.102(c), is invited to attend. Persons wishing to become a party must move to intervene and receive intervenor status pursuant to the Commission's regulations (18 CFR 385.214).

For additional information, contact John C. Walley (202) 357-8458 or Anja M. Clark (202) 357-5740.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 88-8969 Filed 4-22-88; 8:45 am]
BILLING CODE 6717-01-M

[Docket No. CI88-367-000]

Sabine Corp.; Application Requesting Retroactive Abandonment

April 20, 1988.

Take notice that on March 18, 1988, as supplemented on April 13, 1988, Sabine Corporation (Sabine), 1000 LTV Center, 2001 Ross Avenue, Dallas, Texas 75201, filed an application pursuant to section 7(b) of the Natural Gas Act and § 157.30 of the Commission's Regulations requesting retroactive permanent abandonment to be effective in November 1971 for sales of gas dedicated to Natural Gas Pipeline Company of America (NGPL) from the Hoyt No. 1–2 well located in Section 2, T17N–R17W, Dewey County, Oklahoma. Sabine states that it has executed a settlement agreement with NGPL whereby Samine agreed to pay amounts owed to NGPL and NGPL agreed to release the gas upon issuance of abandonment authorization by the Commission.

In support of its application, Sabine states that pursuant to a contract dated December 17, 1962, as amended on July 28, 1967, Sarkeys, Inc. (Sarkeys), Sabine's predecessor-in-interest,[1] sold gas to NGPL from the Hoyt No. 1–2 well. Sabine states that in 1971 Sarkeys sought release of the Hoyt No. 1–2 well from the contract with NGPL because the pressure from the well could not buck NGPL's line pressure. Sabine avers that although NGPL prepared a release agreement in 1971, NGPL never formally executed the release. Sabine states that begining in 1971 Sarkeys sold gas from the Hoyt No. 1–2 well to Mobil Oil Corporation (predecessor-in-interest to Signal Oil and Gas Company) which processed the gas, and in turn sold the residue gas attributable thereto to Panhandle Eastern Pipe Line Company (Panhandle) under a percentage-of-proceeds contract.

Sabine states that Sarkeys did not obtain abandonment authorization when it ceased selling gas from the Hoyt No. 1–2 well to NGPL. Sabine states that it and NGPL have determined that through April 1, 1986, Sabine sold to other purchasers 63,444 Mcf of gas which was dedicated to NGPL. Sabine states that the Hoyt No. 1–2 well is effectively shut-in because the gathering system has corroded and cannot transport the gas.

Sabine and NGPL entered into a settlement agreement dated August 22, 1984. The settlement provides that upon (1) receipt of abandonment authorization from the Commission, (2) determination of the volume of gas delivered to other purchasers from November 1971 until the date the Commission's approval of abandonment authorization becomes final, and (3) payment by Sabine to NGPL of an amount equal to NGPL's weighted average cost of gas over the relevant period less the price per Mcf NGPL would have paid under the December 17, 1962, contract, plus interest computed according to 18 CFR 154.102(d), NGPL will release Sabine from any claim of breach of contract arising from the delivery of gas from the Hoyt No. 1–2 well and will release the acreage attributable to the Hoyt No. 1–2 well as of November 1971.

Any person desiring to be heard or to make any protest with reference to said application should on or before May 11, 1988, file with the Federal Energy Regulatory Commission, Washington, DC 20426, a petition to intevene or a protest in accordance with the requirements of the Commission's Rules of Practice and Procedure (18 CFR 385.211, 385.214). All protests files with the Commission will be considered by it in determining the appropriate action to be taken but will not serve to make the protestants parties to the proceeding. Any person wishing to become a party to the proceeding herein must file a petition to intervene in accordance with the Commission's rules.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Sabine to appear or to be represented at the hearing.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 88-8971 Filed 4-22-88; 8:45 am]

BILLING CODE 6717-01-M

[1] By order issued February 4, 1980, Sarkey's small producer certificate in Docket No. CS71-999 was amended by substituting Sabine as the certificate holder. Sarkeys lost its status as a small producer effective April 1, 1978. The small producer certificate in Docket No. CS71-999 therefore does not cover sales under contracts dated on or after April 1, 1978.

[Docket No. SA88-7-000]

Webb-Duval Gatherers; Petition for Adjustment

April 20, 1988.

Take notice that on February 1, 1988, Webb-Duval Gatherers (Webb-Duval) filed a petition under section 502(c) of the Natural Gas Policy Act of 1978 (NGPA) requesting the Commission to grant an adjustment from § 284.123(b)(1)(ii) of the Commission's regulations so that it may use intrastate transportation rates it has on file with the Texas Railroad Commission (TRC) as the applicable rates for transportation under section 311(a)(2) of the NGPA.

Webb-Duval states it is a gas utility and intrastate pipeline company providing gathering and intrastate transportation service in Texas and that its gathering and transportation rates, filed with the TRC in the form of tariffs, are subject to regulation by the TRC. Webb-Duval intends to transport gas on behalf of various interstate pipeline companies and local distribution companies served by interstate pipelines under negotiated transportation agreements pursuant to NGPA section 311(a)(2).

Section 284.123(b)(1)(ii) of the Commission's regulations provides that under section 311 of the NGPA, an intrastate pipeline may elect to charge rates contained in rate schedules for intrastate service on file with the appropriate state regulatory agency, as long as the services are comparable. The Commission has interpreted comparable to mean city-gate service. Because Webb-Duval has no city-gate sales or city-gate rate, it cannot satisfy the requirement of § 284.123(b)(1)(ii) and seeks the adjustment in order to be permitted to base its rates on its tariff on file with TRC. Webb-Duval states that upon issuance of an adjustment it would, within a reasonable time, not to exceed 30 days, make a filing with

supporting documents necessary for the TRC to make a determination that its rate proposed for section 311(a) service is cost-based and fair and equitable. It agrees to use for its section 311(a) services rates not in excess of the rate found by the TRC to be cost-based and fair and equitable. Webb-Duval states that the adjustment it seeks is necessary, in view of the circumstances, to prevent special hardship and inequity that would otherwise result from forcing it to submit a § 284.123(b)(2) filing and would avoid unnecessary dual agency review.

The procedures applicable to the conduct of this adjustment proceeding are found in Subpart K of the Commission's Rules of Practice and Procedure. Any person desiring to participate in this adjustment proceeding must file a motion to intervene in accordance with the provisions of Subpart K. All motions to intervene must be filed within 15 days after publication of this notice in the **Federal Register.** The petition is on file with the Commission and is available for public inspection.

Lois D. Cashell,

Acting Secretary.

[FR Doc. 88-8970 Filed 4-22-88; 8:45 am]

BILLING CODE 6717-01-M

FEDERAL COMMUNICATIONS COMMISSION

[MM Docket No. 88-171]

Applications for Consolidated Hearing; Faith Broadcasting, Inc., and Daryl M. Kasper

1. The Commission has before it the following mutually exclusive applications for a new FM station:

Applicant, city and state	File No.	MM Docket No.
A. Faith Broadcasting, Inc.; Minot, ND.	BPH-870224MB	88-171
B. Daryl M. Kasper; Minot, ND.	BPH-870224MR	.....

2. Pursuant to section 309(e) of the Communications Act of 1934, as amended, the above applications have been designated for hearing in a consolidated proceeding upon the issues whose headings are set forth below. The text of each of these issues has been standardized and is set forth in its entirety under the corresponding headings at 51 FR 19347 (May 29, 1986). The letter shown before each applicant's name, above, is used below to signify whether the issue in question applies to that particular applicant.

Issue Heading and Applicants

1. Air Hazard, A, B
2. Comparative, A, B
3. Ultimate, A, B

3. If there is any non-standardized issue in this proceeding, the full text of the issue and the applicants to which it applies are set forth in an Appendix to this Notice. A copy of the complete HDO in this proceeding is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text may also be purchased from the Commission's duplicating contractor, International Transcription Services, Inc., 2100 M Street NW., Washington, DC 20037. (Telephone (202) 857-3800).

W. Jan Gay,

Assistant Chief, Audio Services Division, Mass Media Bureau.

[FR Doc. 88-9027 Filed 4-22-88; 8:45 am]

BILLING CODE 6712-01-M

[MM Docket No. 88-150]

Applications for Consolidated Hearing; Radio Indio Corp. et al.

1. The Commission has before it the following mutually exclusive applications for a new FM station:

Applicant, city and State	File No.	MM Docket No.
A. Radio Indio Corporation, Indio, CA.	BPH-851030MK	88-150
B. Ty Stevens Broadcasting Limited, Indio, CA.	BPH-851030MV	
C. M. Christine Ottinger, LaQuinta (Indio), CA.	BPH-851025ML[1]	
D. Ronald Payne, Indio, CA.	BPH-851029MY [1]	

[1] Previously dismissed.

2. Pursuant to section 309(e) of the Communications Act of 1934, as amended, the above applications have been designed for hearing in a consolidated proceeding upon the issues whose headings are set forth below. The test of each of these issues has been standardized and is set forth in its entirety under the corresponding headings at 51 FR 19347 (May 29, 1986). The letter shown before each applicant's name, above, is used below to signify whether the issue in question applies to that particular applicant.

Issue Heading and Applicants

1. Environmental Impact, A, B
2. Comparative, A, B
3. Ultimate, A, B

3. If there are any non-standardized issues in this proceeding, the full text of the issue and the applicants to which it applies are set forth in an Appendix to this Notice. A copy of the complete HDO in this proceeding is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text may also be purchased from the Commission's duplicating contractor, International Transcription Services, Inc., 2100 M Street NW., Washington, DC 20037. (Telephone (202) 857-3800).

W. Jan Gay,

Assistant Chief, Audio Services Division, Mass Media Bureau.

[FR Doc. 88-9028 Filed 4-22-88; 8:45 am]

BILLING CODE 6712-01-M

[MM Docket No. 88-172]

Applications for Consolidated Hearing; Janice Faye Surber et al.

1. The commission has before it the following mutually exclusive applications for a new FM station:

Applicant, city and state	File No.	MM Docket No.
A. Janice Faye Surber, Jellico, TN.	BPH-870313NB....	88-172
B. Fate Lamont McAnally, Jellico, TN.	BPH-870313NE.....	

2. Pursuant to section 309(e) of the Communications Act of 1934, as amended, the above applications have been designed for hearing in a consolidated proceeding upon the issues whose headings are set forth below. The text of each of these issues has been standardized and is set forth in its entirety under the corresponding headings at 51 FR 19347, May 29, 1986. The letter shown before each applicant's name, above, is used below to signify whether the issue in question applies to that particular applicant.

Issue Heading and Applicant(s)

1. Comparative, All
2. Ultimate, All

3. If there is any non-standardized issue(s) in this proceeding, the full text of the issue and the applicant(s) to which it applies are set forth in an Appendix to the Notice. A copy of the complete HDO in this proceeding is available for inspection and copying during normal business hours in the FCC

Dockets Branch (Room 230), 1919 M Street NW., Washington, DC. The complete text may also be purchased from the Commission's duplicating contractor, International Transcription Services, Inc., 2100 M Street NW., Washington, DC 20037. (Telephone (202) 857–3800).

W. Jan Gay,

Assistant Chief, Audio Services Division, Mass Media Bureau.

[FR Doc. 88–9029 Filed 4–22–88; 8:45 am]

BILLING CODE 6712–01–M

[MM Docket No. 88–170]

Applications for Consolidated Hearing; Viacom Broadcasting of Missouri, Inc., et al.

1. The commission has before it the following mutually exclusive applications for a new FM station:

Applicant, city and state	File No.	MM Docket No.
A. Viacom Broadcasting of Missouri, Inc. (KMOV (TV)); St. Louis, MO.	BRCT–871001KG	88–170
B. Mark L. Wodlinger; St. Louis, MO.	BPCT–871231KE	.....

2. Pursuant to section 309(e) of the Communications Act of 1934, as amended, the above applications have been designated for hearing in a consolidated proceeding upon the issues whose headings are set forth below. The text of each of these issues has been standardized and is set forth in its entirety under the corresponding headings at 51 FR 19347, May 29, 1986. The letter shown before each applicant's name, above, is used below to signify whether the issue in question applies to that particular applicant.

Issue Heading and Applicant(s)

Comparative, A, B
Ultimate, A, B

3. If there is any non-standardized issue(s) in this proceeding, the full text of the issue and the applicant(s) to which it applies are set forth in an Appendix to this Notice. A copy of the complete HDO in this proceeding is available for inspection and copying during normal business hours in the FCC Dockets Branch (Room 230), 1919 M Street, NW., Washington, DC. The complete text may also be purchased from the Commission's duplicating contractor, International Transcription Services, Inc., 2100 M Street NW., Washington, DC 20037. (Telephone No. (202) 857–3800).

Roy J. Stewart,

Chief, Video Services Division, Mass Media Bureau.

[FR Doc. 88–9030 Filed 4–22–88; 8:45 am]

BILLING CODE 6712–01–M

FEDERAL DEPOSIT INSURANCE CORPORATION

Information Collection Submitted to OMB for Review

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Notice of information collection submitted to OMB for review and approval under the Paperwork Reduction Act of 1980.

Title of Information Collection: Consolidated Reports of Income and Condition (Insured State-Chartered Savings Banks) (OMB No. 3064–0054).

Background: In accordance with requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the FDIC hereby gives notice that it has submitted to the Office of Management and Budget a request for the review and approval of the information collection system identified above.

ADDRESSES: Written comments regarding the submission should be addressed to Robert Neal, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503, and to John Keiper, Assistant Executive Secretary, Federal Deposit Insurance Corporation, Washington, DC 20429.

Comments: Comments on this collection of information should be submitted on or before May 25, 1988.

FOR FURTHER INFORMATION CONTACT: Requests for a copy of the submission should be sent to John Keiper, Assistant Executive Secretary (Administration), Federal Deposit Insurance Corporation, Washington, DC 20429, telephone (202) 898–3810.

SUMMARY: The FDIC has requested OMB approval to add a memorandum item to the balance sheet of the report of condition prepared by Insured State-Chartered Savings Banks as part of the Call Report submission for June 30, 1988. The item will have banks indicate, by choosing the appropriate numerical code, the statement that best describes the most comprehensive level of auditing work performed for the bank by independent external auditors as of any date during 1987. In the future, this memorandum item will appear annually on the balance sheet of the March 31 Call Report. The addition of the item would not change the annual reporting burden on FDIC-supervised savings banks which is currently estimated as 57,590 hours, collectively.

Dated: April 19, 1988.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 88–9003 Filed 4–22–88; 8:45 am]

BILLING CODE 6714–01–M

Information Collection Submitted to OMB For Review

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Notice of information collection submitted to OMB for review and approval under the Paperwork Reduction Act of 1980.

Title of Information Collection: Consolidated Reports of Condition and Income (Insured State Nonmember Commercial Banks) (OMB No. 3064–0052).

Background: In accordance with requirements of the Paperwork Reduction Act of 1980 (44 U.S.C. Chapter 35), the FDIC hereby gives notice that it has submitted to the Office of Management and Budget a request for the review and approval of the information collection system identified above.

ADDRESS: Written comments regarding the submission should be addressed to Robert Neal, Office of Information and Regulatory Affairs, Office of Management and Budget, Washington, DC 20503 and to John Keiper, Assistant Executive Secretary, Federal Deposit Insurance Corporation, Washington, DC 20429.

Comments: Comments on this collection of information should be submitted on or before May 25, 1988.

SUMMARY: The FDIC is requesting OMB approval to add a memorandum item to the balance sheet of the report of condition prepared by insured state nonmember commercial banks as part of the Call Report submission for June 30, 1988. The item will have banks indicate, by choosing the appropriate numerical code, the statement that best describes the most comprehensive level of auditing work performed for the bank by independent external auditors as of any date during 1987. In the future, this memorandum item will appear annually on the balance sheet of the March 31 Call Report. The addition of the item would not change the annual reporting burden on FDIC-supervised commercial

banks which is currently estimated as 655,411 hours, collectively.

Dated: April 19, 1988.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

[FR Doc. 88-9014 Filed 4-22-88; 8:45 am]

BILLING CODE 6714-01-M

FEDERAL MARITIME COMMISSION

Agreement(s) Filed

The Federal Maritime Commission hereby gives notice of the filing of the following agreement(s) pursuant to section 5 of the Shipping Act of 1984.

Interested parties may inspect and obtain a copy of each agreement at the Washington, DC Office of the Federal Maritime Commission, 1100 L Street NW., Room 10325. Interested parties may submit comments on each agreement to the Secretary, Federal Maritime Commission, Washington, DC 20573, within 10 days after the date of the **Federal Register** in which this notice appears. The requirements for comments are found in § 572.603 of Title 46 of the Code of Federal Regulations. Interested persons should consult this section before communicating with the Commission regarding a pending agreement.

Agreement No: 224-200108

Title: Manchester Terminal Corporation Terminal Handling Agreement

Parties:

Manchester Terminal Corporation (MTC)

Southern Stevedoring Company, Inc. (SSC)

Synopsis: The proposed agreement assigns SSC the right to load, unload and render other terminal services to cargo and containers moving through MTC's facilities.

Agreement No: 224-200109

Title: Long Beach Terminal Agreement

Parties:

City of Long Beach

Cooper/T. Smith Stevedoring Co., Inc. (Cooper)

Synopsis: The agreement grants Cooper a non-exclusive preferential assignment of Berth 62 and Berths 3 and 4, Pier A in the Harbor District of the City of Long Beach. The agreement amends and restates the agreements between the parties as a result of substitution of terminal facilities covered under a previous agreement.

By Order of the Federal Maritime Commission.

Joseph C. Polking,

Secretary.

Dated: April 20, 1988.

[FR Doc. 88-8998 Filed 4-22-88; 8:45 am]

BILLING CODE 6730-01-M

Ocean Freight Forwarder License; Applicants; Challenge Crating and Storage, Inc., et al.

Notice is given that the following applicants have filed with the Federal Maritime Commission applications for licenses as ocean freight forwarders pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718 and 46 CFR Part 510).

Persons knowing of any reason why any of the following applicants should not receive a license are requested to contact the Office of Freight Forwarder and Passenger Vessel Operations, Federal Maritime Commission, Washington, DC 20573.

Challenge Crating and Storage Inc., 950 Eller Dr., P.O. Box 350582, Ft. Lauderdale, FL 33335, Officers: Ian Elder, President/Director; James Elder, V. Pres./Director; Irvine Smyth, Director

Techno Express Inc., 182-30 150th Rd. 2nd Floor, Jamaica, N.Y. 11434, Officer: Pierre Gawi, President

Alliance International Forwarders, Inc., 9009 Glesby #125, Houston, TX 77029, Officer: Wolfgang Anderson, President

Professional Export Services, Inc., 302 6th Avenue North, Hopkins, Minnesota 55343, Officers: John T. Andrusko, President; Elizabeth A. Thompson, Vice President

International Freight Transport, 365 Coral Circle, El Segundo, CA 90245, Officer: Paul S. Cohen, President

Transcontinental Transportation Systems Inc., 161-15 Rockaway Boulevard, Jamaica, New York 11434, Officers: George H. Hundeshagen, President; Josephine A. Hundeshagen, Exec. V. Pres.

Morgan & Brother Manhattan Storage Co. Inc., 1411 Third Avenue, New York, New York 10028, Officers: Jeffrey S. Morgan, President; Hillary A. Morgan, Vice President.

By the Federal Maritime Commission.

Joseph C. Polking,

Secretary.

Dated: April 20, 1988.

[FR Doc. 88-8996 Filed 4-22-88; 8:45 am]

BILLING CODE 6730-01-M

Ocean Freight Forwarder License; Revocations; Oscar Shipping, Inc., et al.

Notice is hereby given that the following ocean freight forwarder licenses have been revoked by the Federal Maritime Commission pursuant to section 19 of the Shipping Act of 1984 (46 U.S.C. app. 1718) and the regulations of the Commission pertaining to the licensing of ocean freight forwarders, 46 CFR Part 510.

License Number: 2671

Name: Oscar Shipping, Inc. dba Cruz Del Sur Shipping

Address: 1040 Elizabeth Ave., Elizabeth, NJ 07201

Date Revoked: March 29, 1988

Reason: Failed to maintain a valid surety bond

License Number: 2877

Name: International Pursuits, Ltd.

Address: 1408 Northland Drive, Suite 306, Mendota Heights, MN 55120

Date Revoked: April 6, 1988

Reason: Failed to maintain a valid surety bond

License Number: 3082

Name: Marina Perez and Edgar Machuca dba Air Ocean International

Address: 139 Mitchell Ave., So. San Francisco, CA 94080

Date Revoked: April 8, 1988

Reason: Failed to maintain a valid surety bond

Robert G. Drew,

Director, Bureau of Domestic Regulation.

[FR Doc. 88-8997 Filed 4-22-88; 8:45 am]

BILLING CODE 6730-01-M

FEDERAL RESERVE SYSTEM

Trustcorp, Inc.; Formation of Acquisition by, or Merger of Bank Holding Companies; and Acquisition of Nonbanking Company; Correction

This notice corrects a previous **Federal Register** notice (FR Doc. 88-4814) published at page 7237 of the issue for Monday, March 7, 1988.

Under the Federal Reserve Bank of Cleveland, the entry for Trustcorp, Inc. is revised to read as follows:

A. **Federal Reserve Bank of Cleveland** (John J. Wixted, Jr., Vice President) 1455 East Sixth Street, Cleveland, Ohio 44101:

1. *TrustCorp, Inc.*, Toledo, Ohio; to acquire 100 perent of the voting shares of Summcorp, Fort Wayne, Indiana, and thereby indirectly acquire Summit Bank of Johnson County, Edinburg, Indiana; Summit Bank, Fort Wayne, Indiana; Summit Bank of Clinton County,

Frankfort, Indiana; Summit Bank of Kendallville, Kendallville, Indiana; Summit Bank of Marion, Marion, Indiana; Industrial Trust & Savings Bank, Muncie, Indiana; Summit Bank of Hamilton County, Sheridan, Indiana; Summit Bank of South Bend, South Bend, Indiana; and Decatur Financial, Inc., Decatur, Indiana, and thereby indirectly acquire Decatur Bank & Trust Co., Decatur, Indiana.

Summit Bank, Fort Wayne, Indiana, provides property and casualty insurance agency services and engages directly in insurance agency activities permissible for Indian banks pursuant to § 28–1–11–2 of the Indiana Code. This activity is conducted directly by and through Summit Bank, and this activity has been provided since 1973.

Summit Bank also has a wholly-owned subsidiary, Inbanc Insurance Company, which is a reinsurance corporation that underwrites credit life, accident, and health insurance.

In connection with this application, TrustCorp of Indiana, Inc., Fort Wayne, Indiana, has applied to become a bank holding company by acquiring 100 percent of the voting shares of SummCorp.

TrustCorp, Inc. and TrustCorp of Indiana, Inc., have also applied to acquire Summcorp Financial Services, Inc., Fort Wayne, Indiana, and thereby engage in discount brokerage activities pursuant to § 225.25(b)(15) of the Board's Regulation Y.

Comments on this application must be received by May 11, 1988.

Board of Governors of the Federal Reserve System, April 19, 1988.

James McAffee,

Associate Secretary of the Board.

[FR Doc. 88–8943 Filed 4–22–88; 8:45 am]

BILLING CODE 6210–01–M

FEDERAL TRADE COMMISSION

Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register**.

The following transactions were granted early termination of the waiting period provided by law and the premerger notification rules. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period:

TRANSACTIONS GRANTED EARLY TERMINATION BETWEEN: 040488 AND 041588

Name of acquiring person, name of acquired person, name of acquired entity	PMN No.	Date terminated
MCA Inc., Winterland Concessions Company, Winterland Concessions Company	88–1153	04/04/88
Royal Dutch Petroleum Company, Peter Anest, (88–1190) and Bill Anest (88–1191), S&S Petroleum Products	88–1190	04/04/88
Royal Dutch Petroleum Company, Bill Anest, S&S Petroleum Products	88–1191	04/04/88
Christopher C. Skase, HRI Group, Inc., HRI Group, Inc	88–1206	04/04/88
Gordon P. Getty, c/o P.A.J.W. Corp., DeltaUS Corporation, DeltaUS Corporation	88–1218	04/04/88
Smithkline Beckman Corporation, International Clinical Laboratories, Inc., International Clinical Laboratories, Inc	88–1225	04/04/88
Pacific Enterprises, Sabine Corporation, Sabine Corporation	88–1246	04/04/88
Pacific Enterprises, Sabine Corporation, Sabine Corporation	88–1247	04/04/88
Mr. J. Leibovitz, Dinner Bell Foods, Inc., Dinner Bell Foods, Inc	88–1054	04/06/88
Caroline Hunt Trust Estate, First Executive Corporation, First Executive Corporation	88–1167	04/06/88
Safeguard Scientifics, Inc., Bell Atlantic Corporation, CompuShop Incorporated	88–1179	04/06/88
Bunzl plc, Carl J. Dennis, DJ Wholesale Bldg. Materials, Inc., & P'ship Assets	88–1209	04/06/88
General Electric Company, Mobil Corporation, Montgomery Ward & Co., Incorporated	88–1164	04/07/88
Plaza Securities Company, Centel Corporation, Centel Corporation	88–1195	04/07/88
Sears, Roebuck and Co., Western Auto Supply Company, Western Auto Supply Company	88–1207	04/07/88
Tele-Communications, Inc., Eastgate Theatre, Inc., Eastgate Theatre, Inc	88–1212	04/07/88
TPR Investment Partners, Nine West Corporation, Nine West Corporation	88–1183	04/08/88
Tandy Corporation, GRiD Systems Corporation, GRiD Systems Corporation	88–1194	04/08/88
Thomas C. Foley, J.P. Stevens & Co., J.P. Stevens & Co	88–1226	04/08/88
West Point-Pepperell, Inc., J.P. Stevens & Co., Inc., J.P. Stevens & Co., Inc	88–1227	04/08/88
Peter R. Morris, American Finance Group, Inc., American Finance Group, Inc	88–1241	04/08/88
E.I. duPont de Nemours and Company, Clyde E. Miller, Victory, Inc. of Michigan, et. al	88–1245	04/08/88
E.I. duPont de Nemours and Company, C. John Miller, Miller Energy Inc., et. al	88–1249	04/08/88
Conrad Cafritz, BV Holdings Corporation, Big V Supermarkets, Inc	88–1266	04/08/88
Michael C. Cameron, Trust under Will of Benjamin L. Green, B. Green & Company, Inc. & Venture BG	88–1268	04/08/88
Bruno's, Inc., RFS Equity Partners, PWS Holding Corporation	88–1271	04/08/88
United Insurance Companies, Inc., Home Life Insurance Company, Orange State Life & Home Life Financial Assurance Corp.	88–1275	04/08/88
S. & W. Berisford PLC, Tejon Ranch Co., W–L Research, Inc	88–1302	04/08/88
Trusthouse Forte PLC, Kennedy Brookes PLC, Kennedy Brookes PLC	88–1230	04/09/88
Varity Corporation, TRW, Inc., TRW, INc.	88–1213	04/11/88
Lear Siegler Holdings Corp., FL Industries Holdings, Inc., The Jennings Division of FL Industries, Inc	88–1251	04/11/88
Total Compagnie Francaise des Petroles, Mid-Plains Petroleum Co., Inc., Mid-Plains Petroleum Co., Inc	88–1260	04/11/88
Kirschner Medical Corporation, Kenbar Industries, Inc., Professional Medical Products, Inc	88–1294	04/11/88
General Motors Corporation, MCorp, MTech Corp	88–1140	04/12/88
Morgan Stanley Group Inc., Colt Holdings Inc., Colt Holding Inc	88–1171	04/12/88
The Morgan Stanley Levereaged Equity Fund II, L.P., Colt Industries, Inc., Colt Industries, Inc	88–1172	04/12/88
The Morgan Stanley Leveraged Equity Fund II, L.P., Colt Holding, Inc., Colt Holding, Inc	88–1173	04/12/88
The Atlantic Group, Inc., Fairfield Communities, Inc., Fairfield Communities, Inc	88–1177	04/12/88
Robert L. Kaminski, The Philp Co. Trust, The Southland Corporation	88–1215	04/12/88
Bardon Group PLC, The Guyott Company, The Guyott Company	88–1224	04/12/88
Tele-Communications, Inc., Tele-Communications, Inc., TCI of Brainerd, Inc. and TCI of Duluth, Inc	88–1263	04/12/88

TRANSACTIONS GRANTED EARLY TERMINATION BETWEEN: 040488 AND 041588—Continued

Name of acquiring person, name of acquired person, name of acquired entity	PMN No.	Date terminated
The Pullman Company, Alta Acquisition Corp., The Regal Stamping Company Division	88-1270	04/12/88
Emhart Corporation, Price Pfister, Inc., Price Pfister, Inc	88-1279	04/12/88
David H. Murdock, Flexi-Van Corporation, Flexi-Van Corporation	88-1291	04/12/88
Doskocil Companies Incorporated, Wilson Foods Corporation, Wilson Foods Corporation	88-1223	04/13/88
Smithfield Foods, Inc., B. Hubert Beale, H. P. Beale & Sons, Inc	88-1267	04/13/88
International Life Corp., CIGNA Corporation, INA Life Insurance Company, INA Security Corporation	88-1199	04/15/88
International Business Machines Corporation, Pacific Telesis Group, PacTel Communications Companies	88-1204	04/15/88
Roundy's Inc., Cardinal Distribution Inc., Cardinal Foods, Inc	88-1229	04/15/88
Brierley Investments Limited, CalMat Co., CalMat Co	88-1255	04/15/88
Unione Italiana di Riassicura-zione S.p.A., Baltica Holding A/S, Baltica-Skandinavia Reinsurance Co. of America, Inc	88-1261	04/15/88
Control Data Corporation, Silicon Graphics, Inc., Silicon Graphics, Inc	88-1265	04/15/88
Medco Containment Services, Inc., National Data Corporation, National Data Corporation	88-1277	04/15/88
Transamerica Corporation, Kaufman and Broad, Inc., Anchor National Life Insurance Co	88-1283	04/15/88
United Meridian Corporation, Ensource Inc., Ensource Inc	88-1296	04/15/88
Longview Fibre Company, Boise Cascade Corporation, Boise Cascade Corporation	88-1300	04/15/88
Boise Cascade Corporation, Longview Fibre Company, Longview Fibre Company	88-1301	04/15/88
Harrisons & Crosfield PLC, Michael G. Woodbury, Diamond Paint Lumber Co., & Woodbury Interestate	88-1306	04/15/88
Harrisons & Crosfield PLC, Ralph B. Woodbury, Diamond Point Lumber Co., Inc. & Woodbury Interstate	88-1307	04/15/88
British & Commonwealth Holdings PLC, British & Commonwealth Holdings PLC, Fundamental Brokers Institutional Associates, A Limited	88-1308	04/15/88
Data Technology Corporation, Compagnie Generale d'Electricite, Qume Corporation	88-1309	04/15/88
Royal Dutch Petroleum Company, Atlantic Richfield Company, Atlantic Richfield Company	88-1312	04/15/88
Lend Lease Corporation Limited, International Income Property, inc., International Income Property, Inc	88-1313	04/15/88
The Thos. D. Murphy Co., Tele-Communications, Inc., Shaw-Barton, Inc	88-1352	04/15/88
Kizo Matsumoto, The Prudential Insurance Company of America, Kuilima Development Company	88-1353	04/15/88
Toufic Aboukhater, The Henley Group, Inc., Henley Manufacturing Corp	88-1361	04/15/88

FOR FURTHER INFORMATION CONTACT: Sandra M. Peay, Contact Representative, Premerger Notification Office, Bureau of Competition, Room 301, Federal Trade Commission, Washington, DC 20580, (202) 326–3100.

By direction of the Commission.

Emily H. Rock,

Secretary.

[FR Doc. 88–8950 Filed 4–22–88; 8:45 am]

BILLING CODE 6750-01-M

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of Human Development Services

Federal Council on the Aging; Meeting

Agency Holding the Meeting: Federal Council on the Aging.

Time and Date: Meeting begins at 9:00 a.m. and ends at 5:00 p.m. on Wednesday, May 18, 1988; and begins at 9:00 a.m. and ends at 3:00 p.m. on Thur day, May 19, 1988.

Place: On Wednesday, May 18, The Apollo, Holiday Inn-Capitol, 550 C Street, SW., from 9:00 a.m. to 12 Noon, and Thursday, May 19, The Lewis, Holiday Inn-Capitol, 550 C Street, SW., from 9:00–4:00 p.m., Washington, DC 20024. See below for May 18, p.m. Forum.

Status: Meeting is open to the public.

Contact Persons: Pete Conroy, Room 4545, Wilbur Cohen Federal Building, 245–2451.

The Federal Council on the Aging was established by the 1973 Amendments to the Older Americans Act of 1965 (Pub. L. 93029, 42 U.S.C. 3015) for the purpose of advising the President, the Secretary of Health and Human Services, the Commissioner on Aging and the Congress on matters relating to the special needs of older Americans.

Notice is hereby given pursuant to the Federal Advisory Committee Act (Pub. L. 92–453, 5 U.S.C. App. 1, Sec. 10, 1976) that the Council will hold its May quarterly meeting on May 18 and 19 from 9:00 a.m.–4:00 p.m. and from 9:00 a.m.–3:00 p.m. respectively. On May 18, the morning session will be an Executive Session, and the regular open meeting in the afternoon in the Apollo Meeting Room of the Holiday Inn-Capitol Hotel, 550 C Street, SW., Washington, DC 20024. On May 19, the Council will meet in the Lewis Meeting Room of the Holiday Inn-Capitol Hotel, 550 C Street, SW., Washington, DC 20024.

The agenda for a *Forum on Guardianship* to be held in the Stonehenge, Room 600, Hubert Humphrey Building, 200 Independence Avenue, SW., May 18 at 2 p.m., is as follows: Witnesses before the Council will include: Carol Fraser Fisk, Commissioner, Administration on Aging; Nancy Coleman, American Bar Association; Penny Hommel, The Center for Social Gerontology; Dan Quirk, National Association of State Units on Aging; Sandy Markwood or Local official, National Association of Counties; Representative from National Conference of State Legislatures.

The rest of the two-day meeting will include discussion of Current Projects, Committee Reports, Agenda Projects and Budget for 1988–89, the 1987 Annual Report to the President and Recommendations included therein—location of 1988 meetings, and briefing on 1991 White House Conference on the Aging project.

Dated: April 19, 1988.

Ingrid Azvedo,

Chairperson, Federal Council on the Aging.

[FR Doc. 88–8964 Filed 4–22–88; 8:45 am]

BILLING CODE 4130-01-M

National Institutes of Health

National Cancer Institute; Cancer Biology-Immunology Contracts Review Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Cancer Biology-Immunology Contracts Review Committee, National Cancer Institute, National Institutes of Health, June 3, 1988, Guest Quarters, Montgomery I Conference Room, 7335 Wisconsin Avenue, Bethesda, Maryland 20814.

This meeting will be open to the public on June 3 from 9 a.m. to 9:30 a.m. to discuss administrative details. Attendance by the public will be limited to space available.

In accordance with provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. and sec. 10(d) of Pub. L.

92–463, the meeting will be closed to the public on June 3 from 9:30 a.m. to adjournment for the review, discussion and evaluation of individual contract proposals. These proposals and the discussions could reveal confidential trade secrets or commercial property such as patentable material and personal information concerning individuals associated with the proposals, disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Winifred Lumsden, the Committee Management Officer, National Cancer Institute, Building 31, Room 10A06, National Institutes of Health, Bethesda, Maryland 20892 (301/496–5708) will provide summaries of the meeting and rosters of committee members upon request.

Dr. Wilna A. Woods, Executive Secretary, Cancer Biology-Immunology Contracts Review Committee, 5333 Westbard Avenue, Room 807, Bethesda, Maryland 20892 (301/496–7153) will furnish substantive program information.

Dated: April 12, 1988.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 88–8976 Filed 4–22–88; 8:45 am]

BILLING CODE 4140–01–M

National Cancer Institute; Meetings of the National Cancer Advisory Board Subcommittees

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the National Cancer Advisory Board, National Cancer Institute, May 9–11, 1988, Building 31C, Conference Room 6, 6th Floor, National Institutes of Health, 9000 Rockville Pike, Bethesda, Maryland 20892. Meetings of the Subcommittees of the Board will be held at the times and places listed below. Portions of the Board meeting and its Subcommittees will be open to the public to discuss issues relating to committee business as indicated in the notice. Attendance by the public will be limited to space available.

Portions of the meeting will be closed to the public as indicated below in accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. and sec. 10(d) of Pub. L. 92–463, for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Mrs. Winifred J. Lumsden, Committee Management Officer, National Cancer Institute, 9000 Rockville Pike, Building 31, Room 10A06, National Institutes of Health, Bethesda, Maryland 20892 (301/496–5708) will provide a summary of the meeting and rosters of the Board members, upon request.

Name of Committee: Subcommittee on Cancer Centers.

Executive Secretary: Ms. Judith Whalen, Building 31, Room 11A19, Bethesda, MD 20892 (301/496–5515).

Date of Meeting: May 8.

Place of Meeting: Building 31C, Conference Room 7.

Open: 6 p.m.—adjournment.

Agenda: To discuss the summer workshop on cancer centers and continue discussion of the review of the cancer program.

Name of Committee: Subcommittee on Environmental Carcinogenesis.

Executive Secretary: Dr. Richard Adamson, Building 31, Room 11A03, Bethesda, MD 20892 (301/496–6618).

Date of Meeting: May 9.

Place of Meeting: Building 31A, Conference Room 2.

Open: 6 p.m. to adjournment.

Agenda: An overview of the Epidemiology and Biostatistics Program and the Radiation Effects Branch.

Name of Committee: Subcommittee on Cancer Control for the Year 2000.

Executive Secretary: Dr. Peter Greenwald, Building 31, Room 10A52, Bethesda, MD 20892 (301/496–6616).

Date of Meeting: May 9.

Place of Meeting: Building 31C, Conference Room 8.

Open: 6:15 p.m. to adjournment.

Agenda: Discussion of issues on cancer control.

Name of Committee: AIDS Subcommittee.

Executive Secretary: Dr. Maryann Roper, Building 31, Room 11A48, Bethesda, MD 20892 (301/496–1927).

Date of Meeting: May 9.

Place of Meeting: Building 31C, Conference Room 7.

Open: 7:30 p.m. to adjournment.

Agenda: Update of NCI activities pertaining to AIDS.

Name of Committee: Subcommittee on Special Actions for Grants.

Executive Secretary: Mrs. Barbara S. Bynum, Building 31, Room 10A03, Bethesda, MD 20892 (301/496–5147).

Date of Meeting: May 10.

Place of Meeting: Building 31C, Conference Room 6.

Open: 8:30 a.m. to adjournment.

Agenda: Review and discussion of individual grant applications.

Name of Committee: Subcommittee for Review of Contracts and Budget for the Office of the Director.

Executive Secretary: Mr. James Prather, Building 31, Room 11A29, Bethesda, MD 20892 (301/496–5801).

Date of Meeting: May 10.

Place of Meeting: Building 31C, Conference Room 8.

Open: Immediately following adjournment of the Subcommittee on Special Actions for Grants.

Agenda: To discuss contracts for the Office of the Director, NCI.

Name of Committee: Subcommittee on Planning and Budget.

Executive Secretary: Ms. Judith Whalen, Building 31, Room 11A19, Bethesda, MD 20892 (301/496–5515).

Date of Meeting: May 10.

Place of Meeting: Building 31C, Conference Room 7.

Open: 5:30 p.m.—adjournment.

Agenda: Discussion of Budget matters and the Biennial Report.

Name of Committee: National Cancer Advisory Board.

Executive Secretary: Mrs. Barbara Bynum, Building 31, Room 10A03, Bethesda, MD 20893 (301/496–5147).

Date of Meeting: May 9 and 11, 1988.

Place of Meeting: Building 31C, Conference Room 6.

Open: May 9, 8:30 a.m. to recess; May 11, 8 a.m. to adjournment.

Agenda: Reports on activities of the President's Cancer Panel; the Director's Report on the National Cancer Institute; Subcommittee Reports; and New Business.

Dated: April 12, 1988.

Betty J. Beveridge,

Committee Management Officer, NIH.

(Catalog of Federal Domestic Assistant Program Nos.: (13.392, Project grants in cancer construction; 13.393, Project grants in cancer cause and prevention; 13.394, Project grants in cancer detection and diagnosis; 13.395, Project grants in cancer treatment; 13.396, Project grants in cancer biology; 13.397 Project grants in cancer centers support; 13.398, Project grants in cancer research manpower and 13.399; Project grants and contracts in cancer control.)

[FR Doc. 88–8978 Filed 4–22–88; 8:45 am]

BILLING CODE 4140–01–M

National Institute of Dental Research; National Advisory Dental Research Council; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of a meeting of the National Advisory Dental Research Council, National Institute of Dental Research, on May 25–26, 1988, H. Trendley Dean Conference Room,

(Room 117) Building 30, National Institutes of Health, Bethesda, Maryland. This meeting will be open to the public from 9 a.m. to recess on May 25 for program presentation and dedication of the H. Trendley Dean Conference Room. Attendance by the public will be limited to space available.

In accordance with the provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. and sec. 10(d) of Pub. L. 92–463, the meeting of the Council will be closed to the public on May 26 from 9 a.m. to 2:30 p.m. for the review, discussion and evaluation of individual grant applications. These applications and the discussions could reveal confidential trade secrets or commercial property such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitue a clearly unwarranted invasion of personal privacy.

In accordance with the provisions set forth in section 552b(c)(9)(B), Title 5, U.S. Code, the Council meeting will be closed to the public from 2:30 p.m. to adjournment on May 26 for discussion and preparation of comments Council wishes to submit to the Director, NIH, for inclusion in the biennial report to Congress.

Dr. Preston A. Littleton, Jr., Executive Secretary, National Advisory Dental Research Council, and Deputy Director, National Institute of Dental Research, National Institutes of Health, Building 31, Room 2C39, Bethesda, Maryland 29892, (telephone 301–496–9469) will furnish a roster of committee members, a summary of the meeting, and other information pertaining to the meeting.

(Catalog of Federal Domestic assistance Program Nos. 13.121—Diseases of the Teeth and Support Tissues; Caries and Restorative Materials; Periodontal and Soft Tissue Diseases; 13.122—Disorders of Stucture, Function, and Behavior: Craniofacial Anomalies, Pain Control, and Behavioral Studies; 13.845—Dental Research Institute; National Institutes of Health)

Dated: April 12, 1988.

Betty J. Beveridge,

Committee Management Officer, NIH

[FR Doc. 88–8977 Filed 4–22–88; 8:45 am]

BILLING CODE 4140–01–M

National Institute of Dental Research; Special Grants Review Committee; Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of the meeting of the Special Grants Review Committee, National Institute of Dental Research, June 7–8, 1988, in the Holiday Inn Chevy Chase, 5520 Wisconsin Avenue, Chevy Chase, Maryland 20815. The Committee will be open to the public from 9 a.m. to 9:30 a.m. on June 7 for general discussions. Attendance by the public is limited to space available.

In accordance with provisions set forth in secs. 552b(c)(4) and 552b(c)(6), Title 5, U.S.C. and sec. 10(d) of Pub. L. 92–463, the meeting will be closed to the public on June 7 from 9:30 a.m. to recess and on June 8 from 9 a.m. to adjournment for the review, discussion and evaluation of individual grant applications. The applications and the discussions could reveal confidential trade secrets or commercial property, such as patentable material, and personal information concerning individuals associated with the applications, the disclosure of which would constitute a clearly unwarranted invasion of personal privacy.

Dr. Rose Marie Petrucelli, Executive Secretary, NIDR Special Grants Review Committee, NIH, Westwood Building, Room 519, Bethesda, MD 20892, (telephone 301/496–7658) will provide a summary of the meeting, roster of committee members and substantive program information upon request.

(Catalog of Federal Domestic Assistance Program Nos. 13.121—Diseases of the Teeth and Supporting Tissues: Caries and Restorative Materials; Periodontal and Soft Tissue Diseases; 13–122—Disorders of Structure, Function, and Behavior: Craniofacial Anomalies, Pain Control, and Behavioral Studies; 13–845—Dental Research Institute; National Institutes of Health)

Dated: April 12, 1988.

Betty J. Beveridge,

Committee Management Officer, NIH.

[FR Doc. 88–8975 Filed 4–22–88; 8:45 am]

BILLING CODE 4140–01–M

Public Health Service

National Toxicology Program, Board of Scientific Counselors' Meeting

Pursuant to Pub. L. 92–463, notice is hereby given of a meeting of the National Toxicology Program (NTP) Board of Scientific Counselors, U.S. Public Health Service, in the Conference Center, Building 101, South Campus, National Institute of Environmental Health Sciences, Research Triangle Park, North Carolina on May 17, 1988.

The meeting will be open to the public from 8:30 a.m. until adjournment. The *preliminary* agenda topics with *approximate* times are as follows:

8:30 a.m.–8:45 a.m.—Report of the Director, NTP.

8:45 a.m.–9:45 a.m.—Review of Chemcials Nominated for NTP Studies.

Six chemicals will be reviewed. The chemicals were evaluated by the NTP Chemcial Evaluation Commitee on December 9, 1987, and are (with CAS Nos. in parentheses): (1) Anthraquinone (84–65–1); (2) Camphor (76–22–2); (3) Chloro-2-bromoethane (107–04–0); (4) Glyoxal (107–22–2); (5) Lead (II) Oxide (1317–36–8); and (6) Lead (II) Sulfide.

9:45 a.m.–10:15 a.m.—Overview of the NIEHS Extramural Program.

10:30 a.m.–11:00 a.m.—NTP Proposed Plans for Toxicological Evaluation of Ozone.

11:00 a.m.–11:30 a.m.—Rodent Model Validation Using Known Human Carcinogens.

11:30 a.m.–12:00 noon—Proposed Selective Reduction in Sex/Species Groups for Long-Term Carcinogenesis Studies.

12:00 noon–12:15 p.m.—Prechronic Technical Reports and Peer Review.

1:00 p.m.–2:30 p.m.—Disposition of Studies Conducted at Gulf South Research Institute.

2:30 p.m.–3:00 p.m.—Toxicology of Chemical Mixtures:

I. NAS Report on Complex Mixtures.

II. ATSDR/NTP Initiative and Ongoing Experiments.

3:00 p.m.–4:30 p.m.—Concept Reviews—NIEHS Cellular and Genetic Toxicology Branch:

I. Characterizing and Developing Detection Methods for Nonelectrophilic Carcinogens.

II. DNA Adducts in Rodent and Human Tissues.

III. Chemcially Induced DNA Modifications.

The Executive Secreatary, Dr. Larry G. Hart, National Toxicology Program, P.O. Box 12233, Research Triangle Park, North Carolina 27609, telephone (919) 541–3971; FTS 629–3971, will have available a roster of Board members and expert consultants and other program information prior to the meeting, and summary minutes subsequent to the meeting.

Dated: April 19, 1988.

David P. Rall,

Director, National Toxicology Program.

[FR Doc. 88–9037 Filed 4–22–88; 8:45 am]

BILLING CODE 88–9037–M

Social Security Administration

Supplementary Agreement on Social Security Between the United States and the Federal Republic of Germany; Entry Into Force

The Commissioner of Social Security gives notice that on March 1, 1988, a supplementary agreement entered into

force which amends the social security agreement between the United States and the Federal Republic of Germany that has been in effect since December 1, 1979. The supplementary agreement, which was signed on October 2, 1986, was concluded pursuant to section 233 of the Social Security Act. It updates several provisions of the original agreement to take account of changes in U.S. and German law that have occurred since the original agreement was implemented. The supplementary agreement also simplifies the original agreement, primarily by introducing a new method of computing U.S. Social Security benefit amounts when entitlement for the benefits is based on combined U.S. and German social security coverage.

Persons who wish to obtain copies of the agreement or want more information about its provisions may write to the Social Security Administration, Office of International Policy, Room 1104, West High Rise Building, 6401 Security Boulevard, Baltimore, MD 21235.

Dated: April 14, 1988.

Dorcas R. Hardy,

Commissioner of Social Security.

[FR Doc. 88-8946 Filed 4-22-88; 8:45 am]

BILLING CODE 4190-11-M

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

Endangered Species Permit Issued for the Months of January, February, and March 1988

Notice is hereby given that the U.S. Fish and Wildlife Service has taken the following action with regard to permit applications duly received according to section 10 of the Endangered Species Act of 1973, as amended, 16 U.S.C. 1539. Each permit listed as issued was granted only after it was determined that it was applied for in good faith, that by granting the permit it will not be to the disadvantage of the endangered species; and that it will be consistent with the purposes and policy set forth in the Endangered Species Act of 1973, as amended.

Additional information on these permit actions may be requested by contacting the Office of Management Authority, P.O. Box 27329, Washington, DC, 20038-7329, telephone (202/343-4955) between the hours of 7:45 a.m. to 4:15 p.m. weekdays.

Correction

Honolulu Zoo was withdrawn December 3, 1987.

January		
Jumbolair Inc.	722670	01-05-88
Rickards, Ginger Va.	723138	01-05-88
Hawthorn Circus Corporation	723369	01-11-88
Adelman, Eugene Alan	723368	01-15-88
Schwartz, William E.	723607	01-15-88
Duke University Primate Ctr.	724599	01-20-88
Duke University Primate Ctr.	724600	01-20-88
Baglino, Ralph A.	723390	01-21-88
International Animal Exchange	723465	01-26-88
Grannis, Vance B.	723848	01-28-88
Potter-Thomas, Lisa	723053	01-28-88
February		
Herbst, Stevens C.	723373	02-02-88
International Animal Exchange	722277	02-04-88
Beissinger, Steven R.	704278	02-09-88
Hales, Randy	720915	02-17-88
Staten Island Zoological Soc.	723755	02-17-88
Biedenharn, Robert M.	723926	02-18-88
Clark, Bob	723928	02-19-88
National Zoological Park	708225	02-23-88
Animal Park Inc.	723752	02-23-88
McCaw, Bruce R.	723091	02-28-88
March		
San Diego Zoo	724305	03-02-88
Nuccitelli, John F.	724123	03-13-88
New York Zoological Society	724548	03-13-88
Los Angeles Zoo	724500	03-14-88
Cincinnati Zoo	724390	03-15-88
Holdsworth, Earl T.	723068	03-21-88
Smith, Gary S.	724040	03-21-88
Archie Carr Ctr. for Sea Turtles	724540	03-23-88
Cincinnati Zoo	722430	03-29-88
Riverbanks Zoological Park	723940	03-31-88

Date: April 20, 1988.

Larry LaRochelle,

Acting Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 88-9038 Filed 4-22-88; 8:45 am]

BILLING CODE 4310-55-M

Receipt of Application for Permit

The public is invited to comment on the following application for permit to conduct certain activities with marine mammals. The application was submitted to satisfy requirements of the Marine Mammal Protection Act of 1972, *as amended* (16 U.S.C. 1361 *et seq.*) and the regulations governing marine mammals (50 CFR Part 18).

Applicant

Name: U.S. Fish and Wildlife Service, 1011 E. Tudor Road, Anchorage, Alaska 99503. File No. PRT-708155.

Type of Permit: Scientific Research.

Name of Animals: Alaskan sea otter (Enhydra lutris lutris)—280.

Summary of Activity to be Authorized: The applicant proposes to take (capture, drug, measure, extract a tooth, tag, radio-tag, tattoo, blood sample and hold for food analysis studies) these animals for scientific research to:

(1) Determine if the quality and quantity of available prey influence the size and weight of independent sea otters; (2) determine if the quality and quantity of available prey influence sea otter growth rates;

(3) determine if sea otters are vulnerable to paralytic shellfish poison and if sea otters alter their feeding behavior in response to toxins in their prey; and (4) identify factors that determine infaunal prey and patch choice by sea otters.

Source of Marine Mammals for Research: Waters around the Kodiak Archipelago in southcentral Alaska, specifically northern Kodiak Island, southern Afognak Island, northern Afognak Island, and Shuyak Island.

Period of Activity: May 1, 1988 to December 1990.

Concurrent with the publication of this notice in the **Federal Register**, the Office of Management Authority is forwarding copies of this application to the Marine Mammal Commission and the Committee of Scientific Advisors for their review.

Written data or comments, requests for copies of the complete application, or requests for a public hearing on this application should be submitted to the Director, U.S. Fish and Wildlife Service (OMA), P.O. Box 27329, Washington, DC 20038-7329, within 30 days of the publication of this notice. Anyone requesting a hearing should give specific reasons why a hearing would be appropriate. The holding of such hearing is at the discretion of the Director.

Documents submitted in connections with the above application are available for review during normal business hours (7:45 am to 4:15 pm) in Room 400, 1375 "K" Street, NW., Washington, DC.

Dated: April 20, 1988.

Larry LaRochelle,

Acting Chief, Branch of Permits, Office of Management Authority.

[FR Doc. 88-9039 Filed 4-22-88; 8:45 am]

BILLING CODE 4310-55-M

Minerals Management Service

Onshore Oil and Gas Production Accounting; Transfer of Responsibility

AGENCY: Minerals Management Service (MMS), Interior.

ACTION: Notice to lease operators to report onshore production data.

SUMMARY: On January 15, 1988, the Minerals Management Service (MMS) published a Notice of Proposed Rulemaking in the **Federal Register** (53 FR 1039) to amend its regulations to provide for lease operators to report onshore production data to MMS, as a result of the transfer of accounting responsibility from the Bureau of Land

Management (BLM). A final rule, with consideration to comments received regarding the proposed rulemaking, will be published in the **Federal Register** by May 31, 1988.

As stated in the proposed rule, MMS is following a phased conversion schedule to accomplish the transfer. The purpose of this notice is to inform operators of onshore leases/agreements who are scheduled in phase 1b of the conversion to begin reporting production data to MMS for the August 1988 production month, the report for which is due to MMS by October 15, 1988.

Operators of phase 1b leases/agreements were informed of this conversion date in a letter dated April 8, 1988.

Conversion Date: Phase 1b operators should begin reporting onshore production data to MMS for the August 1988 production month, the report for which is due to MMS by October 15, 1988.

FOR FURTHER INFORMATION CONTACT: Mike Miller, Production Accounting Division, (303) 231–3520.

SUPPLEMENTARY INFORMATION: Phase 1a of the conversion schedule tranferred leases/agreements under the jurisdiction of the Rawlins, Wyoming, BLM District Office. Phase 1b converts of leases/agreements under the jurisdiction of the Colorado, Montana, and Utah BLM State Offices and the remaining leases/agreements under the jurisdiction of the Wyoming BLM State Office.

Prior to the conversion date, MMS will provide affected operators with information regarding various aspects of the conversion. This information will include a listing of all leases, agreements, and well reference data in MMS's data base for purposes of comparison and reconciliation prior to conversion.

Affected operators will be assigned a unique five-digit operator number which is required to be reported on the Monthly Report of Operations, Form MMS–3160.

The MMS will also provide operators with reporting instructions and training sessions to facilitate an orderly transfer of production reporting from BLM.

Dated: April 18, 1988.

Jerry D. Hill,

Associate Director for Royalty Management.

[FR Doc. 88–8952 Filed 4–22–88; 8:45 am]

BILLING CODE 4310-MR-M

National Park Service

[Contract No. CC-GLCA005-87]

Intention to Negotiate Concession Contract; Del Webb Recreational Properties, Inc.

Pursuant to the provisions of section 5 of the Act of October 9, 1965 (79 Stat. 969; 16 U.S.C. 20), public notice is hereby given that sixty (60) days after the date of publication of this notice, the Department of the Interior, through the Director of the National Park Service, proposes to negotiate a concession contract with Del Webb Recreational Properties, Inc., authorizing it to continue to provide marina facilities and services for the public at Glen Canyon National Recreation Area, Utah for a period of twenty (20) years from January 1, 1987, through December 31, 2006.

This proposed contract requires a construction and improvement program. The construction and improvement program required was previously addressed in the National Environmental Policy Act Environmental Assessments that were prepared in conjunction with the Development Concept Plans dated June, 1985, and November 1982, for Bullfrog Basin, Halls Crossing and Hite developed areas in Glen Canyon National Recreation Area.

The foregoing concessioner has performed its obligations to the satisfaction of the Secretary under an existing contract which expired by limitation of time on December 31, 1986, and therefore, pursuant to the Act of October 9, 1965, as cited above, is entitled to be given preference in the renewal of the contract and in the negotiation of a new contract as defined in 36 CFR 51.5.

The Secretary will consider and evaluate all proposals received as a result of this notice. Any proposal, including that of the existing concessioner, must be postmarked or hand delivered on or before the sixtieth (60th) day following publication of this notice to be considered and evaluated.

Interested parties should contact the Regional Director, Rocky Mountain Region, Denver, Colorado, for information as to the requirements of the proposed contract.

Lorraine Mintzmyer,

Regional Director, Rocky Mountain Region.

Date: April 4, 1988.

[FR Doc. 88-9031 Filed 4–22–88; 8:45 am]

BILLING CODE 4310-70-M

[DES 88–10, DES 88–12, DES 88–13]

Draft Environmental Impact Statements; Wilderness Recommendations Analyses; Bering Land Bridge National Preserve et al; Public Hearing

ACTION: Notice of the reconvening of a public hearing on the Draft Environmental Impact Statements and section 810 Analyses regarding Wilderness Recommendations for Bering Land Bridge National Preserve, Kenai Fjords National Park, and Yukon-Charley Rivers National Preserve, Alaska.

Four alternatives were examined for Bering Land Bridge National Preserve ranging from no action, which means no wilderness designation to the designation of all suitable lands as wilderness. Alternative 2, the proposed action, excludes 89 percent of the lands suitable from wilderness designation.

Four alternatives were examined for Kenai Fjords National Park. They range from no action, which means no wilderness designation, to the designation of all lands in the study area as wilderness. Alternative 2, the proposed action excludes 12 percent of the study area from wilderness.

For Yukon-Charley Rivers National Preserve three alternatives were examined ranging from no action, which means no wilderness designation, to the designation of all suitable lands as wilderness. Alternative 2, the proposed action, excludes 51 percent of the land suitable from wilderness status.

DATES AND ADDRESSES: The public hearing will reconvene on May 24, 1988 at the Department of the Interior, 18th and C Streets NW., Washington, DC, in room 3119, between the hours of 1:00 and 4:00. Interested individuals, representatives of organizations and public officials are invited to express their views in person or in writing at the aforementioned public hearing, provided they make an appointment with the Hearing Officer, in care of Cynthia deFranceaux, 202–343–4279, by May 20, 1988.

FOR FURTHER INFORMATION CONTACT: Cynthia deFranceaux, Planning and Special Studies, National Park Service, P.O. Box 37127, Washington, DC 20013–7127; 202–343–4279.

Dated: April 21, 1988.

Approved.

James W. Stewart,

Acting Associate Director, Planning and Development.

[FR Doc. 88–9104 Filed 4–22–88; 8:45 am]

BILLING CODE 4310-70-M

INTERSTATE COMMERCE COMMISSION

[No. MC-C-30090]

National Industrial Transportation League; Petition for Declaratory Order on Negotiated Motor Common Carrier Rates

AGENCY: Interstate Commerce Commission.

ACTION: Notice of institution of declaratory order proceeding and request for comments.

SUMMARY: On February 5, 1988, the National Industrial Transportation League (NITL) filed a petition with the Commission seeking issuance of a declaratory order finding that it is an unreasonable practice and thus a violation of the Interstate Commerce Act for a motor common carrier to conduct business on the basis of a negotiated and agree-to-rate while failing to publish the rate in an effective tariff on file at the Commission. NITL points out that the problem addressed by the Commission's policy statement in *NITL—Pet. to Inst. Rule on Negotiated Motor Car.*, 3 I.C.C. 2d 99 (1986), and the number of undercharge claims, continues to grow. NITL asserts that, while the Commission made available to shippers a defense in undercharge suits if they could show that it would be an unreasonable practice to collect on specific claims, it required a case-by-case referral to, and determination by the Commission, on the question of the reasonableness of the assailed practice, imposing an undue burden on shippers and the Commission. Additionally, NITL claims that the policy statement is being misconstrued by some courts, thus raising uncertainty and a dispute as to whether the relief intended by the Commission is proper. NITL believes that issuance of a declaratory order would establish the principle that the assailed practice is unreasonable as a matter of law and would allow the courts to apply such general finding to the facts of the cases before them, without the need of a referral in each case for separate determination by the Commission. The Commission is instituting this proceeding to allow the public to comment on the matter, particularly with respect to the appropriateness and effectiveness of the relief sought.

DATE: Comments are due by June 9, 1988.

ADDRESSES: Send an original and 10 copies of comments to: No. MC-C-30090, Room 1324, Case Control Branch, Interstate Commerce Commission, Washington, DC 20423.

Send one copy of comments to petitioner's representative: James E. Bartley, Executive Vice President, The National Industrial Transportation League, 1090 Vermont Avenue, NW., Suite 410, Washington, DC 20005.

FOR FURTHER INFORMATION CONTACT: Andrew J. Nosacek (202) 275-1712; or Richard Felder (202) 275-7291 [TDD—(202) 275-1721].

SUPPLEMENTARY INFORMATION: Additional information is contained in the Commission's decision. To obtain a copy of the full decision, write to Office of the Secretary, Room 2215, Interstate Commerce Commission Building, Washington, DC 20423, or call (202) 275-7428 (D.C. Metropolitan area), (assistance for the hearing impaired is available through TDD services (202) 275-1721 or by pickup from Dynamic Concepts, Inc., in Room 2229 at Commission headquarters).

This action does not appear to affect significantly the quality of the human environment or the conservation of energy resources.

This notice is issued under the authority of 49 U.S.C. 10321, 10701, and 10704; and 5 U.S.C. 554(e).

Decided: April 14, 1988.

By the Commission, Chairman Gradison, Vice Chairman Andre, Commissioners Sterrett, Simmons, and Lamboley. Commissioner Lamboley concurred in the result with a separate expression.

Noreta R. McGee,

Secretary.

[FR Doc. 88-8965 Filed 4-22-88; 8:45 am]

BILLING CODE 7035-01-M

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

Environmental Assessment on Construction of a New Archival Facility

Action: Notice of intent to prepare an environmental assessment on construction of a new archival facility.

Description of Action and Alternatives: The General Services Administration will prepare an environmental assessment on construction of an archival facility to provide storage for the Nation's records of enduring value which are currently stored in Government-owned and leased facilities in the Washington metropolitan area. The initial action proposed is construction of a 1.7 million square foot facility in College Park, Maryland. This facility would store Government records in the form of textual records, photographs, films, maps, architectural drawings, and machine-readable records. Researchers and archival personnel will be the principal users of the new facility.

Scoping Process: The General Services Administration and the National Archives and Records Administration have initiated the scoping process. Local and state officials have met with agency representatives to discuss project issues and community concerns. A description of the proposed project has been presented to a civic group in the area affected by the facility. Written questions and observations will be solicited throughout the scoping process.

Dates: A public meeting is scheduled for Wednesday, May 25, 1988, at 7:30 p.m. The meeting will be held at the College Park Municipal Offices, 4500 Knox Road, College Park, MD 20740. The public is invited to participate in the meeting.

Addresses: Written comments or questions about the proposed action may be sent to: Marvin Shenkler, Project Manager, Capitol Improvement Division, General Services Administration, 7th and D Streets SW., Washington, DC 20407.

Dated: April 20, 1988.

Don W. Wilson,

Archivist of the United States.

[FR Doc. 88-8995 Filed 4-22-88; 8:45 am]

BILLING CODE 7515-01-M

NUCLEAR REGULATORY COMMISSION

[Docket No. 50-336]

Northeast Nuclear Energy Co. et al., Millstone Nuclear Power Station, Unit No. 2; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an exemption from the requirements of Appendix R to 10 CFR Part 50 to Northeast Nuclear Energy Company et al. (the licensee), for the Millstone Nuclear Power Station, Unit No. 2, located in New London County, Connecticut.

Environmental Assessment

Identification of Proposed Action

The exemption would grant relief from the requirements of Appendix R, Section III.G.(2)(b) as these requirements relate to the separation of Auxiliary Feedwater Isolation Valves 2-FW-43A and B. Section III.G(2)(b) of Appendix R would require the subject valves to be separated by 20 feet, free of intervening

combustibles, since these valves are in redundant trains of equipment required for post-fire, safe shutdown, of the reactor.

The exemption is responsive to the licensee's application for exemption dated February 29, 1988.

The Need for the Proposed Action

The proposed exemption is needed because the features described in the licensee's request regarding the existing and proposed fire protection at the plant for this item are the most practical method for meeting the intent of Appendix R and literal compliance would not significantly enhance the fire protection capability.

Environmental Impacts of the Proposed Action

The proposed exemption will provide a degree of fire protection such that there is no increase in the risk of fires at this facility. Consequently, the probability of fires has not been increased and the potential post-fire radiological releases will not be greater than previously determined nor does the proposed exemption otherwise affect radiological plant effluents. Therefore, the Commission concludes that there are no significant radiological environmental impacts associated with the proposed exemption.

With regard to potential nonradiological impacts, the proposed exemption involves features located entirely within the restricted area as defined in 10 CFR Part 20. It does not affect nonradiological plant effluents and has no other environmental impact. Therefore, the Commission concludes that there are no significant nonradiological environmental impacts associated with the proposed exemption.

Alternative to the Proposed Action

It has been concluded that there is no measurable impact associated with the proposed exemption and associated license amendment; any alternatives to the exemption will have either no environmental impact or greater environmental impact.

Alternative Use of Resources

This action involves no use of resources not previously considered in the Final Environmental Statements for the Millstone Nuclear Power Station, Unit No. 2.

Agencies and Persons Consulted

The NRC staff reviewed the licensee's request and did not consult other agencies or persons.

Finding of No Significant Impact

The Commission has determined not to prepare an environmental impact statement for the proposed exemption.

Based upon the foregoing environmental assessment, we conclude that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the application for amendment dated February 29, 1988 which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC and at the Waterford Public Library, 49 Rope Ferry Road, Waterford, Connecticut 06385.

Dated at Rockville, Maryland, this 8th day of April 1988.

For the Nuclear Regulatory Commission.

John F. Stolz,

Director, Project Directorate I–4, Division of Reactor Projects I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 88–8986 Filed 4–22–88; 8:45 am]

BILLING CODE 7590–01–M

[Docket Nos. 50–387 and 50–388]

Pennsylvania Power & Light Co.; Environmental Assessment and Finding of No Significant Impact

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of amendments to Facility Operating License Nos. NPF–14 and NPF–22, issued to Pennsylvania Power & Light Company (the licensee), for operation of the Susquehanna Steam Electric Station, Units 1 and 2, located in Luzerne County, Pennsylvania.

Environmental Assessment

Identification of Proposed Action

The proposed amendment would revise the provisions in the Technical Specifications (TS) relating to the load profiles for 125V dc batteries.

The proposed action is in accordance with the licensee's application for amendment dated January 8, 1988.

The Need for the Proposed Action

The proposed change to the TS is required in order to accommodate installation of ATWS Alternate Rod Injection solenoid valves, and to recognize increased loads associated with emergency lighting.

Environmental Impacts of the Proposed Action

The Commission has completed its evaluation of the proposed revision to Technical Specifications. The proposed revisions would allow the licensee to revise specification 4.8.2.1.d.2.b to reflect new load profiles for the 125V dc batteries and to delete redundant material in the Unit 2 Technical Specifications. The changes are necessary to accommodate the installation of ATWS Alternate Rod Injection to account for increased loads due to emergency lighting, and to delete some redundant information. The staff has determined that the revised load profiles will be within the design capacity of the affected batteries, and the deletion of redundant information is an editorial change. Therefore, the proposed changes do not increase the probability or consequences of accidents, no changes are being made in the types of any effluents that may be released offsite, and there is no significant increase in the allowable individual or cumulative occupational radiation exposure. Accordingly, the Commission concludes that this proposed action would result in no significant radiological environmental impact.

With regard to potential non-radiological impacts, the proposed change to the TS involves systems located within the restricted area as defined in 10 CFR Part 20. It does not affect non-radiological plant effluents and has no other environmental impact. Therefore, the Commission concludes that there are no significant non-radiological environmental impacts associated with the proposed amendment.

The Notice of Consideration of Issuance of Amendment and Opportunity for Hearing in connection with this action was published in the **Federal Register** on March 22, 1988 (53 FR 9387). No request for hearing or petition for leave to intervene was filed following this notice.

Alternative to the Proposed Action

Since the Commission concluded that there are no significant environmental effects that would result from the proposed action, any alternatives with equal or greater environmental impacts need not be evaluated.

The principal alternative would be to deny the requested amendment. This would not reduce environmental impacts of plant operation and would result in reduced operational flexibility.

Alternative Use of Resources

This action does not involve the use of any resources not previously considered in the Final Environmental Statements for the Susquehanna Steam Electric Station, Units 1 and 2, dated June 1981.

Agencies and Persons Consulted

The NRC staff reviewed the licensee's request and did not consult other agencies or persons.

Finding of No Significant Impact

The Commission has determined not to prepare an environmental impact statement for the proposed license amendment.

Based upon the foregoing environmental assessment, we conclude that the proposed action will not have a significant effect on the quality of the human environment.

For further details with respect to this action, see the application for amendment dated January 8, 1988, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC and at the Osterhout Free Library, Reference Department, 71 South Franklin Street, Wilkes-Barre, Pennsylvania 18701.

Dated at Rockville, Maryland, this 18th day of April 1988.

For the Nuclear Regulatory Commission.

Walter Butler,

Director, Project Directorate I–2, Division of Reactor Projects I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 88–8987 Filed 4–22–88; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–341]

Detroit Edison Co.; Receipt of Petition for Director's Decision

Notice is hereby given that the Honorable James Caldwell, the Honorable Steven Langdon, the Honorable Herb Gray, and the Honorable Howard McCurdy, members of the Canadian Parliament, have requested that the Nuclear Regulatory Commission revoke the operating license of Fermi-2 until such time that the plant is safe to operate. The alleged bases for their request are certain deficiencies at the plant, which were revealed in several NRC documents. Petitioners claim that the plant should not be allowed to operate because of certain alleged deficiencies in the plant's design and several past attempts by Detroit Edison to withhold information regarding the plant.

This petition is being handled as a request for action pursuant to 10 CFR 2.206 of the Commission's regulations, and accordingly, appropriate action will be taken on the request within a reasonable time. Copies of the petition are available for inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, DC 20555, and at the Local Public Document Room for Fermi-2 at the Monroe County Library System, 3700 South Custer Road, Monroe, Michigan 48161.

Dated at Rockville, Maryland, this 16 day of March, 1988.

For the Nuclear Regulatory Commission.

Thomas E. Murley,

Director, Office of Nuclear Reactor Regulation.

[FR Doc. 88–8984 Filed 4–22–88; 8:45 am]

BILLING CODE 7590–01–M

[Docket No. 50–289]

GPU Nuclear Corp. et al.; Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Hearing

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR–50, issued to GPU Nuclear Corporation (the licensee), for operation of the Three Mile Island Nuclear Station, Unit 1 (TMI–1) located in Dauphin County, Pennsylvania.

The amendment would revise the TMI–1 Technical Specifications (TSs) to support core reload for Cycle 7 of operation. The core design changes for Cycle 7 includes a slight increase in core lifetime from approximately 425 effective full power days (EFPD) to approximately 445 EFPD. The fresh fuel has a slightly higher U–235 enrichment than previous fuel. The proposed TS changes are needed to accommodate changes in power peaking and control rod worths as well as DNB margins provided by use of the LYNXT crossflow thermal-hydraulics model. As with previous fuel cycles, the proposed TS changes are supported by a Cycle 7 reload analysis (BAW–2015).

Prior to issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By May 25, 1988, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for hearing and a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition; and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factos: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petitioner should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene, which must include a list of the contentions that are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene must be filed with

the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch, or may be delivered to the Commission's Public Document Room, 1717 H Street NW., Washington, DC, by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-800-325-6000 (in Missouri 1-800-342-6700). The Western Union operator should be given Datagram Identification Number 3737 and the following message addressed to John F. Stolz: Petitioner's name and telephone number; date petition was mailed; plant name; and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Ernst L. Blake, Jr., Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street NW., Washington, DC 20037.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

If a request for hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated April 5, 1988, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC 20555, and at the Local Public Document Room, Government Publications Section, State Library of Pennsylvania, Walnut Street and Commonwealth Avenue, Box 1601, Harrisburg, Pennsylvania 17105.

Dated at Rockville, Maryland, this 8th day of April, 1988.

For the Nuclear Regulatory Commission.

John F. Stolz,

Director, Project Directorate I-4, Division of Reactor Projects I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 88-8980 Filed 4-22-88; 8:45 am]

BILLING CODE 7590-01-M

[Docket No. 50-267]

Public Service Co. of Colorado; Consideration of Issuance of Amendment to Facility Operating License and Opportunity for Hearing

The United States Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-34, issued to Public Service Company of Colorado (the licensee), for operation of the Fort St. Vrain Nuclear Generating Station located in Weld County, Colorado.

The amendment would revise the provisions in the Technical Specifications relating to radiological effluents. In particular, this proposed amendment changes ELCO 8.1.1, ESR 8.1.1 and ESR 8.1.2. These changes are related to the design of the effluent monitor hand switches and the time allowed to report an inoperable noble gas monitor. Other changes are being made for clarification in accordance with the licensee's application for amendment dated October 1, 1987 (P-87348).

Prior to issuance of the proposed license amendment, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act) and the Commission's regulations.

By May 25, 1988, the licensee may file a request for a hearing with respect to issuance of the amendment to the subject facility operating license and any person whose interest may be affected by this proceeding and who wishes to participate as a party in the proceeding must file a written request for a hearing and a petition for leave to intervene. Requests for a hearing and petitions for leave to intervene shall be filed in accordance with the Commission's "Rules of Practice for Domestic Licensing Proceedings" in 10 CFR Part 2. If a request for a hearing or petition for leave to intervene is filed by the above date, the Commission or an Atomic Safety and Licensing Board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel, will rule on the request and/or petition, and the Secretary or the designated Atomic Safety and Licensing Board will issue a notice of hearing or an appropriate order.

As required by 10 CFR 2.714, a petition for leave to intervene shall set forth with particularity the interest of the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following factors: (1) The nature of the petitioner's right under the Act to be made a party to the proceeding; (2) the nature and extent of the petitioner's property, financial, or other interest in the proceeding; and (3) the possible effect of any order which may be entered in the proceeding on the petitioner's interest. The petition should also identify the specific aspect(s) of the subject matter of the proceeding as to which petitioner wishes to intervene. Any person who has filed a petition for leave to intervene or who has been admitted as a party may amend the petition without requesting leave of the Board up to fifteen (15) days prior to the first prehearing conference scheduled in the proceedings, but such an amended petition must satisfy the specificity requirements described above.

Not later than fifteen (15) days prior to the first prehearing conference scheduled in the proceeding, a petitioner shall file a supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter, and the bases for each contention set forth with reasonable specificity. Contentions shall be limited to matters within the scope of the amendment under consideration. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses.

A request for a hearing or a petition for leave to intervene shall be filed with the Secretary of the Commission, United States Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch, or may

be delivered to the Commission's Public Document Room, 1717 H Street NW., Washington, DC by the above date. Where petitions are filed during the last ten (10) days of the notice period, it is requested that the petitioner or representative for the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1–800–325–6000 (in Missouri 1–800–342–6700). The Western Union operator should be given Datagram identification Number 3737 and the following message addressed to Jose A. Calvo: Petitioner's name and telephone number; date Petition was mailed; plant name; and publication date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555, and to Kelly, Stansfield, and O'Donnell, Room 900, 550 15th Street, Denver, Colorado 80202, attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for hearing will not be entertained absent a determination by the Commission, the presiding officer or the presiding Atomic Safety and Licensing Board, that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)–(v) and 2.714(d).

If a request for hearing is received, the Commission's staff may issue the amendment after it completes its technical review and prior to the completion of any required hearing if it publishes a further notice for public comment of its proposed finding of no significant hazards consideration in accordance with 10 CFR 50.91 and 50.92.

For further details with respect to this action, see the application for amendment dated October 1, 1987, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, DC and at the Greely Public Library, City Complex, Greely, Colorado.

Dated at Rockville, Maryland, this 18th day of April 1988.

For the Nuclear Regulatory Commission.

Jose A. Calvo,

Director, Project Directorate—IV, Division of Reactor Projects—III, IV, V and Special Projects, Office of Nuclear Reactor Regulation.

[FR Doc. 88–8981 Filed 4–22–88; 8:45 am]

BILLING CODE 7590–01–M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–25600; File No. SR–CBOE–88–07]

Self-Regulatory Organizations; Chicago Board Options Exchange, Inc.; Filing and Order Granting Accelerated Approval to Proposed Rule Change

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934, 15 U.S.C. 78s(b)(1) ("Act"), notice is hereby given that on April 14, 1988, the Chicago Board Options Exchange, Inc. ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Text of the Proposed Rule Change

Additions are italicized.

Rule 24.7. Trading Halts or Suspensions. No change

Interpretations and Policies:

.01 Unusual conditions or circumstances that may be considered pursuant to paragraph (iii) include but are not limited to the activation of daily price limits in stock index futures on one or more futures exchanges or, during the one and one half hours after opening rotation, delay in opening or halt in trading of underlying stocks representing more than 50% of the index values.

Rule 24.13. Trading Rotations. No change

Interpretations and Policies:

01. No change

.02 (See SR–CBOE–88–05) No change

.03 The commencement of the opening rotation in an index option may be delayed for one or more fifteen (15) minute intervals whenever in the judgment of two Floor Officials unusual conditions or circumstances in other markets and/or an influx of orders have adversely affected the ability of the Order Book Official and/or Market-Makers to provide and to maintain fair and orderly markets. The Floor Officials declaring the delayed opening shall reevaluate market conditions during the delay interval and shall determine whether (i) to commence the rotation as soon as the interval has been completed or to (ii) declare a further delay. An unusual condition in another market which may be the basis for declaring a delayed opening is activation of opening price limits in stock index futures on one or more futures exchanges. Unusual conditions in other markets that could be the basis for a further delay in opening stock index options include activation of daily price limits in stock index futures on one or more futures exchanges, a delay in opening or halt in trading of underlying stocks representing more than 50% of the index value and/or circumstances such as those which would result in the declaration of a fast market under Rule 6.6.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below and is set forth in sections (A), (B), and (C) below.

(A) Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

The proposed rule changes provide for halting trading and delaying the commencement of an opening rotation in index options when unusual conditions in the Exchange's market or in other securities or futures markets could affect the maintenance and initiation of a fair and orderly market for index options. The interdependence of stock, option, and futures markets has been recognized by many commentators since the October market break. The increased aggregate volatility of the markets in the past six months also has been noted. In response to concern for investors in securities and futures, self-regulatory organizations have proposed and adopted policies and procedures to temporarily break and to attempt to control excessive volatility. These "circuit breaker" mechanisms include price limits and coordinated trading halts.

The price limit circuit breakers approved by the futures markets could have an impact on stock index option trading, for example, by temporarily limiting the ability of options Market-Makers to hedge their stock index option positions in one or more of the futures markets. While the positions could be hedged in the underlying stock market with stocks or baskets or in the index options market, the absence of a future hedge limits hedging opportunities and puts additional

pressures on the other markets. Delayed openings and trading halts in underlying stocks could similarly limit hedging opportunities and affect pricing mechanisms. Other factors such as order imbalances and an influx of orders could also affect a fair and orderly opening rotation in the index option.

The Exchange believes that the proposed rules for halting trading and delaying the opening rotation for stated time intervals are consistent with the provisions of the Act, in particular section 6(b)(5) thereof, in that the rules are designed to promote just and equitable principles of trade and, in general, to protect investors and the public interest.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that this proposed rule change will impose any burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants or Others

Comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The CBOE has requested that the proposed rule changes be given accelerated effectiveness pursuant to section 19(b)(2) of the Act in order to ensure that procedures for delaying the opening rotation of index options are available when new circuit breaker policies in other markets are implemented.

The Commission finds good cause for approving the proposed rule changes prior to the thirtieth day after the date of publication of the proposal in the **Federal Register.** The Commission believes that coordinated circuit breaker mechanisms among the equity, options, and futures markets will contribute to market stability and increased investor confidence. In response to increased market volatility, the futures exchanges have implemented price limits for stock index futures contracts.[1] In addition, the securities and futures markets are considering other circuit breakers.[2]

[1] *See, e.g.*, Chicago Merc Places Limit on Opening Price of S&P, *Wall St.J.*, April 7, 1988, at 46; McMurray, Chicago Board Places Price Limits on Index Futures, *Wall St.J.*, January 14, 1988, at 39.

[2] *See* Smith, Big Board Mulls New Trade Bans If Market Swings, *Wall St.J.*, April 13, 1988, at 3; and SR-NYSE-88-02.

CBOE's proposed rules to allow the Exchange to halt trading or delay the opening rotation in index options under the additional circumstances should reduce the problems associated with market volatility by providing for options market "circuit breaker" mechanisms that are coordinated with procedures that have been implemented in the futures market. In addition, the proposed rule change will allow the CBOE to halt or delay opening rotations or halt trading in an index option during the first hour and a half if securities representing 50 percent of an index valuation is not trading. This provision is consistent with the recommendation contained in *The October 1987 Market Break Report* by the Commission staff, that options and futures exchanges should reexamine their rules governing trading in index products when a large percentage of an index's component securities are not trading.[3]

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, Washington, DC. Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change tha are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by May 16, 1988.

It is therefore ordered, pursuant to section 19(b)(2) of the Act,[4] that the proposed rule change is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[5]

[3] *The October 1987 Market Break* at 8-22.

[4] 15 U.S.C. 78s(b)(2) (1982).

[5] 17 CFR 200.30-3(a)(12) (1987).

Dated: April 19, 1988.

Jonathan G. Katz,

Secretary.

[FR Doc. 88-9006 Filed 4-22-88; 8:45 am]

BILLING CODE 8010-01-M

DEPARTMENT OF TRANSPORTATION

Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed During the Week Ending April 15, 1988

The following applications for certificates of public convenience and necessity and foreign air carrier permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 *et seq.*). The due date for answers, conforming application, or motion to modify scope are set forth below for each application. Following the answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket No. 45575

Date Filed: April 11, 1988.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: May 9, 1988.

Description: Application of Silver Air Corporation pursuant to section 401(d)(1) of the Act and Subpart Q of the Regulations requests a certificate of public convenience and necessity authorizing interstate and overseas scheduled air transportation.

Docket No. 45580

Date Filed: April 12, 1988.

Due Date for Answers, Conforming Applications, or Motion to Modify Scope: May 10, 1988.

Description: Application of Delta Air Lines, Inc. pursuant to section 401 of the Act and Subpart Q of the Regulations requests renewal of its certificate of public convenience and necessity for Route 404, so that it can continue providing service over the Los Angeles-Salt Lake City-Calgary/Edmonton route.

Phyllis T. Kaylor,

Chief, Documentary Services Division.

[FR Doc. 88-9000 Filed 4-22-88; 8:45 am]

BILLING CODE 4910-62-M

DEPARTMENT OF THE TREASURY

Public Information Collection Requirements Submitted to OMB for Review

Date: April 19, 1988.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2224, 15th and Pennsylvania Avenue NW., Washington, DC 20220.

Internal Revenue Service

OMB Number: 1545–0094.
Form Number: 1041–A.
Type of Review: Extension.
Title: U.S. Information Return—Trust Accumulation of Charitable Amounts.
Description: Form 1041–A is used to report the information required in 26 USC 6034 concerning accumulation and distribution of charitable amounts. The data is used to verify that amounts for which a charitable deduction was allowed are used for charitable purposes.
Respondents: Individuals or households, Businesses or other for-profit.
Estimated Burden: 24,881 hours.
Clearance Officer: Garrick Shear, (202) 535–4297, Internal Revenue Service, Room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.
OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,
Departmental Reports Management Officer.

[FR Doc. 88–9012 Filed 4–22–88; 8:45 am]
BILLING CODE 4810–25–M

Public Information Collection Requirements Submitted to OMB for Review

Date: April 18, 1988.

The Department of Treasury has submitted the following public information collection requirement(s) to OMB for review and clearance under the Paperwork Reduction Act of 1980, Pub. L. 96–511. Copies of the submission(s) may be obtained by calling the Treasury Bureau Clearance Officer listed. Comments to the OMB reviewer listed and to the Treasury Department Clearance Officer, Department of the Treasury, Room 2224, 15th and Pennsylvania Avenue NW., Washington, DC 20220.

U.S. Customs Service

OMB Number: 1515–0077.
Form Number: CF 7514.
Type of Review: Reinstatement.
Title: Drawback Notice (Lading/Foreign Trade Zone Transfer).
Description: The form is used by drawback liquidators to determine that a drawback claimant has received supplies (normally oil) for use in operating the vessel or aircraft and therefore is entitled to drawback of these supplies or that articles were properly transferred to a foreign trade zone rather than being exported.
Respondents: Businesses or other for-profit, Small businesses or organizations.
Estimated Burden: 10,335 hours.
Clearance Officer: Dennis Dore (202) 566–7529, U.S. Customs Service, Room 6426, 1301 Constitution Avenue NW., Washington, DC 20229.
OMB Reviewer: Milo Sunderhauf (202) 395–6880, Office of Management and Budget, Room 3208, New Executive Office Building, Washington, DC 20503.

Lois K. Holland,
Departmental Reports Management Officer.

[FR Doc. 88–9013 Filed 4–22–88; 8:45 am]
BILLING CODE 4810–25–M

UNITED STATES INFORMATION AGENCY

Grants Program for Private Not-for-Profit Organizations in Support of International Educational and Cultural Activities

The United States Information Agency (USIA) announces a program of selective assistance and limited grant support to non-profit activities of United States institutions and organizations in the Private Sector. The program is designed to increase mutual understanding between the people of the U.S. and other countries and to strengthen the ties which unite our societies. The information collection involved in this solicitation is covered by OMB Clearance Number 3116–0175, entitled "A Grants Program for Private, Non-Profit Organization in Support of International Educational and Cultural Activities," announced in the **Federal Register** June 3, 1987.

Private Sector Organizations interested in working cooperatively with USIA on the following concept are encouraged to so indicate:

The U.S. Presidential Elections: A Thai Parliamentarians' International Exchange Program

The Office of Private Sector Programs, Initiative Grants and Bilateral Accords Division will assist in supporting a three-week international exchange program on the United States Presidential and Congressional Elections in August or September 1988 for members of the Parliament of Thailand. For the first half of this program, participants will visit two regions of the United States where they will evaluate various facets of the U.S. election process. The remainder of this exchange will take place in Washington, D.C. where the members of the Thai Parliament will examine issues of mutual interest (particularly bilateral economic concerns) and the probable impact of the 1988 U.S. elections on American domestic and international affairs. The Thai participants will be selected by USIA representatives abroad. A U.S. not-for-profit institution with knowledge of Thai social, political and economic issues as well as considerable expertise on the American political system and access to American political and economic leaders, will design and execute this project.

USIA is most interested in working with organizations that show promise for innovative and cost-effective programming; and with organizations that have potential for obtaining private-sector funding in addition to USIA support. Organizations must have the substantive expertise and logistical capability needed to successfully develop and conduct the above project and should also demonstrate a potential for designing programs which will have lasting impact on their participants.

Interested organizations should submit a request for complete application materials—postmarked no later than fifteen days from the date of this notice—to the address listed below. The Office of Private Sector Programs will then forward a set of materials, including proposal guidelines. Please refer to this specific program by name in your letter of interest. Office of Private Sector Programs, Bureau of Educational and Cultural Affairs (ATTN: Initiatives—Thai Parliament Project), United States Information Agency, 301 4th Street SW, Washington, DC 20547.

Robert Francis Smith,
Director, Office of Private Sector Programs.

Date: April 18, 1988.

[FR Doc. 88–8999 Filed 4–22–88; 8:45 am]
BILLING CODE 8230–01–M

Sunshine Act Meetings

Federal Register
Vol. 53, No. 79
Monday, April 25, 1988

This section of the FEDERAL REGISTER contains notices of meetings published under the "Government in the Sunshine Act" (Pub. L. 94-409) 5 U.S.C. 552b(e)(3).

CONSUMER PRODUCT SAFETY COMMISSION

Agenda [1]

TIME AND DATE: 2:30 p.m., Tuesday, April 19, 1988.

LOCATION: Room 440, Westwood Towers, 5401 Westbard Avenue, Bethesda, Maryland.

STATUS: Closed to the public.

MATTERS TO BE CONSIDERED:

Enforcement Matter OS#4045

The staff will brief the Commission on matters related to enforcement matter OS#4045.

FOR A RECORDED MESSAGE CONTAINING THE LATEST AGENDA INFORMATION, CALL: 301–492–5709.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Office of the Secretary, 5401 Westbard Ave., Bethesda, MD. 20207, 301–492–6800.

Sheldon D. Butts,

Deputy Secretary.

April 19, 1988.

[FR Doc. 88–9115 Filed 4–21–88; 1:12 pm]

BILLING CODE 6355–01–M

CONSUMER PRODUCT SAFETY

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: Monday, April 18, 1988; page 12745.

PREVIOUSLY ANNOUNCED TIME AND DATE OF THE MEETING: 10:00 a.m., April 21, 1988.

CHANGES IN THE MEETING: Agenda revised by adding items 3 and 4. See complete agenda as revised below.

Commission Meeting: Thursday, April 21, 1988, Room 556, Westwood Towers, 5401 Westbard Avenue, Bethesda, Maryland

10:00 a.m.

Open to the Public

1. Request for Exception to 16 CFR 1031.5

The Commission will consider two requests for exceptions to Commission regulations concerning staff membership and participation in councils or committees of voluntary standards organizations.

[1] The Commission decided that agency business required holding this meeting without usual advance notice.

Closed to the Public

2. Compliance Status Report

The staff will brief the Commission of the status of various compliance matters.

3. Enforcement Matter OS #5509

The staff will brief the Commission on enforcement matter OS #5509.

4:00 p.m.

4. Enforcement Matter OS #5509

The Commission will consider enforcement matter OS #5509.

Date: April 20, 1988.

Sheldon D. Butts,

Deputy Secretary.

[FR Doc. 88–9116 Filed 4–21–88; 1:12 pm]

BILLING CODE 6355–01–M

CONSUMER PRODUCT SAFETY COMMISSION

TIME AND DATE: 10:00 a.m., Wednesday, April 27, 1988.

LOCATION: Room 556, Westwood Towers, 5401 Westbard Avenue, Bethesda, Maryland.

STATUS: Open to the public.

MATTERS TO BE CONSIDERED:

Fiscal Year 1989 Budget Adjustment

The Commission will consider options for making adjustments to the budget for Fiscal Year 1989.

FOR A RECORDED MESSAGE CONTAINING THE LATEST AGENDA INFORMATION, CALL: (301) 492–5709.

CONTACT PERSON FOR ADDITIONAL INFORMATION: Sheldon D. Butts, Office of the Secretary, 5401 Westbard Ave., Bethesda, Md. 20207 (301) 492–6800.

Sheldon D. Butts,

Deputy Secretary.

April 20, 1988.

[FR Doc. 88–9117 Filed 4–21–88; 1:12 pm]

BILLING CODE 6355–01–M

FEDERAL ENERGY REGULATORY COMMISSION

April 20, 1988.

The following notice of meeting is published pursuant to section 3(a) of the Government in the Sunshine Act (Pub. L. 94–409), 5 U.S.C. 552B:

TIME AND DATE: April 27, 1988, 10:00 a.m.

PLACE: 825 North Capitol Street NE., Room 9306, Washington, DC 20426.

STATUS: Open.

MATTERS TO BE CONSIDERED: Agenda.

*** Note.**—Items listed on the agenda may be deleted without further notice.

CONTACT PERSON FOR MORE INFORMATION: Lois D. Cashell, Acting Secretary, Telephone (202) 357–8400.

This is a list of matters to be considered by the Commission. It does not include a listing of all papers relevant to the items on the agenda; however, all public documents may be examined in the Public Reference Room.

Consent Power Agenda, 876th Meeting—April 27, 1988, Regular Meeting (10:00 a.m.)

CAP–1.
Project No. 7211–008, Vernon J. and Betty J. Herzinger

CAP–2.
Project No. 8971–004, Big Wood Canal Company

CAP–3.
Project No. 6015–018, Charles D. Howard

CAP–4.
Project Nos. 10145–002, 10146–002, 10148–002, 10149–002, 10150–002, 10151–002, 10152–002, 10185–002, 10187–002, 10197–002, 10210–002, 10211–002, 10212–002, 10213–002, 10214–002, 10215–002, 10216–002, 10217–002, 10183–003, 10390–002, 10398–002, 10191–002, Skykomish River Hydro
Project Nos. 10188–002 and 10192–002, Stillaguamish River Hydro
Project Nos. 10356–002, 10359–002, 10360–002, 10361–002, Snoqualmie River Hydro
Project Nos. 10421–001, 10184–002, 10297–001, 10311–001, 10313–001, Skagit River Hydro
Project Nos. 10100—001, 10099–002, 10101–001, 10258—001, 10266–001, 10274–001 and 10288–001, Cascade River Hydro
Project Nos. 10181–001, 10186–001, 10190–001, 10193–001, 10194–001, 10195–001, 10392–002, 10142–002, Sauk River Hydro
Project Nos. 10257–001, 10269–001, 10270–001, 10272–001, 10273–001, 10292–001, 10305–001, 10307–001, 10308–001, 10321–001 and 10416–002, Washington Hydro Development Company
Project No. 10432–001, Energy Alternatives
Project No. 10425–001, Steven J. Wight
Project No. 10097–001, Kingdom Energy Productions, Inc.
Project Nos. 10299–001 and 10317–001, Nooksack River Hydro
Project No. 10371–002, CPS Products, Inc.
Project No. 10129–001, Cranberry Creek Hydro
Project No. 10141–001, William C. Porter
Project No. 10166–001, Francis A. Smith
Project Nos. 10275–001 and 10279–001, Suiattle River Hydro
Project No. 10002–002, American Power Producers, Inc.

CAP–5.
Docket No. EL86–44–001, Island Power Company, Inc.

CAP–6.
Project Nos. 1417–003 and 004, The Central Nebraska Public Power and Irrigation District
Project Nos. 1835–015, 016 AND 017, Nebraska Public Power District
CAP–7.
Project Nos. 6568–003, 006 AND 008, Delmar Wagner
CAP–8.
Project No. 2305–007, Sabine River Authority of Louisiana and Sabine River Authority of Texas
CAP–9.
Project No. 9250–002, Montana Natural Energy, Inc.
CAP–10.
Docket No. ER88–279–000, Potomac Electric Power Company
CAP–11.
Docket No. ER88–202–001, Maine Yankee Atomic Power Company
CAP–12.
Docket Nos. ER78–338–004, ER79–478–005 and ER80–313–005, Public Service Company of New Mexico
CAP–13.
Docket Nos. EER84–604–009 AND ER85–477–002, Southwestern Public Service Company
CAP–14.
Docket Nos. ER86–145–001 and ER86–146–001, Bangor Hydro-Electric Company
CAP–15.
Docket No. ER88–209–001, Metropolitan Edison Company and Pennsylvania Electric Company
CAP–16.
Docket Nos. ER86–368–017, ER86–368–005, ER86–638–001, ER86–638–002, and ER86–709–002, El Paso Electric Company
CAP–17.
Docket No. EL87–21–002, Yankee Atomic Electric Company
Docket No. EL87–22–002, Vermont Yankee Nuclear Power Corporation
Docket No. EL87–23–002, Connecticut Yankee Atomic Power Company
CAP–18.
Docket No. ER83–297–005, Arkansas Power & Light Company
CAP–19.
Docket No. ES88–27–000, UtiliCorp United Inc.
CAP–20.
Docket No. QF86–171–001, Hydro Corporation of Pennsylvania
CAP–21.
Docket No. QF87–320–000, Overland Energy Corporation
CAP–22.
Omitted
CAP–23.
Project No. 8468–001, Clearwater Hydro Limited Partnership
CAP–24.
Docket No. EC88–5–001, Public Service Company of Indiana, Inc.

Consent Miscellaneous Agenda

CAM–1.
Omitted
CAM–2.
Docket No. RM87–36–001, Interpretation of Comprehensive Plans Under section 3 of the Electric Consumers Protection Act
CAM–3.
Docket No. FA86–19–001, System Energy Resources, Inc.
CAM–4.
Docket No. RM87–34–056, Regulation of Natural Gas Pipelines After Partial Wellhead Decontrol
CAM–5.
Docket No. GP87–47–000, Amoco Production Company
CAM–6.
Docket No. SA87–52–001, Beren Corporation
CAM–7.
Docket No. IN86–5–007, Mobil Exploration and Producing North America, Inc.

Consent Gas Agenda

CAG–1.
Docket No. RP88–88–000, Panhandle Eastern Pipe Line Company
CAG–2.
Docket No. RP88–92–000, United Gas Pipe Line Company
CAG–3.
Docket No. RP88–93–000 and RP88–40–000, Questar Pipeline Company
CAG–4.
Docket No. RP88–95–000, Canyon Creek Compression Company
CAG–5.
Docket No. RP88–94–000, Natural Gas Pipeline Company of America
CAG–6.
Docket No. RP88–96–000, Southern Natural Gas Company
CAG–7.
Docket No. TA88–4–29–000, Transcontinental Gas Pipe Line Corporation
CAG–8.
Omitted
CAG–9.
Docket No. TA88–3–49–001, Williston Basin Interstate Pipeline Company
CAG–10.
Docket No. TA88–3–48–000, ANR Pipeline Company
CAG–11.
Docket No. TA88–3–43–000, Williams Natural Gas Company
CAG–12.
Docket No. TA88–5–51–000, Great Lakes Gas Transmission Company
CAG–13.
Docket Nos. RP85–169–034 and RP88–10–005, Consolidated Gas Transmission Corporation
CAG–14.
Docket No. RP88–17–006, Southern Natural Gas Company
CAG–15.
Docket No. RP88–14–001, South Carolina Pipeline Corporation v. Southern Natural Gas Company
Docket Nos. TA88–1–7–002 and RP87–108–004, Southern Natural Gas Company
CAG–16.
Docket No. RP88–56–002, Columbia Gas Transmission Corporation
CAG–17.
Docket No. RP85–125–009, Distrigas of Massachuestts Corporation
CAG–18.
Docket No. RP88–27–003, United Gas Pipe Line Company
CAG–19.
Docket No. RP83–109–006, Tennessee Gas Pipeline Company
CAG–20.
Docket No. RP86–57–004, Northwest Pipeline Corporation
CAG–21.
Docket Nos. RP86–63–010 and RP86–114–005, Southern Natural Gas Company
CAG–22.
Docket No. RP87–32–001, Transcontinental Gas Pipe Line Corporation
CAG–23.
Docket Nos. TA86–3–29–002, CP84–223–003, CP84–146–005, CP84–335–021 and CP84–336–003, Transcontinental Gas Pipe Line Corporation
CAG–24.
Docket No. TA88–2–26–002, Natural Gas Pipeline Company of America
CAG–25.
Docket No. TA88–2–25–001, Mississippi River Transmission Corporation
CAG–26.
Docket No. TA88–1–33–001, El Paso Natural Gas Company
CAG–27.
Docket Nos. ST85–2–001, ST85–468–001, ST85–471–001, ST85–475–001, ST85–647–001, ST85–621–001, ST85–1145–001, ST85–513–001, ST85–624–001 and ST85–708–001, Gulf South Pipeline Company
CAG–28.
Docket Nos. ST85–956–000, ST85–1572–000, and ST86–6–000, Acadian Gas Pipeline System
CAG–29.
Docket No. ST88–3010–000, Katy Interchange Service
CAG–30.
Docket No. RP88–17–005, Southern Natural Gas Company
CAG–31.
Docket Nos. RP82–55–037 and RP87–7–031, Transcontinental Gas Pipe Line Corporation
CAG–32.
Docket No. RP85–125–006, RP85–125–008 and RP85–125–010, Distrigas of Massachusetts Corporation
CAG–33.
Docket No. RP87–26–025, Tennessee Gas Pipeline Company
CAG–34.
Docket No. RP88–98–000, National Fuel Gas Supply Corporation
CAG–35.
Docket No. TA88–2–25–002, Mississippi River Transmission Corporation
CAG–36.
Docket No. RP88–61–000, Granite State Gas Transmission, Inc.
CAG–37.
Docket No. RP88–100–000, Commercial Pipeline Company, Inc.
CAG–38.
Docket Nos. TA88–3–37–000 and RP88–36–000, Northwest Pipeline Corporation
CAG–39.
Docket No. TA88–2–8–000, South Georgia Natural Gas Company
CAG–40.
Docket No. TA88–1–2–005, East Tennessee Natural Gas Company

CAG–41.
Docket Nos. RP86–32–006, RP86–68–000, RP86–155–005, RP87–33–000, TA87–3–43–002, and TA88–1–43–002, Williams Natural Gas Company
CAG–42.
Omitted.
CAG–43.
Docket No. CP88–247–000, Williams Natural Gas Company
CAG–44.
Docket No. CI86–675–001, Sun Exploration and Production Company
Docket No. CI88–252–000, Exxon Corporation
Docket No. CI88–259–000, Marathon Oil Company
CAG–45.
Docket Nos. CI73–334–000 and CI73–476–000, Mobil Exploration and Producing North America, Inc. (formerly The Superior Oil Co.)
Docket Nos. CI74–610–000 and CI80–133–001, Mobil Oil Exploration and Producing Southeast, Inc.
CAG–46.
Docket Nos. CI86–440–000, CI86–441–000, CI86–446–000, and CI86–507–000, United Gas Pipe Line Company
CAG–47.
Docket No. CP84–441–024, Tennessee Gas Pipeline Company
CAG–48.
Docket No. IN86–6–002, Ozark Gas Transmission Company
CAG–49.
Docket No. CP87–49–003, Distrigas of Massachusetts Corporation
Docket No. CP87–50–003, Cabot Energy Supply Corporation
CAG–50.
Docket No. CP88–229–002, Williams Natural Gas Company
CAG–51.
Docket No. CP88–2–001, Northern Natural Gas Company, Division of Enron Corporation
CAG–52.
Docket No. TC88–6–002, United Gas Pipe Line Company
CAG–53.
Docket Nos. CP83–254–301, CP83–335–218, CP83–254–302, CP83–335–219, Williston Basin Interstate Pipeline Company
CAG–54.
Docket No. CP86–689–000, Pacific Interstate Transmission Company
CAG–55.
Docket No. CP88–76–000, Transcontinental Gas Pipe Line Corporation
CAG–56.
Docket No. CP88–12–000, Columbia Gas Transmission Corporation
CAG–57.
Docket No. CP88–146–000, Placid Oil Company

I. Licensed Project Matters

P–1.
Project Nos. 2545–005, 009, 011 and 012, The Washington Water Power Company. Order on remand concerning question of "reservation" under section 3(2) of the Federal Power Act.

II. Electric Rate Matters

ER–1.
Docket Nos. ER85–204–007 and ER85–603–005, South Carolina Generating Company, Inc. Opinion and order on rehearing concerning just and reasonable rates.
ER–2.
Docket No. EL84–6–000, The Attorney General of the Commonwealth of Massachusetts, *et al.* v. New England Power Company. Opinion and order on initial decision concerning cost of power purchased due to Brayton No. 1 outage.

Miscellaneous

M–1.
[Reserved]
M–2.
[Reserved]
M–3.
Docket No. RM87–5–000, Inquiry into Alleged Anticompetitive Practices Related to Marketing Affiliates of Interstate Pipelines. Final Rule.

I. Pipeline Rate Matters

RP–1.
[Reserved]

II. Producer Matters

CI–1
[Reserved]

III. Pipeline Certificate Matters

CP–1.
[Reserved]

Lois D. Cashell,
Acting Secretary.

[FR Doc. 88–9087 Filed 4–21–88; 11:13 am]
BILLING CODE 6717–01–M

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

"FEDERAL REGISTER" CITATION OF PREVIOUS ANNOUNCEMENT: 53 FR 12864, Tuesday, April 18, 1988.

PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING: 9:30 a.m. (eastern time) Tuesday, April 26, 1988.

CHANGE IN THE MEETING: The meeting has been cancelled.

CONTACT PERSON FOR MORE INFORMATION: Hilda D. Rodriquez, Executive Officer (Acting), Executive Secretariat, (202) 634–6748.

This notice dated and issued April 20, 1988.

Hilda D. Rodriquez,
Executive Officer (Acting), Executive Secretariat.

[FR Doc. 88–9086 Filed 4–21–88; 11:12 am]
BILLING CODE 6750–06–M

FARM CREDIT ADMINISTRATION

Farm Credit Administration Board; Special Meeting

SUMMARY: Notice is hereby given, pursuant to the Government in the Sunshine Act (5 U.S.C. 552b(e)(3)), of the forthcoming special meeting of the Farm Credit Administration Board (Board).

DATE AND TIME: The meeting is scheduled to be held at the offices of the Farm Credit Administration in McLean, Virginia, on April 19, 1988, from 12:30 p.m. until such time as the Board may conclude its business.

FOR FURTHER INFORMATION CONTACT: David A. Hill, Secretary to the Farm Credit Administration Board, 1501 Farm Credit Drive, McLean, Virginia 22102–5090, (703) 883–4003, TDD (703) 883–4444.

ADDRESS: Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102–5090.

SUPPLEMENTARY INFORMATION: This meeting of the Board will be closed to the public. The matter to be considered at the meeting is:

Closed Session [1]

1. Agency comments, under the expedited review provisions of the Agricultural Credit Act of 1987, section 413(a)(2)(B), Pub. L. 100–233, on the voluntary merger of the Banks for Cooperatives.

Dated: April 20, 1988.

David A. Hill,
Secretary, Farm Credit Administration Board.

[FR Doc. 88–9005 Filed 4–20–88; 4:27 pm]
BILLING CODE 6705–01–M

FEDERAL MARITIME COMMISSION

TIME AND DATE: 10:00 a.m., April 26, 1988.

PLACE: Room 12126, 1100 L Street NW., Washington, DC 20573.

STATUS: Closed.

MATTERS TO BE CONSIDERED:

1. Agreement No. 202–010636–039—Modification to the U.S. Atlantic-North Europe Conference (ANEC)/North Atlantic Amnesty Agreement.
2. Trans-Pacific Trades Malpractices Briefing.

CONTACT PERSON FOR MORE INFORMATION: Joseph C. Polking, Secretary, (202) 523–5725.

Joseph C. Polking,
Secretary.

[FR Doc. 88–9063 Filed 4–21–88; 10:20 am]
BILLING CODE 6730–01–M

[1] Session closed to the public—exempt pursuant to 5 U.S.C. 552b(c) (4) and (9).

Corrections

Federal Register
Vol. 53, No. 79
Monday, April 25, 1988

This section of the FEDERAL REGISTER contains editorial corrections of previously published Presidential, Rule, Proposed Rule, and Notice documents and volumes of the Code of Federal Regulations. These corrections are prepared by the Office of the Federal Register. Agency prepared corrections are issued as signed documents and appear in the appropriate document categories elsewhere in the issue.

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 8192]

Income Taxes; Deposits of Estimated Tax Payments of Certain Trusts

Correction

In rule document 88-8035 beginning on page 12006 in the issue of Tuesday, April 12, 1988, make the following correction:

§ 1.6302-3 [Corrected]

On page 12008, in the first column, in § 1.6302-3(a), in the 9th line, and in § 1.6302-3(b), in the 10th line, "6654(1)" should read "6654(l)".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 1

[T.D. 8189]

Income Taxes; 2-percent Floor on Miscellaneous Itemized Deductions

Correction

In rule document 88-6471 beginning on page 9870 in the issue of Monday, March 28, 1988, make the following correction:

§ 1.67-2T [Corrected]

On page 9881, in the second column, in § 1.67-2T(o)(3), in the first line, after "Such" insert "other".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Part 26

[T.D. 8187]

Estate and Gift Taxes; Effective Date Rules and Return Requirements Relating to the Generation-Skipping Transfer Tax; and OMB Control Numbers Under the Paperwork Reduction Act

Correction

In rule document 88-5501 beginning on page 8441 in the issue of Tuesday, March 15, 1988, make the following corrections:

§ 26.2601-1 [Corrected]

1. On page 8443, in the second column, in § 26.2601-1(a)(2)(ii), in the 19th line, "(b)(iv)(B)" should read "(b)(1)(iv)(B)".

§ 26.2662-1 [Corrected]

2. On page 8450, in the first column, in § 26.2662-1(c)(2)(iii), in the second line, "director" should read "direct"; in the same paragraph, in the eighth line, after "decedent's" insert "death".

3. On the same page, in the second column, in § 26.2662-1(c)(2)(iii)(B), in the second line, "involved" was misspelled.

4. On the same page, in the same column, in § 26.2662-1(c)(2)(iv), *Example (2)*, in the 16th line, "rile" should read "file".

BILLING CODE 1505-01-D

DEPARTMENT OF THE TREASURY

Internal Revenue Service

26 CFR Parts 26, 26a, and 602

[LR-128-86]

Generation-Skipping Transfer Tax Regulations Under Chapter 13 of the Internal Revenue Code

Correction

In proposed rule document 88-5502 appearing on page 8469 in the issue of Tuesday, March 15, 1988, make the following correction:

In the first column, under **SUMMARY**, in the 12th line, "services" should read "serves".

BILLING CODE 1505-01-D

federal register

Monday
April 25, 1988

Unified Agenda of Federal Regulations

13602	Part II—Regulatory Information Service Center
13606	Part III—Department of Agriculture
13662	Part IV—Department of Commerce
13712	Part V—Department of Defense
13728	Part VI—Department of Education
13752	Part VII—Department of Energy
13770	Part VIII—Department of Health and Human Services
13854	Part IX—Department of Housing and Urban Development
13896	Part X—Department of the Interior
13964	Part XI—Department of Justice
13982	Part XII—Department of Labor
14034	Part XIII—Department of State
14040	Part XIV—Department of Transportation
14180	Part XV—Department of the Treasury
14320	Part XVI—ACTION
14324	Part XVII—Agency for International Development
14328	Part XVIII—Architectural and Transportation Barriers Compliance Board
14332	Part XIX—Commission on Civil Rights
14334	Part XX—Environmental Protection Agency
14410	Part XXI—Equal Employment Opportunity Commission
14416	Part XXII—Federal Emergency Management Agency
14426	Part XXIII—Federal Mediation and Conciliation Service
14428	Part XXIV—General Services Administration
14442	Part XXV—Merit Systems Protection Board
14446	Part XXVI—National Aeronautics and Space Administration
14454	Part XXVII—National Archives and Records Administration

14460	Part XXVIII—National Foundation on the Arts and the Humanities/National Endowment for the Arts
14464	Part XXIX—National Foundation on the Arts and the Humanities/National Endowment for the Humanities
14466	Part XXX—National Science Foundation
14470	Part XXXI—Office of Management and Budget
14476	Part XXXII—Office of Personnel Management
14494	Part XXXIII—Panama Canal Commission
14498	Part XXXIV—Peace Corps
14500	Part XXXV—Pennsylvania Avenue Development Corporation
14504	Part XXXVI—Pension Benefit Guaranty Corporation
14512	Part XXXVII—Railroad Retirement Board
14520	Part XXXVIII—Selective Service System
14522	Part XXXIX—Small Business Administration
14536	Part XL—Tennessee Valley Authority
14540	Part XLI—Veterans Administration
14564	Part XLII—Department of Defense/General Services Administration/National Aeronautics and Space Administration
14580	Part XLIII—Commodity Futures Trading Commission
14584	Part XLIV—Consumer Product Safety Commission
14594	Part XLV—Farm Credit Administration
14604	Part XLVI—Federal Communications Commission
14620	Part XLVII—Federal Deposit Insurance Corporation
14628	Part XLVIII—Federal Energy Regulatory Commission, DOE
14636	Part XLIX—Federal Home Loan Bank Board
14648	Part L—Federal Maritime Commission
14656	Part LI—Federal Reserve System
14668	Part LII—Federal Trade Commission
14676	Part LIII—Interstate Commerce Commission
14682	Part LIV—National Credit Union Administration
14692	Part LV—Nuclear Regulatory Commission
14714	Part LVI—Securities and Exchange Commission
14733	Index

Federal Register / Vol. 53, No. 79 / Monday, April 25, 1988

federal register

Monday
April 25, 1988

Part II

Regulatory Information Service Center

Introduction to the Unified Agenda of Federal Regulations

REGULATORY INFORMATION SERVICE CENTER

Unified Agenda of Federal Regulations

AGENCY: Regulatory Information Service Center.

ACTION: Introduction to the Unified Agenda of Federal Regulations.

SUMMARY: The Regulatory Flexibility Act (5 USC 602) requires that agencies publish semiannual regulatory agendas describing regulatory actions they are developing. Executive Order 12291 and OMB Bulletins implementing section 5 of the Executive order establish minimum standards for executive agencies' agendas, including specific types of information for each entry, and publication in a uniform format. All Federal regulatory agencies have chosen to publish their regulatory agendas as part of this **Unified Agenda of Federal Regulations.**

The following separate parts in this issue of the **Federal Register** are the agency agendas, which together comprise the April 1988 edition of the semiannaul **Unified Agenda of Federal Regulations.**

ADDRESS: Regulatory Information Service Center, Room 5216, New Executive Office Building, 726 Jackson Place, NW., Washington, DC 20503.

FOR FURTHER INFORMATION CONTACT: For further information about specific regulatory actions, please refer to the Agency Contact listed for each entry. To provide comment on or to obtain further information about the **Unified Agenda of Federal Regulations**, contact: Mark G. Schoenberg, Executive Director, Regulatory Information Service Center, Room 5216, New Executive Office Building, 726 Jackson Place, NW., Washington, DC 20503, (202) 395-6993.

SUPPLEMENTARY INFORMATION:

TABLE OF CONTENTS

Page

INTRODUCTION TO THE UNIFIED AGENDA OF FEDERAL REGULATIONS

About the Unified Agenda 13602
How to Use the Unified Agenda 13603
Data Limitations 13604
List of Abbreviations 13604
Information About Additional Copies 13604

TABLE OF CONTENTS—Continued

Page

AGENCY DESCRIPTIONS OF REGULATORY ACTIVITIES

Cabinet Departments

Department of Agriculture 13606
Department of Commerce 13662
Department of Defense 13712
Department of Education 13728
Department of Energy 13752
Department of Health and Human Services 13770
Department of Housing and Urban Development 13854
Department of the Interior 13896
Department of Justice 13964
Department of Labor 13982
Department of State 14034
Department of Transportation 14040
Department of the Treasury 14180

Other Executive Agencies

ACTION 14320
Agency for International Development 14324
Architectural and Transportation Barriers Compliance Board 14328
Commission on Civil Rights 14332
Environmental Protection Agency 14334
Equal Employment Opportunity Commission 14410
Federal Emergency Management Agency 14416
Federal Mediation and Conciliation Service 14426
General Services Administration 14428
Merit Systems Protection Board 14442
National Aeronautics and Space Administration 14446
National Archives and Records Administration 14454
National Endowment for the Arts 14460
National Endowment for the Humanities 14464
National Science Foundation 14466
Office of Management and Budget 14470
Office of Personnel Management 14476
Panama Canal Commission 14494
Peace Corps 14498
Pennsylvania Avenue Development Corporation 14500
Pension Benefit Guaranty Corporation 14504
Railroad Retirement Board 14512
Selective Service System 14520
Small Business Administration 14522
Tennessee Valley Authority 14536
Veterans Administration 14540

Joint Authority

Department of Defense/General Services Administration/National Aeronautics and Space Administration (Federal Acquisition Regulation) 14564

Independent Agencies

Commodity Futures Trading Commission 14580

TABLE OF CONTENTS—Continued

Page

Consumer Product Safety Commission 14584
Farm Credit Administration 14594
Federal Communications Commission 14604
Federal Deposit Insurance Corporation 14620
Federal Energy Regulatory Commission 14628
Federal Home Loan Bank Board 14636
Federal Maritime Commission 14648
Federal Reserve System 14656
Federal Trade Commission 14668
Interstate Commerce Commission 14676
National Credit Union Administration 14682
Nuclear Regulatory Commission 14692
Securities and Exchange Commission 14714

SUBJECT INDEX TO THE UNIFIED AGENDA OF FEDERAL REGULATIONS 14733

INTRODUCTION TO THE UNIFIED AGENDA OF FEDERAL REGULATIONS

About the Unified Agenda

The Regulatory Information Service Center compiles the **Unified Agenda of Federal Regulations** for the Office of Information and Regulatory Affairs, Office of Management and Budget. The Center provides information about Federal regulatory activity to the President and his Executive Office, the Congress, agency managers, and the public.

The Office of Information and Regulatory Affairs is responsible for overseeing the Federal Government's regulatory, paperwork, and information-management activities and for implementing President Reagan's Executive Orders 12291 (Federal Regulation) (46 FR 13193; 3 CFR 1981 Comp., p. 127) and 12498 (Regulatory Planning Process) (50 FR 1036; 3 CFR 1985 Comp., p. 323). Under EO 12498, OMB publishes the **Regulatory Program of the United States Government** each year.

The Regulatory Program is a policy document and a management tool that sets forth the priorities of the agency head and of the President regarding the Significant Regulatory Actions (SRAs) that will be conducted during the program year to which it pertains.

The Regulatory Program and the Unified Agenda differ in several ways. The Unified Agenda includes more regulatory actions because it covers all Federal agencies that issue regulations and includes almost all the rulemakings they have under development. This

year's Regulatory Program covers only 26 of the major Federal regulatory agencies, and includes only the most significant of all the regulatory actions that each agency plans to undertake. The Regulatory Program, however, describes each entry more thoroughly than the Unified Agenda.

Most of the regulatory actions described in the **Regulatory Program of the United States Government** are included in this Agenda. In general, the Regulation Identifier Number (RIN) for the action is the same for both publications; however, occasionally, several Agenda entries are combined into one Program entry, and a new RIN is assigned to that entry in the Program.

The Unified Agenda provides uniform reporting of data on regulatory activities under development throughout the Federal Government. This edition of the Unified Agenda includes 54 regulatory agendas from all Federal departments, agencies, and commissions that publish agendas. The Advisory Council on Historic Preservation, Council on Environmental Quality, and the National Capitol Planning Commission usually publish a regulatory agenda, but have nothing to report for this edition of the Unified Agenda. Agencies of the United States Congress are not included.

The Unified Agenda is produced through a computer system designed and maintained by the Center with the advice and assistance of the Government Printing Office. The system was designed to save agencies time and money by automating the preparation and printing of their agendas in a uniform format and to make the Agenda easier to use. In order to further facilitate producing the Agenda, many agencies currently use computer terminals at their offices to enter agenda information into the Center's computer system.

The Agenda contains a Subject Index to help readers locate entries from various agencies that may affect a particular area of interest. The numbers in the index refer to the sequence numbers that appear before the title of each entry in the Agenda. All entries are numbered sequentially from the beginning to the end of the Agenda.

For those agencies that requested it, we provided a computer-produced Table of Contents that appears after the preamble of the agency's agenda. The agency Tables of Contents help readers locate quickly those entries within an agency that may be of most interest to them.

All agendas contain uniform data elements -- regulation title, significance, legal authority, CFR citation, abstract, legal deadline, timetable, small business effects, and agency contact. Agencies also include any additional information they consider important. If any of the data elements is not included, the agency either did not report the information or may provide an explanation in its preamble. For further information, please contact the individual agency.

The **Unified Agenda of Federal Regulations** is published in April and October of each year. We welcome comments on this edition and suggestions for improving future ones.

Dated: April 1, 1988.

Mark G. Schoenberg,

Executive Director.

How to Use the Unified Agenda

Each agency agenda appears as a separate part in this edition of the **Federal Register.** The parts are organized alphabetically in four groups: Cabinet departments, other executive agencies, joint authorities, and independent agencies. Departments are divided into agencies, which may in turn be divided into subagencies.

Each agency begins its agenda with a preamble providing information specific to its agenda. Each agency was asked to list its rules in four groups:

1. Prerule Stage -- actions agencies will undertake in the next 12 months to determine whether or how to initiate rulemaking. Such actions occur prior to a Notice of Proposed Rulemaking and may include Advance Notices of Proposed Rulemaking and reviews of existing regulations.

2. Proposed Rule Stage -- actions for which agencies plan to publish a Notice of Proposed Rulemaking as the next step in their rulemaking process.

3. Final Rule Stage -- actions for which agencies plan to publish a final rule or an interim final rule, or to take other final action as the next step in their rulemaking process.

4. Completed Actions -- actions or reviews the agency completed or withdrew since publishing its last agenda. This section also includes items that were begun and completed between issues of the Unified Agenda.

An agency may use a subheading to identify regulations that it has grouped according to a particular topic. When these subheadings are used, they appear above the title of the first regulation in the group.

A bullet (●) preceding an entry indicates that the entry appears in the Agenda for the first time.

The Agenda Sequence Number preceding the title of each entry identifies the location of the entry in this edition of the Agenda. The same number is used in the index to enable readers to find entries on specific subjects. Those agencies that chose to provide a Table of Contents at the beginning of their agendas also use the sequence number in their Table of Contents. Sequence numbers should help readers easily locate items of most interest to them, either by agency or by subject.

The regulatory activities included in the agency agendas are those currently planned for the next 12 months. The agendas do not include regulations excluded from review under EO 12291 such as military regulations and regulations related to internal agency management.

Entries describing regulations in the Agenda should contain, at a minimum, the following information:

- Title of the Regulation.
- Significance -- an indication of the significance of the entry that appears when:
  a. The action was included in the **Regulatory Program of the United States Government** for the 1987 program year, or
  b. The agency otherwise considers the action a priority.

The Significance heading appears only if the entry is a significant action.

- Legal Authority -- the section(s) of the United States Code (USC) or Public Law (PL) or the Executive order (EO) that authorize(s) the regulatory action (agencies may provide common name references to laws in addition to USC or PL references).
- CFR Citation -- the section(s) of the Code of Federal Regulations that affect or will be affected by the action.
- Abstract -- a description of the problem the regulation will address; the need for a Federal solution; and, to the extent available, the alternatives that the agency is considering to address the problem and the potential costs and benefits of the action.

- Legal Deadline -- an indication of whether the rule is subject to a statutory or judicial deadline and, if so, the date of that deadline.
- Timetable -- the dates and citations (if available) for all past stages and at least the next future stage of rulemaking. If a date appears in this section as 00/00/00, it means the date of the action is presently undetermined. Similarly, 10/00/88 means the agency can predict the month and year the action will take place, but not the date it will occur.
- Effects on Small Businesses and Other Small Entities -- indicates whether the rule is expected to have a significant economic impact on a substantial number of "small entities" as defined by the Regulatory Flexibility Act (5 USC 601(6)).
- Agency Contact -- the name, title, address, and phone number of a person in the agency who is knowledgeable about the regulation.

Some agencies have provided other optional information at their discretion.

Data Limitations

Agencies prepared entries for this edition of the Unified Agenda to give the public notice of their plans to review, propose, and issue regulations. They have tried to predict their activities over the next 12 months as accurately as possible, but dates and schedules are subject to change. Agencies may withdraw some of the regulations now under development, and they may issue or propose other regulations not included in their agendas. Agency actions in the rulemaking process may occur before or after the dates they have listed. The Agenda does not create a legal obligation on agencies to adhere to schedules within it or to confine their regulatory activities to those regulations that appear in it. The information in this edition is accurate as of February 26, 1988, in the judgment of the submitting agencies, except as otherwise noted in individual agency preambles.

List of Abbreviations

The following abbreviations appear throughout this edition of the Agenda:

ANPRM -- An Advance Notice of Proposed Rulemaking is a preliminary notice that an agency is considering a regulatory action. The agency issues an ANPRM before it develops a detailed proposed rule. The ANPRM describes the general area that may be subject to regulation and usually asks for public comment on the issues and options being discussed. An ANPRM is issued only when an agency believes it needs gather more information before proceeding to a notice of proposed rulemaking.

CFR -- The Code of Federal Regulations is an annual codification of the general and permanent regulations published in the **Federal Register** by the departments and agencies of the Federal Government. The Code is divided into 50 titles and each title covers a broad area subject to Federal regulation. The CFR is keyed to and kept up-to-date by the daily issues of the **Federal Register.**

EO -- An Executive order is a directive from the President to an executive agency, issued under constitutional or statutory authority. Executive orders are published in the **Federal Register** and in Title 3 of the Code of Federal Regulations.

FR -- The **Federal Register** is a daily Federal Government publication that provides a uniform system for publishing Presidential documents, all proposed and final regulations, notices of meetings, and other official documents issued by Federal departments and agencies.

FY -- The Federal fiscal year runs from October 1 to September 30.

NPRM -- A Notice of Proposed Rulemaking is the document an agency issues and publishes in the **Federal Register** that describes and solicits public comments on a proposed regulatory action. Under the Administrative Procedure Act, an NPRM must include, at a minimum:

- A statement of the time, place, and nature of the public rulemaking proceeding;
- A reference to the legal authority under which the rule is proposed; and
- Either the terms or substance of the proposed rule or a description of the subjects and issues involved.

PL -- A Public Law is a law passed by Congress and signed by the President or enacted over his veto. It has general applicability, as opposed to a private law that applies only to those persons or entities specifically designated. Public laws are numbered in sequence throughout the two-year life of each Congress; for example, PL 97-17 would be the 17th public law of the 97th Congress.

RFA -- A Regulatory Flexibility Analysis (RFA) describes the impact of a proposed rule on small entities, as required by the Regulatory Flexibility Act (5 USC 601). An RFA describes why the agency is considering the action; the objectives of and legal basis for the proposed rule; an estimate of the number of small entities that could be affected and the compliance requirements they would have to fulfill; any other duplicative, overlapping, or conflicting Federal rules; and alternatives to the proposed action. When required, an initial RFA accompanies an NPRM and a final RFA accompanies a final rule.

RIA -- A Regulatory Impact Analysis is required by EO 12291 for all major rules and other regulations designated by the Office of Management and Budget. An RIA is prepared to determine whether a proposed regulatory action meets the requirements of section 2 of EO 12291, namely that it:

- Be based on adequate information concerning the need for and consequences of the action;
- Not be undertaken unless the potential benefits outweigh the potential costs to society;
- Maximize net benefits to society;
- Entail the least net cost to society of the alternatives considered; and
- Take into account the condition of particular affected industries, the national economy, and contemplated future regulatory actions.

RIN -- The Regulation Identifier Number is assigned by the Regulatory Information Service Center to identify each regulatory action listed in the Agenda.

USC -- The United States Code is a consolidation and codification of all general and permanent laws of the United States. The USC is divided into 50 titles and each title covers a broad area of Federal law.

Information About Additional Copies

Additional copies of this edition of the **Federal Register** are available from the Superintendent of Documents, U.S. Government Printing Office, Washington, DC 20402, (202) 783-3238.

Copies of individual agency agendas may be available directly from the agency. Please contact the particular agency for further information.

[FR Doc. 88-7958 Filed 04-22-88; 8:45 am]

BILLING CODE 3194-01-T

Federal Register

Monday
April 25, 1988

Part III

Department of Agriculture

Semiannual Regulatory Agenda

DEPARTMENT OF AGRICULTURE (USDA)

DEPARTMENT OF AGRICULTURE

Office of the Secretary

7 CFR Subtitle A, Chs. I-VII, IX-XII, XIV-XVIII, XXI, XXIV-XXIX

9 CFR Chs. I-IV

36 CFR Ch. II

41 CFR Ch. 4

Semiannual Regulatory Agenda; Spring 1988

AGENCY: Office of the Secretary, USDA.

ACTION: Semiannual regulatory agenda.

SUMMARY: This agenda provides summary descriptions of major and non-major regulations being developed in agencies of the U.S. Department of Agriculture in conformance with Executive Order 12291, Federal Regulation. The agenda also describes regulations affecting small entities as required by section 602 of the Regulatory Flexibility Act, Pub. L. 96-354.

USDA has attempted to list all regulations and regulatory reviews pending at the time of publication except for minor and routine or repetitive actions; but some may have been inadvertently missed. There is no legal significance to the omission of an item from this listing. Also, the dates shown for the steps of each action are estimated and are not commitments to act on or by the date shown.

FOR FURTHER INFORMATION CONTACT: For further information on any specific entry shown in this agenda, please contact the person listed for that action.

ADDRESSES: Requests for copies of the Agenda should include a self-addressed, stamped envelope and be directed to: Regulatory Agenda, OBPA, Office of the Secretary, Room 147-E, U.S. Department of Agriculture, Washington, DC 20250, (202) 382-1272.

Dated: February 26, 1988.

Jacquelyn C. Patterson,

Acting Chief, Regulatory & Legislative Staff.

Agricultural Marketing Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1	Fees for Service for Voluntary and Mandatory Programs	0581-AA19

Agricultural Stabilization and Conservation Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2	1988-Crop Honey Price Support Program	0560-AB04
3	1988 Wool and Mohair Program	0560-AB05
4	1989 Wheat Program	0560-AB14
5	Common Program Provisions for the 1989 Wheat, Feed Grain, Cotton and Rice Programs	0560-AB17
6	CCC Cotton Loan Program Regulations--Settlement, Fraud, and Conversion Provisions	0560-AB22

Agricultural Stabilization and Conservation Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
7	Commodity Credit Corporation (CCC) Claims Regulations	0560-AA38
8	National Average Loan Rates for 1987-Crop Quota and Additional Peanuts	0560-AA61
9	1988 Price Support Levels for Five Kinds of Tobacco	0560-AB12
10	1989-Crop Peanuts National Poundage Quota	0560-AB13
11	1989 Feed Grain Program	0560-AB15
12	1989 Upland Cotton Program	0560-AB16
13	1988 Soybean Loan Program	0560-AB18
14	1989 Extra Long Staple (ELS) Cotton Program	0560-AB25
15	1989 Price Support Levels for Six Kinds of Tobacco	0560-AB32
16	1989-Crop National Average Price Support Level for Quota Peanuts	0560-AB36
17	1989-Crop Honey Price Support Program	0560-AB37
18	Common Program Provisions for the 1990 Wheat, Feed Grain, Cotton and Rice Programs	0560-AB38
19	1989 Rice Program	0560-AB39
20	1990 Wheat Program	0560-AB41

USDA

Agricultural Stabilization and Conservation Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
21	Price Support Loan Program for 1986 Through 1990-Crops Sugar Beets and Sugarcane	0560-AA74
22	1987-Crop Peanuts National Poundage Quota	0560-AA79
23	Common Program Provisions for the 1988 Wheat, Feed Grains, Cotton and Rice Programs	0560-AA89
24	1988 Rice Program	0560-AA90
25	1988 Wheat Program	0560-AA91
26	1988 Feed Grain Program	0560-AA92
27	1988 Upland Cotton Program	0560-AA93
28	1988-Crop Flue-Cured Tobacco Marketing Quotas	0560-AA98
29	1988 Extra Long Staple (ELS) Cotton Program	0560-AA99
30	1988-Crop Burley Tobacco Marketing Quotas and Price Support Level	0560-AB06
31	1988-Crop Marketing Quotas and Acreage Allotments for Five Kinds of Tobacco	0560-AB07
32	1988-Crop Peanut Price Support Program Differentials	0560-AB08
33	1988-Crop Sugar Beet and Sugarcane Price Support Loan Rates	0560-AB19
34	1989 Wool and Mohair Program	0560-AB20
35	1988 CCC Cotton Loan Program Regulations--Bale Packaging Materials	0560-AB21
36	General Regulations Governing Price Support of 1986 and Subsequent Crops of Grain	0560-AB23
37	Waiver of Standards for Approved Warehouses	0560-AB24
38	Dairy Indemnity Payment Program--January 1, 1988 - September 30, 1990	0560-AB30
39	1989-Crop Peanut Price Support Program Differentials	0560-AB31
40	1989-Crop National Average Loan Rate and Minimum CCC Export Edible Sales Price for Additional Peanuts	0560-AB33
41	1989-Crop Burley Tobacco Marketing Quotas and Price Support Level	0560-AB34
42	1989-Crop Flue-cured Tobacco Marketing Quota and Price Support Level	0560-AB35
43	Milk Price Support Level, Calendar Year 1989	0560-AB40
44	Burley Tobacco Price Support Restrictions for Nonbaled Tobacco and Nonstandard Containers	0560-AB42

Agricultural Stabilization and Conservation Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
45	1987 Feed Grain Program	0560-AA59
46	1987 Extra Long Staple (ELS) Cotton Program	0560-AA60
47	1987 Upland Cotton Program	0560-AA64
48	1987 Rice Program	0560-AA72
49	1987-Crop Honey Price Support Program	0560-AA73
50	1987 Wheat Program	0560-AA82
51	Highly Erodible Land and Wetland Conservation Programs	0560-AA88
52	Common Program Provisions for the 1987 Wheat, Feed Grains, Cotton and Rice Programs	0560-AA94
53	1987 Soybean Loan Program	0560-AA95
54	1987 Price Support Levels for Six Kinds of Tobacco	0560-AA97
55	1987-Crop Sugar Beets and Sugarcane Price Support Loan Rates	0560-AB01
56	Milk Price Support Level, Calendar Year 1988	0560-AB02
57	Milk Price Support Level, October 1, 1987, through December 31, 1990	0560-AB03

Animal and Plant Health Inspection Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
58	Importation of Fruits and Vegetables Under Assured Certification Agreements	0579-AA17
59	Swine Identification	0579-AA19
60	Animal Welfare Regulations; Standards	0579-AA20

USDA

Animal and Plant Health Inspection Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
61	Animal Welfare; Definition of Terms and Regulations	0579-AA18

Cooperative State Research Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
62	Guidelines for Biotechnology Research in Agricultural Field Plots	0524-AA00

Farmers Home Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
63	Planning and Performing Construction and Other Development	0575-AA36
64	Security Servicing for Multiple Housing Loans	0575-AA38
65	Analyzing Credit Needs and Graduation of Borrowers	0575-AA40
66	Complaints and Compensation for Construction Defects	0575-AA41
67	Rural Development Loan Fund Relending Program	0575-AA43
68	Supplemental Requirements for Making Section 502 RH Loans for Manufactured Homes	0575-AA46

Farmers Home Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
69	Suspension and Debarment Regulations	0575-AA02
70	Recapture of Section 502 Rural Housing Subsidy	0575-AA29
71	Self-Help Technical Assistance Grants	0575-AA34
72	Section 502 Rural Housing Loan Policies, Procedures, and Authorizations	0575-AA35
73	Section 504 Rural Housing Loans and Grants	0575-AA37
74	Management and Collection of Nonprogram (NP) Loans	0575-AA39
75	Rural Housing Program Loans	0575-AA48
76	Management and Supervision of Multiple Family Housing Borrowers and Grant Recipients	0575-AA49
77	Real Property Insurance	0575-AA53
78	Security servicing for Single Family Rural Housing Loans	0575-AA54
79	Borrower Supervision Servicing and Collection of Single Family Housing Loan Accounts	0575-AA55
80	Changes to the Farmers Home Administration (FmHA) Farmer Program Loan Making, Supervision and Servicing Regulations to Implement Applicable Provisions of "The Agricultural Credit Act of 1987"	0575-AA56

Farmers Home Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
81	Changes to the FmHA Farmer Program Loan Making, Supervision and Servicing Regulations to Implement the Applicable Provisions of the "Food Security Act of 1985"	0575-AA23
82	Rural Rental Housing Policies, Procedures and Authorizations	0575-AA28
83	Borrower Supervision Servicing and Collection of Single Family Housing Loan Accounts	0575-AA42
84	Debt Settlement - Community and Business Programs	0575-AA44
85	Management and Supervision of Multiple Family Housing Borrowers and Grant Recipients	0575-AA50
86	Security Servicing for Multiple Housing Loans	0575-AA51

USDA

Farmers Home Administration—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
87	Predetermined Amortization Schedule System (PASS) Account Servicing	0575-AA52

Farmers Home Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
88	Restricting Insured and Guaranteed Farm Ownership and Operating Loans when Surplus Items Exist	0575-AA12
89	FmHA Guarantees of Commercial Lender's Farm Ownership (FO) and Operating Loans (OL) with Accompanying Lender Principal Write Down and/or Interest Rate Reduction	0575-AA22
90	Section 502 Rural Housing Loan Policies, Procedures, and Authorizations	0575-AA24
91	General Revision of Farmer Program Regulations	0575-AA27
92	Distressed Former Continuation Amendments to FmHA Farmer Program Loan Making, Supervision and Servicing Regulations	0575-AA45

Food and Nutrition Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
93	Waiver Simplification: Food Stamp Program	0584-AA02

Food and Nutrition Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
94	Issuance Loss Liability: Food Stamp Program	0584-AA05
95	Food Distribution Program - Part 250	0584-AA07
96	Food Distribution Program on Indian Reservations	0584-AA09
97	Emergency Food Assistance for Victims of Disasters	0584-AA24
98	Conformance with Aid to Families with Dependent Children (AFDC) Rules: Food Stamp Program	0584-AA52
99	Simplified Application and Standardized Benefits: Food Stamp Program	0584-AA62
100	Administration/Management: Food Stamp Program	0584-AA63

Food and Nutrition Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
101	Quality Control Arbitration Procedures: Food Stamp Program	0584-AA46
102	Special Supplemental Food Program for Women, Infants and Children: Administrative Funding Formula	0584-AA70

Food Safety and Inspection Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
103	Administrative Regulations	0583-AA02
104	Transportation	0583-AA19

USDA

Food Safety and Inspection Service—Prerule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
105	Eligibility of Foreign Countries for Importation of Products into the United States	0583-AA55

Food Safety and Inspection Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
106	Swine Identification at Official Slaughtering Establishments	0583-AA25
107	Various Amendments to Accommodate Inspection of Meat Food Products Under Title IV of the Futures Trading Act of 1986	0583-AA26
108	Requirements for Partially Defatted Products	0583-AA27
109	Control of Salmonella and Other Enteric Bacteria in Meat and Poultry Processing	0583-AA28
110	Verified Production Control Program	0583-AA29
111	Sulfonamides in Swine	0583-AA31
112	Use and Labeling of Blood Components as Ingredients in Meat Food Products	0583-AA42
113	Use of Lactic Acid and Acetic Acid as Anti-Microbial Agents on Meat and Poultry Carcasses	0583-AA43
114	Glucono Delta Lactone as an Acidifier in Meat and Poultry Products	0583-AA46
115	Requirements for Foreign Country Import Certification and Live Animal Importation	0583-AA47
116	Trichina Control Requirements for Dry-Cured Ham	0583-AA49
117	Movement of Imported Product Prior to Reinspection	0583-AA53
118	Use and Protection of Approved Water Systems	0583-AA54
119	Sulfonamide and Antibiotic Residues in Young Veal Calves; Certification Requirements	0583-AA58
120	Requirements for Foreign Country Certification and Live Animal Importation	0583-AA59
121	Voluntary Inspection of Exotic Animals	0583-AA60
122	Implementation of Pork Irradiation	0583-AA61
123	Certain Products with Meat Ingredients -- Exemptions From Definition of a "Meat Food Product"	0583-AA62
124	Use of Certain Binders in Meat and Poultry Products and Transfer of Binders in Text to the Tables of Approved Substances	0583-AA64
125	Immersion Cured and Dry Cured Bacon	0583-AA65
126	Control of Added Substances and Labeling Requirements for Turkey Ham Products	0583-AA66
127	Additional Trichina Detection Methods	0583-AA67
128	Net Weight	0583-AA69
129	Additional Trichina Detection Methods	0583-AA70
130	Labeling of Meat Food Products That Contain Mechanically Separated (Species) Under Certain Circumstances	0583-AA71

Food Safety and Inspection Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
131	Standard for Frankfurters and Similar Cooked Sausages	0583-AA21
132	Determination of Added Water in Cooked Sausages	0583-AA30
133	Cattle Post - Mortem Inspection Procedures and Staffing Procedures	0583-AA32
134	Disposal of Livestock Carcasses and Parts Condemned for Biological Residues	0583-AA33
135	Binder Consisting of Sodium Alginate, Calcium Carbonate, Lactic Acid, and Calcium Lactate	0583-AA34
136	Elimination of Sealing Requirement for Rendered Edible Animal Fat	0583-AA36
137	Random Weight Packages; Statement of Net Weight Decimal Places	0583-AA37
138	Streamlined Inspection System for Broilers and Cornish Game Hens	0583-AA38
139	Ascorbic Acid, Erythorbic Acid, Citric Acid, Sodium Ascorbic, and Sodium Citrate in Fresh Pork Cuts	0583-AA40
140	Determination of "Added Water" in Cooked Sausages	0583-AA41
141	Ingredients that may be Identified as Flavors or Natural Flavors when used in Meat and Poultry Products	0583-AA44
142	Safety and Sanitation Requirements for Electrical Stimulating Equipment	0583-AA45
143	Use of Air for Carcass Hide Removal	0583-AA48
144	Antioxidants in Fabricated Steaks	0583-AA50
145	Notice of Proceedings	0583-AA51
146	Requirements for Imported Poultry Products	0583-AA52
147	Total Quality Control for Labeling	0583-AA63
148	Sulfonamide and Antibiotic Residues in Young Veal Calves; Reduced Testing	0583-AA68

USDA

Food Safety and Inspection Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
149	Identification Service for Poultry	0583-AA35
150	Swine Identification and Record Keeping at Markets and at Official Slaughtering Establishments	0583-AA39
151	Facility and Equipment Requirements for the Streamlined Inspection System for Broilers and Cornish Game Hens	0583-AA56

Foreign Agricultural Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
152	Determination of the Market Stabilization Price for Sugar for FY 1988	0551-AA20
153	Determination of Import Quotas on Sugar for Fiscal Year 1988	0551-AA21
154	Types and Quantities of Agricultural Commodities Available for Donation Overseas Under Section 416(b) of the Agricultural Act of 1949 for Each Fiscal Year	0551-AA23

Forest Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
155	Part 219 Planning	0596-AA50
156	Official Forest Service Insignia	0596-AA59
157	36 CFR 262 Law Enforcement Support Activities	0596-AA65
158	36 CFR 271 - Use of "Smokey Bear" Symbol	0596-AA66
159	Whiskeytown-Shasta-Trinity National Recreation Area	0596-AA68
160	36 CFR 261 Prohibitions	0596-AA75
161	Use of "Woodsy Owl" Symbol	0596-AA76
162	36 CFR 241 Wildlife: Cooperation in Wildlife Protection, Wildlife Management and Federal Refuge Regulations	0596-AA81
163	Isolated Cabin Authorizations	0596-AA85

Forest Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
164	Access to Non-Federal Lands	0596-AA31
165	Grazing and Livestock Use and Management of Wild, Free-Roaming Horses and Burros	0596-AA35
166	Collection of Reimbursable Costs for Processing Special-Use Applications and Administration of Special-Use Authorizations	0596-AA36
167	Modify the General Prohibition Against Use of Vehicles in Excess of 40 Inches in Width on Trails	0596-AA38
168	Revise the Definition of "Mechanical Transport" at 36 CFR 293.6(a)	0596-AA39
169	Conservation of Fish, Wildlife, and their Habitats on the Copper/River Addition and Copper River-Bering River Portion, Chugach National Forest, Alaska	0596-AA41
170	Land Exchanges	0596-AA42
171	Definition of Common Variety Mineral Materials	0596-AA44
172	Revision of Timber Sale Contract Forms FS-2400-6 and FS-2400-6T	0596-AA45
173	Leasable Mineral Regulations	0596-AA46
174	Application Procedures and Fees for Hydroelectric Uses on National Forest System Lands	0596-AA47
175	Locatable Minerals	0596-AA49
176	Appeal of Decisions of Forest Officers	0596-AA51
177	Grazing Fees; Eastern and Southern Regions	0596-AA55
178	Ski Area Term Permits	0596-AA57
179	Free Use to Alaskan Settlers, Miners, Residents and Prospectors	0596-AA69
180	Increase in Minimum Rates Charged for Timber	0596-AA73
181	Sale of Timber where Total Public Benefits May not Meet or May Exceed Total Costs	0596-AA74
182	Administration of Easements for Water Conveyance Systems	0596-AA78
183	Revise Small Tracts Act Regulations	0596-AA79

USDA

Forest Service—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
184	Oil and Gas Resources Regulations	0596-AA82
185	Modification of Timber Sale Downpayment Requirements	0596-AA83
186	Lumber Price Index Trends	0596-AA86
187	Timber Sale Financial Security	0596-AA87

Forest Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
188	Entrance into Petersburg Watershed	0596-AA23
189	Land Status and Title Records	0596-AA24
190	Periodic Payments, Downpayments, and Market Related Contract Additions	0596-AA33
191	Use Restrictions of National Forest Lands for the Protection of Municipal Water Supplies	0596-AA34
192	Control of Skewed Bidding on National Forest Timber Sales	0596-AA37
193	Small Business Timber Sale Set Aside Program	0596-AA43
194	Indian Allotments on National Forest System Lands	0596-AA52
195	Prohibitions; Fossil Collecting	0596-AA56
196	Non-Competitive Disposal of Mineral Materials	0596-AA60
197	Increased Downpayments From Timber Sale Purchasers with a History of Defaults; and Determination of Purchaser Responsibility	0596-AA70
198	Revise 36 CFR 223.178 Regarding Release of Claims Against the Government on Sales Offered for Government Buyout	0596-AA71
199	Review of Decisions to Terminate Recreation Residence Permits	0596-AA72
200	Revise rules governing special uses of National Forest System lands and resources at 36 CFR 251, Subpart B to remove ambiguities regarding first amendment rights	0596-AA80
201	Appeal of Decisions to Reoffer Returned or Defaulted Timber Sales on National Forests	0596-AA84

Forest Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
202	Suspension and Debarment of Timber Sale Contractors	0596-AA09
203	Create a New Subpart C to 36 CFR 264 Entitled National Scenic and Historic Trail Symbols	0596-AA54
204	36 CFR Part 222, Subpart C - Grazing Fees	0596-AA77

Packers and Stockyards Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
205	Annual Reports	0590-AA04
206	Scales; Accurate Weights, Repairs, Adjustments or Replacements after Inspection	0590-AA05

Soil Conservation Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
207	Snow Surveys and Water Supply Forecasts	0578-AA01
208	Relocation Assistance	0578-AA12

USDA

Soil Conservation Service—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
209	Procedures for the Protection of Archeological and Historical Properties Encountered in SCS-Assisted Programs	0578-AA13

Soil Conservation Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
210	Soil Surveys	0578-AA00
211	Prime and Unique Farmlands	0578-AA10
212	Farmland Protection Policy Act	0578-AA14

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Agricultural Marketing Service (AMS)

1. FEES FOR SERVICE FOR VOLUNTARY AND MANDATORY PROGRAMS

Legal Authority: 7 USC 1621 to 1627; Agricultural Marketing Act of 1946; 21 USC 1031 to 1056; Egg Products Inspection Act; 7 USC 51 et seq Cotton Standards Act

CFR Citation: 7 CFR 26 to 209

Legal Deadline: None.

Abstract: Fees for the voluntary inspection, grading and classing of agricultural commodities and certain mandatory inspection rates are reviewed periodically and changes are made to reflect cost of providing the service. (AMS 84-008)

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Agency Contact: Tilli Fox, Reg. Review Staff, MRD, Department of Agriculture, Agricultural Marketing Service, Room 3525-S, Washington, DC 20250, **202 447-2704**

RIN: 0581-AA19

DEPARTMENT OF AGRICULTURE (USDA)

Prerule Stage

Agricultural Stabilization and Conservation Service (ASCS)

2. 1988-CROP HONEY PRICE SUPPORT PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1446(b); The Agricultural Act of 1949, as amended, Sec. 201(b)

CFR Citation: 7 CFR 1434.26; 7 CFR 1434.27

Legal Deadline: None.

Abstract: Legislation requires that 1988-crop honey be supported at 95 percent of the 1987 level, or $0.5985 per pound. It also provides the Secretary the discretion to allow loan repayment at a lower rate. The objective of a lower repayment rate is to (1) minimize loan forfeitures, (2) avoid excessive stocks, (3) reduce Federal storage costs, and (4) maintain the competitiveness of honey in domestic and export markets. Alternatives to be considered are: the type of support to offer, whether loans, purchases, or loans and purchases, and whether to implement the lower repayment provision. Government costs under the lower repayment provision would be expected to be under $60 million.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief Regulatory Impact and Progam Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AB04

3. 1988 WOOL AND MOHAIR PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1782 et seq; National Wool Act of 1954, as amended by; PL 99-198, Sec 201 The Food Security Act of 1985

CFR Citation: 7 CFR 1468; 7 CFR 1472

Legal Deadline: None.

Abstract: This action will encourage the continued domestic production of wool at prices fair to both producers and consumers in a manner that will ensure a viable domestic wool industry,

by supporting the prices of wool and mohair by means of loans, purchases, payments, or other operations. The support level for wool is determined by statutory formula. The support level for mohair must be set at a level not more than 15 percent above, or below the comparable percentage of parity at which shorn wool is supported. The expected cost to Government will be between $100 and $200 million.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: **Tom Witzig**, Chief Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AB05

4. 1989 WHEAT PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1445b-3; 7 USC 1710; The Agricultural Adjustment Act of 1949, Sec 107D and 110

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 792; 7 CFR 794 to 796

Legal Deadline: Statutory, June 1, 1988. (For announcement of acreage adjustment levels)

Abstract: To provide an adequate wheat supply for domestic and foreign utilization, increase the competitiveness of U.S. exports, support farm income, combat inflation, hold down Federal costs, conserve natural resources, and comply with statutory requirements.

Determinations are to be made on (1) loan and purchase rate--minimum probable range of $2.06 to $2.57 per bushel, (2) target price--at least $4.16 per bushel, and (3) acreage adjustment--not less than 20% nor more than 30%, if carryin exceeds 1 billion bushels; no more than 20% if carryin is below 1 billion bushels. Decisions also to be made on whether to implement (1) a marketing loan program and related programs, (2) a paid land diversion, and (3) incentives for farmers to participate in the FOR. The expected cost is $2.0-$5.0 billion. (ASCS 87-021)

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: **Tom Witzig**, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AB14

5. COMMON PROGRAM PROVISIONS FOR THE 1989 WHEAT, FEED GRAIN, COTTON AND RICE PROGRAMS

Significance: Agency Priority

Legal Authority: 7 USC 1421 et seq; The Agricultural Act of 1949, as amended, Sec 107d

CFR Citation: 7 CFR 713; 7 CFR 1421; 7 CFR 1427

Legal Deadline: None.

Abstract: To make and implement determinations that are common to each of the 1989 Wheat, Feed Grain, Cotton and Rice Programs. Determinations are to be made on (1) production of approved non-program crops on underplanted program crop permitted acreage (50/92 provision), (2) production of alternative crops on reduced acreage, (3) haying and grazing of 50/92 and ACR conservation use acreage, (4) offsetting and cross compliance, (5) an advance recourse loan program, (6) multi-year set-asides, (7) the shift of 10 percent of a farm's acreage base between program commodity acreage bases, (8) consideration of actual 1989-crop yields in establishing a subsequent year's program payment yield, (9) advance deficiency and diversion payments, (10) interest certificate payments, and (11) provisions for commodity payment certificates. (ASCS 87-024)

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: **Tom Witzig**, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AB17

6. CCC COTTON LOAN PROGRAM REGULATIONS--SETTLEMENT, FRAUD, AND CONVERSION PROVISIONS

Legal Authority: 15 USC 714b to c; Commodity Credit Corporation Charter Act, Sec 4 and 5

CFR Citation: 7 CFR 1427

Legal Deadline: None.

Abstract: This action will update regulations to (1) clarify settlement provisions and (2) incorporate fraud or conversion language in order to make the regulations for cotton consistent with those for grain. No cost to Government is expected. (ASCS 87-015)

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: **Tom Witzig**, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AB22

DEPARTMENT OF AGRICULTURE (USDA)

Proposed Rule Stage

Agricultural Stabilization and Conservation Service (ASCS)

7. COMMODITY CREDIT CORPORATION (CCC) CLAIMS REGULATIONS

Legal Authority: 15 USC 714(k) Commodity Credit Corporation Charter Act

CFR Citation: 7 CFR 1403

Legal Deadline: None.

Abstract: Regulations will revise policy, authorities, procedures, and responsibilities for settling claims by and against CCC. (ASCS 84-034)

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AA38

8. NATIONAL AVERAGE LOAN RATES FOR 1987-CROP QUOTA AND ADDITIONAL PEANUTS

Significance: Agency Priority

Legal Authority: 7 USC 1445c-2; 7 USC 1423; Ag Act of 1949, Sec. 108B

CFR Citation: Not applicable

Legal Deadline: Statutory, February 15, 1987.

Abstract: This action is required by legislation, which provides a formula for computing the quota support level and guidelines for determining the additional support level. The objective is to support farm income and stabilize prices. (ASCS 86-031)

Timetable:

Action	Date	FR Cite
NPRM	01/26/87	52 FR 2796
Announcement	02/13/87	

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AA61

9. 1988 PRICE SUPPORT LEVELS FOR FIVE KINDS OF TOBACCO

Legal Authority: 7 USC 1445; The Agricultural Act of 1949, as amended, Sec 106

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: To stabilize tobacco prices and comply with statutory requirements, price support levels are set by statutory formula, based on a prices paid index. The Secretary may lower price support at the request of producer associations. Increases may be limited to 65% of the increase otherwise established. A net receipt of $3.6 million is expected. (ASCS 87-019)

Timetable:

Action	Date	FR Cite
NPRM	05/13/88	
Final Action	09/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AB12

10. 1989-CROP PEANUTS NATIONAL POUNDAGE QUOTA

Significance: Agency Priority

Legal Authority: 7 USC 1358; The Agricultural Act of 1938, as amended, Sec 358

CFR Citation: 00 CFR None

Legal Deadline: Statutory, December 15, 1988. (For announcement of national poundage quota only)

Abstract: To balance supply with demand at levels that assure stable supplies for domestic use and assure producers a reasonable income.

This action is required by legislation, which provides a formula for computing the national poundage quota. The quota must equal the amount estimated to be devoted to domestic edible, seed, and related uses and may not be less than 1.1 million tons. The expected cost is $1 million. (ASCS 87-020)

Timetable:

Action	Date	FR Cite
NPRM	09/14/88	
Final Action	12/15/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AB13

11. 1989 FEED GRAIN PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1444e; 7 USC 1421; The Agricultural Act of 1949, as amended, Sec 105c; 7 USC 1710; The Agricultural Adjustment Act of 1949, as amended, Sec 110

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 718 to 719; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1421.720 to 1421.734

Legal Deadline: Statutory, September 30, 1988. (For announcement of acreage adjustment levels)

Abstract: To provide an adequate feed grain supply for domestic and foreign utilization, support farm income, combat inflation, hold down Federal costs, conserve natural resources, and comply with statutory requirements.

Primary determinations to be made are (1) loan and purchase rates--probable range of $1.65 - $2.06/bu. for corn, with rates for other feed grains set in relation to that for corn, (2) target prices--not less than $2.88 per bushel for corn, with rates for other feed grains set in relation to that for corn, and (3) acreage adjustment--not less than 12.5% nor more than 20%, if corn carryin exceeds 2 billion bushels; no more than 12.5% if corn carryin is less than 2 billion bushels. Decisions also to be made on whether to implement (1) a paid land diversion, (2) a marketing loan, (3) a half-compliance program, (4) incentives for farmers to participate in the FOR, and (5) price support for corn silage. The expected cost is $8.0 to $12.0 billion. (ASCS 87-022)

Timetable:

Action	Date	FR Cite
NPRM	07/15/88	
Final Action	09/30/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S,

PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB15

12. 1989 UPLAND COTTON PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1444-1; The Agricultural Adjustment Act of 1949, as amended, Sec 103A

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1427

Legal Deadline: Statutory, November 1, 1988. (For announcement of loan rate, acreage adjustment level, and national program acreage)

Abstract: To assure sufficient supplies of upland cotton for domestic and export use, maintain adequate carryover stocks, support farm income, combat inflation, hold down Federal costs, and comply with statutory requirements.

Determinations must be made on (1) the loan rate--not less than 50.00 cents/lb, (2) the target price--not less than 74.5 cents/lb, (3) the loan repayment rate--if the world price is below the loan rate, repayment rate may be set by 1 of 2 options: (Plan A or Plan B, Sec. 103A (a(5))), (4) acreage limitation--no greater than 25%, (5) the national program acreage--not less than 10 million acres, (6) other provisions: whether or not to implement voluntary paid land diversion, loan deficiency payment, inventory reduction, or seed cotton loan programs. The expected cost is $250 - $500 million. (ASCS 87-023)

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
Final Action	10/31/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB16

13. 1988 SOYBEAN LOAN PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1446; The Agricultural Act of 1949, as amended, Sec 201

CFR Citation: 7 CFR 1421

Legal Deadline: Statutory, October 1, 1988. (For announcement of loan rate)

Abstract: To assure sufficient supplies for domestic and export use, support farm income, combat inflation, hold down Federal costs, and comply with statutory requirements.

Determinations are to be made on the loan and purchase rate, with a probable range of $4.77 to $4.53/bu., and on whether to implement a marketing loan program. The expected cost is $0.1 - $0.6 billion. (ASCS 87-025)

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
Final Action	09/30/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB18

14. 1989 EXTRA LONG STAPLE (ELS) COTTON PROGRAM

Legal Authority: 7 USC 1444(h); The Agricultural Adjustment Act of 1949, as amended, Sec 103h

CFR Citation: 7 CFR 1427

Legal Deadline: Statutory, December 1, 1988. (12/1/88 for announcement of loan rate only)

Abstract: To assure sufficient supplies of ELS cotton for domestic and export use, maintain adequate carryover stocks, support farm income, combat inflation, conserve natural resources, hold down Federal costs, and comply with statutory requirements.

Determinations are to be made on (1) the loan rate -- not less than 85% of the average market price over the previous 5 years, excluding the highest and lowest years, (2) the target price -- 120% of the loan level, (3) acreage limitation -- to be set at such level as to assure that total supplies will not be excessive, (4) the national program acreage -- not less than 60 thousand acres, (5) other provisions -- whether or not to make land diversion payments, and the loan level for seed cotton. The expected cost is $0.5 - $1.0 million. (ASCS 87-018)

Timetable:

Action	Date	FR Cite
NPRM	09/01/88	
Final Action	12/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB25

15. ● 1989 PRICE SUPPORT LEVELS FOR SIX KINDS OF TOBACCO

Significance: Agency Priority

Legal Authority: 7 USC 1445; The Agricultural Act of 1949, as amended, Sec 106

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: To stabilize tobacco prices and comply with statutory requirements, price support levels are set by statutory formula, based on a prices paid index. The Secretary may lower price support at the request of producer associations. Increases may be limited to 65% of the increase otherwise established. A net receipt of $9 million is expected.

Timetable:

Action	Date	FR Cite
NPRM	05/01/89	
Final Action	09/01/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB32

16. ● 1989-CROP NATIONAL AVERAGE PRICE SUPPORT LEVEL FOR QUOTA PEANUTS

Significance: Agency Priority

Legal Authority: 7 USC 1445c-2; Agricultural Act of 1949, Sec 108B

CFR Citation: 00 CFR None

Legal Deadline: Statutory, February 15, 1989.

Abstract: This action is required by legislation, which provides a formula for computing the quota support level. The objective is to support farm income and stabilize prices.

Timetable:

Action	Date	FR Cite
NPRM	12/01/88	
Final Action	02/15/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB36

17. ● 1989-CROP HONEY PRICE SUPPORT PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1446(b); The Agricultural Act of 1949, as amended, Sec 201(b)

CFR Citation: 7 CFR 1434.26; 7 CFR 1434.27

Legal Deadline: None.

Abstract: Legislation requires that 1989-crop honey be supported at 95 percent of the 1988 level, or $0.5636 per pound. It also provides the Secretary the discretion to allow loan repayment at a lower rate. The objective of a lower repayment rate is to (1) minimize loan forfeitures, (2) avoid excessive stocks, (3) reduce Federal storage costs, and (4) maintain the competitiveness of honey in domestic and export markets. Alternatives to be considered are: the type of support to offer, whether loans purchases, or loans and purchases, and whether to implement the lower repayment provision. Government costs under the lower repayment provision would be expected to be under $60 million.

Timetable:

Action	Date	FR Cite
NPRM	01/18/89	
Final Action	04/01/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB37

18. ● COMMON PROGRAM PROVISIONS FOR THE 1990 WHEAT, FEED GRAIN, COTTON AND RICE PROGRAMS

Significance: Regulatory Program

Legal Authority: 7 USC 1421 et seq; The Agricultural Act of 1949, as amended, Sec 107d

CFR Citation: 7 CFR 713; 7 CFR 1421; 7 CFR 1427

Legal Deadline: None.

Abstract: To make and implement determinations that are common to each of the 1989 Wheat, Feed Grain, Cotton and Rice Programs. Determinations are to be made on (1) production of approved non-program crops on underplanted program crop permitted acreage, (2) production of alternative crops on reduced acreage, (3) haying and grazing of underplanted program crop permitted acreage and ACR conservation use acreage, (4) offsetting and cross compliance, (5) an advance recourse loan program, (6) multi-year set-asides, (7) the shift of 10 percent of a farm's acreage base between program commodity acreage bases, (8) consideration of actual 1990-crop yields in establishing a subsequent year's program payment yield, (9) advance deficiency and diversion payments, (10) interest certificate payments, (11) provisions for commodity payment certificates, and (12) the enrollment period.

Timetable:

Action	Date	FR Cite
NPRM	03/08/89	
NPRM Comment Period End	05/08/89	
Final Action	06/01/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB38

19. ● 1989 RICE PROGRAM

Significance: Regulatory Program

Legal Authority: 7 USC 1441; Agricultural Act of 1949, Sec 101, as amended

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 720; 7 CFR 794 to 796; 7 CFR 1421

Legal Deadline: Statutory, January 31, 1989. (For announcing loan, target, and acreage limitation levels.)

Abstract: To provide an adequate supply of rice for domestic and foreign utilization, support farm income, combat inflation, hold down Federal costs, conserve resources, and comply with statutory requirements.

Primary determinations to be made are (1) loan and purchase rates -- 85% of the previous 5-year average, excluding the high and low years, but cannot be reduced more than 5% from the previous year's level nor be lower than $6.50/cwt., (2) target price -- no lower than $10.80 cwt., (3) acreage limitation -- no more than 35%, with a target carryover level of 30 million cwt. Determinations are also to be made on (1) a land diversion program, (2) advance deficiency/diversion payments, (3) purchase of marketing certificates under the marketing loan, (4) loan deficiency payments, (5) inventory reduction program (half-ARP), and (6) loan rate adjustments (loan differentials). The expected cost to Government is $600 million.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	
Final Action	12/31/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB39

20. ● 1990 WHEAT PROGRAM

Significance: Regulatory Program

Legal Authority: 7 USC 1445b-3; 7 USC 1710; The Agricultural Adjustment Act of 1949, Sec 107D and 110

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 792; 7 CFR 794 to 796

Legal Deadline: Statutory, June 1, 1989. (For announcement of acreage adjustment levels)

USDA—ASCS **Proposed Rule Stage**

Abstract: To provide an adequate wheat supply for domestic and foreign utilization, increase the competitiveness of U.S. exports, support farm income, combat inflation, hold down Federal costs, conserve natural resources, and comply with statutory requirements.

Primary determinations to be made are (1) loan and purchase rate -- minimum probable range of $1.95 to $2.44 per bushel, (2) target price -- at least $4.00 per bushel, and (3) acreage adjustment -- not less than 20% nor more than 30%, if carryin exceeds 1 billion bushels; no more than 20% if carryin is below 1 billion bushels. Decisions also to be made on whether to implement (1) a marketing loan program and related programs, (2) a paid land diversion, (3) advance deficiency/diversion payments, (4) generic certificate program, and (5) incentives for farmers to participate in the FOR. The expected cost is $2.0-$4.0 billion.

Timetable:

Action	Date	FR Cite
NPRM	03/08/89	
NPRM Comment Period End	05/08/89	
Final Action	06/01/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB41

DEPARTMENT OF AGRICULTURE (USDA) — Final Rule Stage

Agricultural Stabilization and Conservation Service (ASCS)

21. PRICE SUPPORT LOAN PROGRAM FOR 1986 THROUGH 1990-CROPS SUGAR BEETS AND SUGARCANE

Significance: Regulatory Program

Legal Authority: 7 USC 1446; Ag Act of 1949, as amended, Sec 201

CFR Citation: 7 CFR 1435

Legal Deadline: Statutory, October 1, 1986.

Abstract: The 1949 Act, as amended by the Food Security Act of 1985, requires the Secretary to support the price of domestically grown sugarcane and sugar beets through a nonrecourse loan program effective for the 1986 through 1990 crops. The object of this action is to develop program and operation provisions for administering a sugar price support program. (ASCS 86-048)

Timetable:

Action	Date	FR Cite
Announcement	10/01/86	
Interim Final Rule	10/29/86	51 FR 39507

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA74

22. 1987-CROP PEANUTS NATIONAL POUNDAGE QUOTA

Significance: Agency Priority

Legal Authority: 7 USC 1358; Ag Act of 1938, Sec 358

CFR Citation: Not applicable

Legal Deadline: Statutory, December 15, 1986.

Abstract: This action is required by legislation, which provides a formula for computing the National quota. The quota must equal the amount devoted to domestic edible, seed, and related uses and may not be less than 1.1 million tons. The objective is to balance supply with demand at levels that assure stable supplies for domestic use and assure producers a reasonable income. (ASCS 86-033)

Timetable:

Action	Date	FR Cite
NPRM	11/20/86	51 FR 41990
Announcement	12/12/86	

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA79

23. COMMON PROGRAM PROVISIONS FOR THE 1988 WHEAT, FEED GRAINS, COTTON AND RICE PROGRAMS

Significance: Regulatory Program

Legal Authority: 7 USC 1441-1; 7 USC 1444-1; 7 USC 1444-b; 7 USC 1445b-3; 7 USC 1461 to 1469; Agricultural Act of 1949, as amended

CFR Citation: 7 CFR 713; 7 CFR 1421; 7 CFR 1427

Legal Deadline: Statutory, June 1, 1987. (Acreage Reduction Percentage for Wheat Only)

Abstract: To make and implement determinations that are common to each of the 1988 wheat, feed grains, cotton and rice programs.

Determinations are to be made on (1) the enrollment period (universal or staggered for each program), (2) production of approved non-program crops on underplanted program crop permitted acreage, (3) production of alternative crops on reduced acreage, (4) offsetting and cross compliance, (5) an advance recourse loan program, (6) multi-year set-asides, (7) the shift of ten percent of a farm's acreage base between program commodity base acreage, (8) consideration of actual 1988-crop yields in establishing a subsequent year's program payment yield, (9) procedure for crediting prevented planting and failed acreage, and (10) advance deficiency and diversion payments. (ASCS 86-057)

Timetable:

Action	Date	FR Cite
NPRM	04/28/87	52 FR 15362
Announcement	07/02/87	
Announcement	01/21/88	
Final Action	04/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA89

USDA—ASCS

Final Rule Stage

24. 1988 RICE PROGRAM

Significance: Regulatory Program

Legal Authority: 7 USC 1441; The Agricultural Act of 1949, as amended Sec 101

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 794 to 796; 7 CFR 1421

Legal Deadline: Statutory, January 31, 1988.

Abstract: To provide an adequate rice supply for domestic and foreign utilization, and comply with statutory requirements. (ASCS 86-058)

Timetable:

Action	Date	FR Cite
NPRM	10/02/87	52 FR 38806
Announcement	01/22/88	
Announcement	01/26/88	
Final Action	04/01/88	

Small Entity: No

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AA90

25. 1988 WHEAT PROGRAM

Significance: Regulatory Program

Legal Authority: 7 USC 1445b-3; The Agricultural Act of 1949, as amended, Sec 107D

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 794 to 796; 7 CFR 1421.1 to 1421.29; 7 CFR 1421.460 to 1421.471; 7 CFR 1421.700 to 1421.714

Legal Deadline: Statutory, June 1, 1987. (Acreage Reduction Percentage Only)

Abstract: To provide an adequate wheat supply for domestic and foreign utilization, increase the competitiveness of U.S. exports, and comply with statutory requirements. (ASCS 86-059)

Timetable:

Action	Date	FR Cite
NPRM	04/28/87	52 FR 15358
Announcement	07/02/87	
Announcement	01/21/88	
Final Action	04/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AA91

26. 1988 FEED GRAIN PROGRAM

Significance: Regulatory Program

Legal Authority: 7 USC 1444e; The Agricultural Act of 1949, as amended, Sec 105C and 110

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 718; 7 CFR 719; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1421.1 to 1421.29; 7 CFR 1421.90 to 1421.100; 7 CFR 1421.720 to 1421.734

Legal Deadline: Statutory, September 30, 1987. (Acreage Reduction Percentage Only)

Abstract: To provide an adequate feed grain supply for domestic and foreign utilization, and comply with statutory requirements. (ASCS 86-060)

Timetable:

Action	Date	FR Cite
NPRM	07/16/87	52 FR 26707
Announcement	09/29/87	
Announcement	01/21/88	
Final Action	04/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AA92

27. 1988 UPLAND COTTON PROGRAM

Significance: Regulatory Program

Legal Authority: 7 USC 1444-1, Ag Act of 1949, as amended Sec. 103A

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1427

Legal Deadline: Statutory, November 1, 1987.

Abstract: To assure sufficient supplies of upland cotton for domestic and export use, maintain adequate carryover stocks, and comply with statutory requirements. (ASCS 86-061)

Timetable:

Action	Date	FR Cite
NPRM	07/17/87	52 FR 27032
Announcement	10/29/87	
Announcement	01/21/88	
Final Action	04/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AA93

28. 1988-CROP FLUE-CURED TOBACCO MARKETING QUOTAS

Significance: Agency Priority

Legal Authority: 7 USC 1311 to 1313; Agricultural Adjustment Act of 1938, as amended; Sec 311 to 313

CFR Citation: 7 CFR 725

Legal Deadline: Statutory, December 15, 1987.

Abstract: Marketing quotas are required by legislation. Their objective is to balance supply with demand at levels assuring stable supplies for domestic and export use. (ASCS 86-064)

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, **202 475-4636**

RIN: 0560-AA98

29. 1988 EXTRA LONG STAPLE (ELS) COTTON PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1444(h); The Agricultural Act of 1949, as amended, Sec 103(h)

CFR Citation: 7 CFR 1427

Legal Deadline: Statutory, December 1, 1987.

Abstract: To assure sufficient supplies of extra long staple cotton for domestic and export use, maintain adequate carryover stocks, and comply with statutory requirements. (ASCS 86-065)

Timetable:

Action	Date	FR Cite
NPRM	09/10/87	52 FR 34262
Final Action	04/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Department of Agriculture, Agricultural Stabilization and Conservation Service,

USDA—ASCS **Final Rule Stage**

Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AA99

30. 1988-CROP BURLEY TOBACCO MARKETING QUOTAS AND PRICE SUPPORT LEVEL

Significance: Agency Priority

Legal Authority: 7 USC 1312; The Agricultural Act of 1938, as amended, Sec 312 to 313; 7 USC 1445; The Agricultural Adjustment Act of 1949, as amended, Sec 106

CFR Citation: 7 CFR 724

Legal Deadline: Statutory, February 1, 1988.

Abstract: Marketing quotas and price support are required by legislation. Their objectives are to balance supply with demand at levels assuring stable supplies for domestic and export use at prices fair to producers.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB06

31. 1988-CROP MARKETING QUOTAS AND ACREAGE ALLOTMENTS FOR FIVE KINDS OF TOBACCO

Significance: Agency Priority

Legal Authority: 7 USC 1312(a) et seq; The Agricultural Act of 1938, as amended, Sec 312-313

CFR Citation: 7 CFR 724

Legal Deadline: Statutory, March 1, 1988.

Abstract: Marketing quotas and acreage allotments are required by legislation. Their objective is to balance supply with demand at levels that ensure stable supplies for domestic and export use. This action is expected to result in a net receipt to the Government of approximately $8 million.

Timetable:

Action	Date	FR Cite
NPRM	01/11/88	53 FR 630
Final Action	05/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB07

32. 1988-CROP PEANUT PRICE SUPPORT PROGRAM DIFFERENTIALS

Legal Authority: 7 USC 1423; Agricultural Act of 1949, Sec. 403; 15 USC 714c; Commodity Credit Corporation Charter Act, Sec. 5

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: The Secretary of Agriculture is authorized to make appropriate adjustments in the support price for peanuts for differences in grade, type, quality, location, and other factors to ensure that price support levels are representative of the market values of the various types. The average of the price support levels must, as far as is practicable, equal the national average price support level as determined by legislation. No alternatives are considered and the cost to Government will be negligible.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, P.O. Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB08

33. 1988-CROP SUGAR BEET AND SUGARCANE PRICE SUPPORT LOAN RATES

Significance: Agency Priority

Legal Authority: 7 USC 1421; 7 USC 1446; The Agricultural Adjustment Act of 1949, as amended, Sec 201; and 401

CFR Citation: 7 CFR 1435

Legal Deadline: None.

Abstract: To set forth (1) loan rates applicable to 1988-crop sugar beets and sugarcane, and (2) the 1988-crop minimum price support levels processors are required to pay their growers. The minimum national average loan rate is set by statute at $0.18/lb. for sugarcane, with the rate for sugar beets set at such level as the Secretary determines is fair and reasonable in relation to that for sugarcane. No impact on Government outlays is expected. However, the cost to consumers and other users of sugar will likely exceed $2 billion. (87-026)

Timetable:

Action	Date	FR Cite
Final Action	09/15/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB19

34. 1989 WOOL AND MOHAIR PROGRAM

Significance: Agency Priority

Legal Authority: 7 USC 1782 et seq; National Wool Act of 1954, as amended, Sec 703

CFR Citation: 7 CFR 1468; 7 CFR 1472

Legal Deadline: None.

Abstract: To encourage the continued domestic production of wool at prices fair to both producers and consumers, in a manner which will assure a viable domestic wool industry in the future, by supporting the prices of wool and mohair by means of loans, purchases, payments, or other operations. The support level for wool is set by statutory formula. The support price for mohair must be set at a level not more than 15 percent above or below the comparable percentage of parity at which shorn wool is supported. The expected cost is $100 to $200 million. (ASCS 87-027)

Timetable:

Action	Date	FR Cite
Final Action	12/30/88	

Small Entity: Not Applicable

USDA—ASCS

Final Rule Stage

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB20

35. 1988 CCC COTTON LOAN PROGRAM REGULATIONS--BALE PACKAGING MATERIALS

Legal Authority: 15 USC 714b to c; Commodity Credit Corporation Charter Act, Sec 4 and 5

CFR Citation: 7 CFR 1427

Legal Deadline: None.

Abstract: To incorporate by reference the specifications for bale packaging materials used in wrapping cotton for 1988 that were approved by the Joint Cotton Industry Bale Packaging Committee and that are acceptable to CCC. No cost to Government is expected. (ASCS 87-014)

Timetable:

Action	Date	FR Cite
Final Action	07/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB21

36. GENERAL REGULATIONS GOVERNING PRICE SUPPORT OF 1986 AND SUBSEQUENT CROPS OF GRAIN

Legal Authority: 15 USC 714b to c; Commodity Credit Corporation Charter Act, Sec 4 and 5

CFR Citation: 7 CFR 1421

Legal Deadline: None.

Abstract: To correct and update program regulations. Specifically, this amendment will incorporate substitution provisions, clarify settlement of high moisture grain delivered to CCC, and revise warehouse-stored loan grade requirements. No cost to Government is expected. (ASCS 87-016)

Timetable:

Action	Date	FR Cite
NPRM	11/24/87	52 FR 44989

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB23

37. WAIVER OF STANDARDS FOR APPROVED WAREHOUSES

Legal Authority: 15 USC 714c; Commodity Credit Corporation Charter Act, Sec 5

CFR Citation: 7 CFR 1421

Legal Deadline: None.

Abstract: Due to the large carryover of grain stocks and a bumper harvest expected this summer and fall, the need for storage space for CCC-owned and loan grain may become critical in several areas of the country. This amendment will permit CCC to approve warehouses that are temporarily unable to meet all of the Standards of Approval, in order to provide adequate storage space. There is no expected cost to Government of this action. (ASCS 87-017)

Timetable:

Action	Date	FR Cite
NPRM	08/17/87	52 FR 30689
Final Action	01/04/88	

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact and Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB24

38. ● DAIRY INDEMNITY PAYMENT PROGRAM--JANUARY 1, 1988 - SEPTEMBER 30, 1990

Legal Authority: PL 90-484, Sec 1 to 3, as amended; PL 91-524, Sec 204, as amended; PL 93-86, Sec 5; PL 95-113, Sec 205; 7 USC 450 j, k, and 1

CFR Citation: 7 CFR 760.1 to 760.34

Legal Deadline: None.

Abstract: This action will extend the program through September 30, 1990. The purpose of the program is to indemnify dairy farmers for milk dumped because of contamination that is not the fault of the producer and dairy manufacturers for dairy products removed from the market through no fault of the manufacturers. The alternative is to discontinue the program. The cost to the Government for FY 1988 through FY 1990 is estimated to be about $500,000.

Timetable:

Action	Date	FR Cite
Final Action	07/01/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB30

39. ● 1989-CROP PEANUT PRICE SUPPORT PROGRAM DIFFERENTIALS

Legal Authority: 7 USC 1423; Agricultural Act of 1949, Sec 403; 15 USC 714c; Commodity Credit Corporation Charter Act, Sec 5

CFR Citation: 00 CFR N/A

Legal Deadline: None.

Abstract: The Secretary of Agriculture is authorized to make appropriate adjustments in the support price for peanuts for differences in grade, type, quality, location, and other factors to ensure that price support levels are representative of the market values of the various types. The average of the price support levels must, as far as is practicable, equal the national average price support level as determined by legislation. No alternatives are considered and the cost to Government will be negligible.

Timetable:

Action	Date	FR Cite
Final Action	03/31/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO

Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB31

40. ● 1989-CROP NATIONAL AVERAGE LOAN RATE AND MINIMUM CCC EXPORT EDIBLE SALES PRICE FOR ADDITIONAL PEANUTS

Significance: Agency Priority

Legal Authority: 7 USC 1445C-2; Agricultural Act of 1949, Sec 108B

CFR Citation: 00 CFR None

Legal Deadline: Statutory, February 15, 1989.

Abstract: This action is required by legislation, which provides guidelines for the establishment of the additional support level. The objective is to support farm income and stabilize prices.

Timetable:

Action	Date	FR Cite
Final Action	02/15/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB33

41. ● 1989-CROP BURLEY TOBACCO MARKETING QUOTAS AND PRICE SUPPORT LEVEL

Significance: Agency Priority

Legal Authority: 7 USC 1312; The Agricultural Act of 1938, as amended, Sec 312 to 313; 7 USC 1445; The Agricultural Adjustment Act of 1949, as amended, Sec 106

CFR Citation: 7 CFR 724

Legal Deadline: Statutory, February 1, 1989.

Abstract: Marketing quotas and price support are required by legislation. Their objectives are to balance supply with demand at levels assuring stable supplies for domestic and export use at prices fair to producers. Quota is based on manufacturers' intentions, 3-year average exports, an adjustment to maintain loan stocks, and a discretionary adjustment of plus or minus 3 percent. Price support is based on a formula that is 2/3 weight average market prices and 1/3 weight cost index, plus discretion to limit any increase to 65 percent. A net receipt of $131 million is expected

Timetable:

Action	Date	FR Cite
Final Action	02/01/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB34

42. ● 1989-CROP FLUE-CURED TOBACCO MARKETING QUOTA AND PRICE SUPPORT LEVEL

Significance: Agency Priority

Legal Authority: 7 USC 1311 to 1313; Agricultural Adjustment Act of 1938, Sec 311 to 313, as amended; 7 USC 1445; Agricultural Act of 1949, Sec 106, as amended

CFR Citation: 00 CFR None

Legal Deadline: Statutory, December 15, 1988. (For announcement of price support level)

Abstract: Marketing quotas and price support are required by legislation. Their objectives are to balance supply with demand at levels assuring stable supplies for domestic and export use at prices fair to producers. The quota is based on manufacturers' intentions, 3-year average exports, an adjustment to maintain loan stocks and a discretionary adjustment of plus or minus 3 percent. The price support level is based on a formula that is 2/3 weight average market prices and 1/3 weight a cost index, with discretion to limit any increase to 65 percent. A net receipt of $153 million is expected.

Timetable:

Action	Date	FR Cite
Final Action	12/15/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB35

43. ● MILK PRICE SUPPORT LEVEL, CALENDAR YEAR 1989

Significance: Regulatory Program

Legal Authority: 7 USC 1446(d); The Agricultural Act of 1949, as amended, Sec 201(d)(1)(E)

CFR Citation: 7 CFR 1430

Legal Deadline: Statutory, January 1, 1989.

Abstract: Legislation requires that if estimated price support purchases for 1989 exceed 5 billion pounds (milk equivalent, fat basis), the Secretary shall reduce the support price by $0.50 per hundredweight (cwt), and if estimated purchases do not exceed 2.5 billion pounds, shall increase the support price by $0.50/cwt. The cost to Government is expected to be approximately $1 billion.

Timetable:

Action	Date	FR Cite
Final Action	12/31/88	
Final Action Effective	01/01/89	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB40

44. ● BURLEY TOBACCO PRICE SUPPORT RESTRICTIONS FOR NONBALED TOBACCO AND NONSTANDARD CONTAINERS

Legal Authority: 7 USC 1445; Agricultural Act of 1949, as amended

CFR Citation: 7 CFR 1464

Legal Deadline: None.

Abstract: This action would encourage the marketing of burley tobacco in baled form by providing a reduced price support level of 5 to 15 cents per pound for nonbaled tobacco effective for the 1988 crop. Approximately 85 percent of all burley tobacco sold at auction is in baled form. The industry preference for baled tobacco could result in all nonbaled tobacco being placed under loan.

This action would also require that effective for the 1989 crop, all loan tobacco be delivered on a standard container (slip sheet), in order to

USDA—ASCS

Final Rule Stage

establish a uniform tare for all lots of tobacco and eliminate errors resulting from the separate weighing of nonstandard containers (pallets).

No cost to Government is expected. Cost to producers would be equal to the reduction in price support for nonbaled tobacco. Cost to warehousemen due to a shift to standard containers would be minimal.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
Final Action	05/16/88	

Small Entity: Not Applicable

Agency Contact: Tom Witzig, Chief, Regulatory Impact & Program Analysis Branch, Department of Agriculture, Agricultural Stabilization and Conservation Service, Room 3726-S, PO Box 2415, Washington, DC 20013, 202 475-4636

RIN: 0560-AB42

DEPARTMENT OF AGRICULTURE (USDA)

Agricultural Stabilization and Conservation Service (ASCS)

Completed Actions

45. 1987 FEED GRAIN PROGRAM

Significance: Regulatory Program

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 718; 7 CFR 719; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1421.720 to 1421.734

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45977

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA59

46. 1987 EXTRA LONG STAPLE (ELS) COTTON PROGRAM

Significance: Agency Priority

CFR Citation: 7 CFR 1427

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45977

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA60

47. 1987 UPLAND COTTON PROGRAM

Significance: Regulatory Program

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1427

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45977

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA64

48. 1987 RICE PROGRAM

Significance: Regulatory Program

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 794 to 796; 7 CFR 1421

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45977

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA72

49. 1987-CROP HONEY PRICE SUPPORT PROGRAM

Significance: Agency Priority

CFR Citation: 7 CFR 1434.26; 7 CFR 1434.27

Completed:

Reason	Date	FR Cite
Announcement	04/07/87	

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA73

50. 1987 WHEAT PROGRAM

Significance: Regulatory Program

CFR Citation: 7 CFR 707; 7 CFR 709; 7 CFR 713; 7 CFR 719; 7 CFR 770; 7 CFR 792; 7 CFR 794 to 796; 7 CFR 1421.485 to 1421.490

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45977

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA82

51. HIGHLY ERODIBLE LAND AND WETLAND CONSERVATION PROGRAMS

Significance: Agency Priority

CFR Citation: 7 CFR 703, (New)

Completed:

Reason	Date	FR Cite
Final Action	09/17/87	52 FR 35194

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 447-4636

RIN: 0560-AA88

52. COMMON PROGRAM PROVISIONS FOR THE 1987 WHEAT, FEED GRAINS, COTTON AND RICE PROGRAMS

Significance: Agency Priority

CFR Citation: 00 CFR not yet determined

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45977

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA94

53. 1987 SOYBEAN LOAN PROGRAM

Significance: Regulatory Program

CFR Citation: 7 CFR 1421.1 to 1421.29; 7 CFR 1421.365 to 1421.374

Completed:

Reason	Date	FR Cite
Final Action	10/05/87	52 FR 37191

Small Entity: Not Applicable

USDA—ASCS **Completed Actions**

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA95

54. 1987 PRICE SUPPORT LEVELS FOR SIX KINDS OF TOBACCO

Significance: Agency Priority

CFR Citation: 7 CFR 1464

Completed:

Reason	Date	FR Cite
Final Action	01/21/88	53 FR 1652

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AA97

55. 1987-CROP SUGAR BEETS AND SUGARCANE PRICE SUPPORT LOAN RATES

Significance: Regulatory Program

CFR Citation: 7 CFR 1435

Completed:

Reason	Date	FR Cite
Final Action	11/12/87	52 FR 43376

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AB01

56. MILK PRICE SUPPORT LEVEL, CALENDAR YEAR 1988

Significance: Regulatory Program

CFR Citation: 7 CFR 1430

Completed:

Reason	Date	FR Cite
Final Action	01/08/88	53 FR 543

Small Entity: No

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AB02

57. MILK PRICE SUPPORT LEVEL, OCTOBER 1, 1987, THROUGH DECEMBER 31, 1990

Significance: Regulatory Program

CFR Citation: 7 CFR 1430

Completed:

Reason	Date	FR Cite
Final Action	10/01/87	52 FR 36805

Small Entity: Not Applicable

Agency Contact: Tom Witzig 202 475-4636

RIN: 0560-AB03

DEPARTMENT OF AGRICULTURE (USDA) — Proposed Rule Stage

Animal and Plant Health Inspection Service (APHIS)

58. IMPORTATION OF FRUITS AND VEGETABLES UNDER ASSURED CERTIFICATION AGREEMENTS

Significance: Regulatory Program

Legal Authority: 7 USC 150dd to 150ff; 7 USC 151 to 167

CFR Citation: 7 CFR 319.56

Legal Deadline: None.

Abstract: To prevent the introduction of plant pests and diseases, Plant Protection and Quarantine (PPQ) inspects shipments of foreign fruits and vegetables upon their arrival at United States ports. PPQ is developing regulations that will allow inspections to be performed in the exporting countries, rather than upon arrival in the United States, using methods and standards approved and monitored by PPQ. This procedure should speed the movement of commodities moved under this "assured certification" alternative, and will allow PPQ to employ its personnel and resources more effectively.

Timetable:

Action	Date	FR Cite
ANPRM	01/20/87	52 FR 2114
ANPRM Comment Period End	03/23/87	
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	08/00/88	

Small Entity: Undetermined

Agency Contact: Mr. Frank Cooper, Staff Officer, Regulatory Services Staff, Department of Agriculture, Animal and Plant Health Inspection Service, Federal Building, Room 637, 6505 Belcrest Road, Hyattsville, MD 20782, **301 436-8248**

RIN: 0579-AA17

59. SWINE IDENTIFICATION

Significance: Regulatory Program

Legal Authority: 21 USC 111 to 113; 21 USC 601 et seq; 21 USC 114a; 21 USC 1149-1; 21 USC 115 to 117; 21 USC 120 to 126; 21 USC 134b; 21 USC 134f

CFR Citation: 9 CFR 71; 9 CFR 78; 9 CFR 85; 9 CFR 309; 9 CFR 310; 9 CFR 320

Legal Deadline: None.

Abstract: Swine in interstate commerce may be adulterated with drug and other chemical residue levels higher than the allowed tolerance and may be spreading diseases. The Department is proposing to require that all swine in interstate commerce be individually identified and records of identification be maintained. Mandatory identification of swine in interstate commerce would allow APHIS to more easily locate sources of infection in order to eradicate and contain disease and would allow the Food Safety Inspection Service (FSIS) to more easily determine the source of adulterated meat and prevent its consumption.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	12/00/88	
Final Action Effective	01/00/89	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Steven B. Farbman, Assistant Director, Regulatory Coordination, Department of

USDA—APHIS **Proposed Rule Stage**

Agriculture, Animal and Plant Health Inspection Service, Room 728, 6505 Belcrest Road, Hyattsville, MD 20782, **301 436-5533**

RIN: 0579-AA19

60. ANIMAL WELFARE REGULATIONS; STANDARDS

Significance: Regulatory Program

Legal Authority: 7 USC 2142; 7 USC 2143

CFR Citation: 9 CFR 3.1 to 3.17, (Revision); 9 CFR 3.25 to 3.41, (Revision); 9 CFR 3.75 to 3.91, (Revision)

Legal Deadline: None.

Abstract: In 1985 Congress amended the Animal Welfare Act, 7 USC 2131 et seq., and required the Secretary of Agriculture to promulgate regulations and standards governing the humane handling, housing, care, treatment, and transportation of certain animals by dealers, research facilities, operators of auction sales, carriers, and intermediate handlers. The standards and regulations will provide minimum requirements with respect to handling, housing, feeding, sanitation, veterinary care, and other related matters. APHIS is proposing to amend, revise, and expand the "Standards" relating to dogs and cats, guinea pigs and hamsters, and nonhuman primates, and will include provisions for exercise of dogs and for promoting the psychological well-being of primates.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: Dr. R. L. Crawford, Senior Staff Veterinarian, Animal Care Staff, Department of Agriculture, Animal and Plant Health Inspection Service, Federal Building, Room 756, 6505 Belcrest Road, Hyattsville, MD 20782, **301 436-7833**

RIN: 0579-AA20

DEPARTMENT OF AGRICULTURE (USDA)
Animal and Plant Health Inspection Service (APHIS)

Final Rule Stage

61. ANIMAL WELFARE; DEFINITION OF TERMS AND REGULATIONS

Significance: Regulatory Program

Legal Authority: 7 USC 2133; 7 USC 2135; 7 USC 2136; 7 USC 2140; 7 USC 2141; 7 USC 2142; 7 USC 2143; 7 USC 2144; 7 USC 2146; 7 USC 2147; 7 USC 2151

CFR Citation: 9 CFR 1, (Revision); 9 CFR 2, (Revision)

Legal Deadline: None.

Abstract: In 1985 Congress amended the Animal Welfare Act, 7 USC 2131, et seq., and required the Secretary of Agriculture to promulgate regulations and standards governing the humane handling, housing, care, treatment, and transportation of certain animals by dealers, research facilities, operators of auction sales, carriers, and intermediate handlers. The standards and regulations will provide minimum requirements with respect to handling, housing, feeding, sanitation, veterinary care, and other related matters. The Agency has proposed definitions to provide proper guidance to the public, licensees, and registrants in their responsibilities under the Act. The Agency has also proposed to amend, revise, and expand the "Regulations" contained in 9 CFR 2.1 through 2.132, pertaining to licensing and registration of facilities, recordkeeping and identification of animal holding periods and facilities, inspections, Institutional Animal Care and Use Committees, adequate veterinary care, and other areas relating to humane animal care matters.

Timetable:

Action	Date	FR Cite
NPRM	03/31/87	52 FR 10298
Notice of Extension of comment period	05/22/87	52 FR 19359
Extension and Reopening of comment period	08/12/87	52 FR 29865
NPRM Comment Period End	08/27/87	
Final Action	04/00/88	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Dr. R. L. Crawford, Senior Staff Veterinarian, Animal Care Staff, VS, Department of Agriculture, Animal and Plant Health Inspection Service, Room 756, 6505 Belcrest Road, Hyattsville, MD 20782, **301 436-7833**

RIN: 0579-AA18

DEPARTMENT OF AGRICULTURE (USDA)
Cooperative State Research Service (CSRS)

Proposed Rule Stage

62. GUIDELINES FOR BIOTECHNOLOGY RESEARCH IN AGRICULTURAL FIELD PLOTS

Legal Authority: PL 99-198 Food Security Act of 1985

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: The purpose of these guidelines is to specify necessary agricultural practices for the safe field testing of plants, animals, and other organisms involved in agricultural biotechnology research. The National Institutes of Health (NIH) has proposed changes in the Guidelines for Research Involving Recombinant DNA Molecules (52 FR 29800, August 11, 1987). These proposed changes address chiefly biosafety levels for research involving whole plants and animals under various conditions of laboratory containment.

A significant portion of agricultural research is performed in field plots outside a laboratory. Therefore, USDA guidelines for biotechnology research in field plots are necessary to assure the

USDA—CSRS **Proposed Rule Stage**

biosafety of agricultural ecosystems in which genetically engineered organisms may be tested outside the laboratory. Compliance with the USDA biotechnology research guidelines will be obligatory for all entities which receive support from USDA and it will be voluntary for other entities. The guidelines are promulgated under the authority of the National Agricultural Research, Education, and Teaching Policy Act Amendments (CONT)

Timetable:

Action	Date	FR Cite
ANPRM	06/26/86	51 FR 23367
ANPRM Comment Period End	09/26/86	
NPRM	06/00/88	

Small Entity: No

Additional Information: ADDITIONAL ABSTRACT: of 1985 (Public Law 99-198, Section 1404(12) and the USDA Delegation of Authority Pertaining to Biotechnology (50 FR 29367, July 19, 1985, codified at 7 CFR 2.30).

Agency Contact: William S. Smith, Regulatory Coordinator, Department of Agriculture, Cooperative State Research Service, Room 017 Justin Smith Morrill Bldg., Washington, DC 20251-0900, 202 475-4964

RIN: 0524-AA00

DEPARTMENT OF AGRICULTURE (USDA) — Prerule Stage

Farmers Home Administration (FmHA)

63. PLANNING AND PERFORMING CONSTRUCTION AND OTHER DEVELOPMENT

Significance: Agency Priority

Legal Authority: 7 USC 1989; 42 USC 1480; 5 USC 301; 7 CFR 2.23; 7 CFR 2.70

CFR Citation: 7 CFR 1924, Subpart A

Legal Deadline: None.

Abstract: Revision to the Certification requirement for drawings and specifications. No costs associated. Benefits will be reduced costs to obtain certifications.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/88	
Final Action	06/00/88	
Final Action Effective	09/30/88	

Small Entity: Yes

Government Levels Affected: Local, State

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA36

64. SECURITY SERVICING FOR MULTIPLE HOUSING LOANS

Legal Authority: 42 USC 1480

CFR Citation: 07 CFR 1930; 07 CFR 1944; 07 CFR 1965

Legal Deadline: None.

Abstract: This regulation is being revised to provide clarification on the processing differences between membership changes and transfers, to broaden the ability to consolidate and reamortize loans, to clarify actions to be taken during a bankruptcy, and to clarify and discuss the classification of problem loans and their resolution, along with other minor revisions. These revisions are needed so as to provide more complete guidance to field staff and borrowers on the topics discussed above. Potential costs consist of administrative time involved with Agency personnel drafting and completing regulation. No alternatives were identified as being appropriate to address the several problems being corrected with this regulation.

Timetable:

Action	Date	FR Cite
ANPRM	08/30/88	
ANPRM Comment Period End	10/30/88	
Interim Final Rule	00/00/00	
Final Action	00/00/00	

Small Entity: Yes

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA38

65. ANALYZING CREDIT NEEDS AND GRADUATION OF BORROWERS

Significance: Agency Priority

Legal Authority: 42 USC 1472

CFR Citation: 7 CFR 1951-F

Legal Deadline: None.

Abstract: Provide for Contracting for Borrower Graduation by a private contractor and certain other changes.

Timetable:

Action	Date	FR Cite
ANPRM	03/03/88	
ANPRM Comment Period End	05/03/88	
Final Action	07/03/88	
Final Action Effective	08/03/88	

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA40

66. COMPLAINTS AND COMPENSATION FOR CONSTRUCTION DEFECTS

Legal Authority: 42 USC 1479

CFR Citation: 7 CFR 1924 F

Legal Deadline: None.

Abstract: Provide for handling construction defects on manufactured homes.

Timetable:

Action	Date	FR Cite
ANPRM	03/01/88	
ANPRM Comment Period End	05/01/88	
NPRM	08/07/88	
NPRM Comment Period End	10/03/88	
Final Action	03/01/89	

USDA—FmHA

Prerule Stage

Action	Date	FR Cite
Final Action Effective	04/01/89	

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, **202 382-9744**

RIN: 0575-AA41

67. RURAL DEVELOPMENT LOAN FUND RELENDING PROGRAM

Significance: Agency Priority

Legal Authority: 42 USC 9812a; 7 USC 1932 note

CFR Citation: 7 CFR 1948-C

Legal Deadline: Statutory, June 22, 1988.

Abstract: This action is necessary to implement the provisions of Section 407 of the Health and Human Services Act of 1986 which amended Section 1323 of the Food Security Act of 1985 by stating that all funds in, repaid to, or appropriated to the Rural Development Loan Fund shall be used by the Secretary of Agriculture to make loans to entities for the purpose of and subject to the terms and conditions specified in the first, second and last sentences of section 623 (a) of the Community Economic Development Act of 1981 (42 U.S.C. 981 (a)).

Timetable:

Action	Date	FR Cite
ANPRM	04/20/88	00 FR 0000

Small Entity: Undetermined

Government Levels Affected: State, Federal

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, 14th & Independence Avenue, SW, Room 6348 South Building, Washington, DC 20250, **202 382-9744**

RIN: 0575-AA43

68. SUPPLEMENTAL REQUIREMENTS FOR MAKING SECTION 502 RH LOANS FOR MANUFACTURED HOMES

Legal Authority: 42 USC 1480; 7 CFR 2.23; 7 CFR 2.70

CFR Citation: 7 CFR 1944A, Exhibit F

Legal Deadline: None.

Abstract: The Department of Energy report required in PL 98-181 will be considered in determining the need to revise FmHA thermal standards for manufactured housing.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6347, South Building, Washington, DC 20250, **202 382-9744**

RIN: 0575-AA46

DEPARTMENT OF AGRICULTURE (USDA)
Farmers Home Administration (FmHA)

Proposed Rule Stage

69. SUSPENSION AND DEBARMENT REGULATIONS

Legal Authority: 7 USC 1989; 42 USC 1480(k)

CFR Citation: 7 CFR 1924, Subpart E

Legal Deadline: None.

Abstract: This regulatory activity will improve FmHA's suspension and debarment system by establishing regulations that are compatible with other federal agency regulations. (FmHA 82-004)

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	06/00/88	

Small Entity: No

Additional Information: Agency action deferred until we review the USDA draft of the new regulation which could well become FmHA's as OMB would like to see a common regulation for all agencies.

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, **202 382-9744**

RIN: 0575-AA02

70. RECAPTURE OF SECTION 502 RURAL HOUSING SUBSIDY

Significance: Agency Priority

Legal Authority: 42 USC 1480; 5 USC 301; 7 CFR 2.23; 7 CFR 2.70

CFR Citation: 7 CFR 1951

Legal Deadline: None.

Abstract: FmHA proposes to revise regulations regarding the recapture of subsidy granted on Section 502 rural housing loans. This action is necessary as current FmHA regulations pertaining to same are confusing to the general public and our borrowers. The intended effect of this action is to shorten and simplify the method of calculating recapture.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	
NPRM Comment Period End	08/01/88	
Final Action	12/01/88	
Final Action Effective	01/02/89	

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, **202 382-9744**

RIN: 0575-AA29

71. SELF-HELP TECHNICAL ASSISTANCE GRANTS

Legal Authority: 7 USC 1989; 42 USC 1480; 7 CFR 2.23; 7 CFR 2.70

CFR Citation: 7 CFR 1933-I

Legal Deadline: None.

Abstract: Complete revision to improve grantee's accounting responsibilities. No costs associated with action. Benefits reduce possibility of program fraud and

abuse. Increase borrowers labor contribution.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA34

72. SECTION 502 RURAL HOUSING LOAN POLICIES, PROCEDURES, AND AUTHORIZATIONS

Significance: Agency Priority

Legal Authority: 42 USC 1480; 7 CFR 2.23; 7 CFR 2.70

CFR Citation: 7 CFR 1944-A

Legal Deadline: None.

Abstract: Application processing priority system. No costs associated with action. Benefits should be faster processing times and quicker response to requests for assistance.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	08/00/88	
Final Action Effective	09/00/88	

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA35

73. SECTION 504 RURAL HOUSING LOANS AND GRANTS

Legal Authority: 42 USC 1480; 7 CFR 2.23; 7 CFR 2.70

CFR Citation: 7 CFR 1944, Subpart J (Revision)

Legal Deadline: None.

Abstract: Incorporates revisions to Agency's authorizing statutes made by the 1983 Housing amendments. Expands loan purposes, increases the total amount of assistance available. No cost increase. Will benefit more homeowners.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA37

74. MANAGEMENT AND COLLECTION OF NONPROGRAM (NP) LOANS

Significance: Agency Priority

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1951, Subpart J

Legal Deadline: None.

Abstract: A new instruction to provide policy and guidance for FmHA field office personnel to make, manage, collect and liquidate non-program (NP) loans.

Timetable:

Action	Date	FR Cite
ANPRM	01/01/88	
ANPRM Comment Period End	03/01/88	
NPRM	07/01/88	
NPRM Comment Period End	09/01/88	
Final Action	12/01/88	
Final Action Effective	01/02/89	

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA39

75. ● RURAL HOUSING PROGRAM LOANS

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1980, Subpart A; 7 CFR 1980, Subpart D

Legal Deadline: None.

Abstract: Update and revise existing Guaranteed Loan Regulations to incorporate revisions made to existing Rural Housing 502 Insured Loan Regulations and to remove obstacles in loan making for lenders. This action is being done to carry out the objectives of the Housing Act of 1987.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6347 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA48

76. ● MANAGEMENT AND SUPERVISION OF MULTIPLE FAMILY HOUSING BORROWERS AND GRANT RECIPIENTS

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1930, Subpart C; 7 CFR 1944, Subpart E

Legal Deadline: None.

Abstract: General revision to keep the regulations current with policy clarification and incorporate changes to comply with recent legislative changes. Alternatives were to not revise or only incorporate some changes.

Timetable:

Action	Date	FR Cite
NPRM	07/01/88	
NPRM Comment Period End	09/01/88	
Final Action	11/00/88	
Final Action Effective	12/00/88	

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA49

77. ● REAL PROPERTY INSURANCE

Significance: Agency Priority

Legal Authority: 42 USC 1471

CFR Citation: 7 CFR 1806, Subpart A

Legal Deadline: None.

Abstract: Provide for the continuation of insurance for borrowers on escrow.

USDA—FmHA **Proposed Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
NPRM Comment Period End	10/01/88	
Final Action	02/01/89	
Final Action Effective	03/01/89	

Small Entity: Yes

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA53

78. ● SECURITY SERVICING FOR SINGLE FAMILY RURAL HOUSING LOANS

Significance: Agency Priority

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1965, Subpart C

Legal Deadline: None.

Abstract: Provide for the disposition of escrow funds in servicing loan accounts.

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
NPRM Comment Period End	10/01/88	
Final Action	02/01/89	
Final Action Effective	03/01/89	

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA54

79. ● BORROWER SUPERVISION SERVICING AND COLLECTION OF SINGLE FAMILY HOUSING LOAN ACCOUNTS

Significance: Agency Priority

Legal Authority: PL 100-71

CFR Citation: 7 CFR 1951, Subpart G

Legal Deadline: None.

Abstract: Provide for escrowing and the application of payments.

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
NPRM Comment Period End	10/01/88	
Final Action	02/01/89	
Final Action Effective	03/01/89	

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348, South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA55

80. ● CHANGES TO THE FARMERS HOME ADMINISTRATION (FMHA) FARMER PROGRAM LOAN MAKING, SUPERVISION AND SERVICING REGULATIONS TO IMPLEMENT APPLICABLE PROVISIONS OF "THE AGRICULTURAL CREDIT ACT OF 1987"

Significance: Regulatory Program

Legal Authority: PL 100-233, Sec 601

CFR Citation: 7 CFR 1910, Subpart A; 7 CFR 1924, Subpart A; 7 CFR 1924, Subpart B; 7 CFR 1941, Subpart A; 7 CFR 1941, Subpart B; 7 CFR 1943, Subpart A; 7 CFR 1943, Subpart B; 7 CFR 1943, Subpart C; 7 CFR 1945, Subpart A; 7 CFR 1945, Subpart C; 7 CFR 1945, Subpart D; 7 CFR 1946, Subpart A (new); 7 CFR 1951, Subpart A; 7 CFR 1951, Subpart L; 7 CFR 1951, Subpart S (new); ...

Legal Deadline: Statutory, June 3, 1988.

Abstract: To implement the provisions of Public Law 100-233, The Agricultural Credit Act of 1987, to reduce losses to the Secretary, help rural communities and help financially distressed farmers to continue farming.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
NPRM Comment Period End	04/01/88	
Final Action Effective	06/01/88	

Small Entity: Undetermined

Government Levels Affected: Local, State, Federal

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, 14th & Independence Avenue, Washington, DC 20250, 202 382-9744

RIN: 0575-AA56

DEPARTMENT OF AGRICULTURE (USDA)

Farmers Home Administration (FmHA) **Final Rule Stage**

81. CHANGES TO THE FMHA FARMER PROGRAM LOAN MAKING, SUPERVISION AND SERVICING REGULATIONS TO IMPLEMENT THE APPLICABLE PROVISIONS OF THE "FOOD SECURITY ACT OF 1985"

Legal Authority: 7 USC 1989

CFR Citation: 7 CFR 1900; 7 CFR 1910; 7 CFR 1924; 7 CFR 1941; 7 CFR 1943; 7 CFR 1945; 7 CFR 1955; 7 CFR 1980

Legal Deadline: Statutory, March 31, 1986. For Interim Final Rule published 4/21/86.

Abstract: Most of the provisions of the Food Security Act of 1985 are mandated by the Act. The major effects will be to insure that the agency provides prompt service to applicants and borrowers, reduce the need and size of the emergency loan program, provide for additional ways that borrowers may continue farming, provide a home during the transition from farming to other employment, preserve the family farm, protect the national food supply, and provide for conservation of less productive land. [FmHA 86-001]

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/18/86	51 FR 9174
Interim Final Rule	04/21/86	51 FR 13437
Final Action	09/00/88	

USDA—FmHA **Final Rule Stage**

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-S, Washington, DC 20250, **202 382-9744**

RIN: 0575-AA23

82. RURAL RENTAL HOUSING POLICIES, PROCEDURES AND AUTHORIZATIONS

Legal Authority: 42 USC 1480(j)

CFR Citation: 7 CFR 1944

Legal Deadline: None.

Abstract: The objectives are to address the following: (1) A congressional concern that the Agency is to provide prompt services for processing applications and loan management. Prompt services can be provided by utilizing the commercial services of technicians and specialists outside of the Agency, with the Agency providing oversight and monitoring. (2) An Agency need to reduce the impact of technical services on the District and State staff resources. The State Director has been given the authority to use qualified contractors from outside the Agency under the requirements and limitations of a service contract and FmHA Regulations. To use contractors an established contract monitoring system must be established in the State. (FmHA 86-012)

Timetable:

Action	Date	FR Cite
NPRM	06/04/87	52 FR 21069
NPRM Comment Period End	08/03/87	52 FR 21069
Final Action	04/00/88	

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348-South Bldg., Washington, DC 20250, **202 382-9744**

RIN: 0575-AA28

83. BORROWER SUPERVISION SERVICING AND COLLECTION OF SINGLE FAMILY HOUSING LOAN ACCOUNTS

Legal Authority: PL 100-71

CFR Citation: 7 CFR 1951-G

Legal Deadline: None.

Abstract: Provide for change in definition of delinquent account and certain other changes.

Timetable:

Action	Date	FR Cite
ANPRM	01/01/88	
ANPRM Comment Period End	03/01/88	
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: Undetermined

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, **202 382-9744**

RIN: 0575-AA42

84. DEBT SETTLEMENT - COMMUNITY AND BUSINESS PROGRAMS

Significance: Agency Priority

Legal Authority: PL 99-198

CFR Citation: 7 CFR 1956-C, (New)

Legal Deadline: None.

Abstract: Debt settlement of Community and Business Programs is governed by the Consolidated Farm and Rural Development Act (CONACT) (7 USC (1921-1996)). The major reason for removing debt settlement actions appropriate to Community and Business Programs from the present regulation (FmHA Instruction 456.1) to a new regulation (FmHA Instruction 1956-C) is to comply with section 1309 of the Food Security Act of 1985 (Pub. L. 99-198). Public Law 99-198 provides the Secretary with greater flexibility in administering the debt settlement claims for Community and Business Programs, including compromise, adjustment, cancellation, and chargeoff actions. The changes will result in more efficient service to the public, while continuing protection of the Government's interest.

Timetable:

Action	Date	FR Cite
NPRM	11/20/87	52 FR 44600
NPRM Comment Period End	12/21/87	52 FR 44600
Final Action	05/01/88	

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, **202 382-9744**

RIN: 0575-AA44

85. ● MANAGEMENT AND SUPERVISION OF MULTIPLE FAMILY HOUSING BORROWERS AND GRANT RECIPIENTS

Significance: Agency Priority

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1930, Subpart C

Legal Deadline: None.

Abstract: Revision, responding to provision of the Housing and Community Development Act of 1987, allows tenant selection to correspond to tax credit eligibility criteria for affected multiple family housing borrowers. Since this revision as mandated by legislation, alternatives were limited.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/05/88	

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, **202 382-9744**

RIN: 0575-AA50

86. ● SECURITY SERVICING FOR MULTIPLE HOUSING LOANS

Significance: Agency Priority

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1965, Subpart B

Legal Deadline: Statutory, April 5, 1988.

Abstract: This revision implements Subtitle C, "Rural Rental Housing Displacement Prevention," of the Housing and Community Development Act of 1987. Since this revision is mandated by legislation, alternatives were limited.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/05/88	

Small Entity: No

USDA—FmHA **Final Rule Stage**

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA51

87. ● PREDETERMINED AMORTIZATION SCHEDULE SYSTEM (PASS) ACCOUNT SERVICING

Legal Authority: 42 USC 1480

CFR Citation: 7 CFR 1951, Subpart K; 7 CFR 1951, Subpart A; 7 CFR 1930, Subpart C; 7 CFR 1944, Subpart E

Legal Deadline: None.

Abstract: Revision reincorporates automated billing provisions removed from an April 18, 1984, prior rule pending the development of computer capacity and combines multiple family housing account servicing under one regulation. Alternative is to remain under current burdensome process.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/01/88	
Final Action	11/01/88	

Small Entity: No

Agency Contact: Chris Goettelmann, Regulatory Coordinator, Department of Agriculture, Farmers Home Administration, Room 6348 South Building, Washington, DC 20250, 202 382-9744

RIN: 0575-AA52

DEPARTMENT OF AGRICULTURE (USDA)
Farmers Home Administration (FmHA)

Completed Actions

88. RESTRICTING INSURED AND GUARANTEED FARM OWNERSHIP AND OPERATING LOANS WHEN SURPLUS ITEMS EXIST

Significance: Regulatory Program

CFR Citation: 7 CFR 1941; 7 CFR 1943; 7 CFR 1980

Completed:

Reason	Date	FR Cite
Withdrawn Obsoleted by Agriculture Credit Act of 1987	04/01/88	

Small Entity: No

Agency Contact: Chris Goettelmann 202 382-9744

RIN: 0575-AA12

89. FMHA GUARANTEES OF COMMERCIAL LENDER'S FARM OWNERSHIP (FO) AND OPERATING LOANS (OL) WITH ACCOMPANYING LENDER PRINCIPAL WRITE DOWN AND/OR INTEREST RATE REDUCTION

CFR Citation: 7 CFR 1980

Completed:

Reason	Date	FR Cite
Withdrawn Obsoleted policy	04/00/88	

Small Entity: No

Agency Contact: Chris Goettelmann 202 382-9744

RIN: 0575-AA22

90. SECTION 502 RURAL HOUSING LOAN POLICIES, PROCEDURES, AND AUTHORIZATIONS

CFR Citation: 7 CFR 1944; 7 CFR 1922; 7 CFR 1951

Completed:

Reason	Date	FR Cite
Final Action	01/26/88	53 FR 2150
Final Action Effective	02/25/88	53 FR 2150

Small Entity: No

Agency Contact: Chris Goettelmann 202 382-9744

RIN: 0575-AA24

91. GENERAL REVISION OF FARMER PROGRAM REGULATIONS

CFR Citation: 7 CFR 1910; 7 CFR 1924; 7 CFR 1941; 7 CFR 1943; 7 CFR 1945; 7 CFR 1951; 7 CFR 1965; 7 CFR 1980

Completed:

Reason	Date	FR Cite
Withdrawn Due to adverse comments received on Proposed Rule	04/01/88	

Small Entity: No

Agency Contact: Chris Goettelmann 202 382-9744

RIN: 0575-AA27

92. DISTRESSED FORMER CONTINUATION AMENDMENTS TO FMHA FARMER PROGRAM LOAN MAKING, SUPERVISION AND SERVICING REGULATIONS

CFR Citation: 7 CFR 1924; 7 CFR 1941; 7 CFR 1962; 7 CFR 1965

Completed:

Reason	Date	FR Cite
Final Action	03/16/88	53 FR 8738

Small Entity: No

Agency Contact: Chris Goettelmann 202 382-9744

RIN: 0575-AA45

DEPARTMENT OF AGRICULTURE (USDA)
Food and Nutrition Service (FNS)

Proposed Rule Stage

93. WAIVER SIMPLIFICATION: FOOD STAMP PROGRAM

Legal Authority: 7 USC 2014(b)

CFR Citation: 7 CFR 273; 7 CFR 273.21

Legal Deadline: None.

Abstract: This rule modifies Food Stamp regulations to reflect concerns raised about the effect of the numerous waiver requests by State agencies. In particular, Monthly Reporting and Retrospective Budgeting is reviewed to eliminate numerous waivers through incorporation of different or broader principles. (FNS 85-001)

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	
Final Action	03/31/89	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA02

DEPARTMENT OF AGRICULTURE (USDA)
Food and Nutrition Service (FNS)

Final Rule Stage

94. ISSUANCE LOSS LIABILITY: FOOD STAMP PROGRAM

Legal Authority: 7 USC 2016; 7 USC 2020(e)(20)

CFR Citation: 7 CFR 274; 7 CFR 276

Legal Deadline: None.

Abstract: These rules govern the issuance of food stamps to Food Stamp Program participants. They also establish the system for accounting for the food stamps and establish liabilities for losses during the issuance process. (FNS 84-002)

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/29/82	47 FR 49010
NPRM	04/09/86	51 FR 12268
Final Action	06/30/88	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA05

95. FOOD DISTRIBUTION PROGRAM - PART 250

Significance: Agency Priority

Legal Authority: 7 USC 612c; 15 USC 713c; 42 USC 1755; 42 USC 1758; 7 USC 1431; 22 USC 1922; 7 USC 1859; 7 USC 1431b; 7 USC 1431 Note; 7 USC 1446a-1; 42 USC 1761; 42 USC 5179; 42 USC 5180; 42 USC 1762a; 42 USC 1766; ...

CFR Citation: 7 CFR 250

Legal Deadline: None.

Abstract: The rule reorganizes existing regulatory provisions for clarity and ease of reference. This rule outlines the responsibilities of the Food and Nutrition Service and State agencies concerning the distribution of USDA-donated foods acquired under various legislative authorities. The rule prescribes the terms and conditions under which donated foods may be obtained through distributing agencies for use in schools, child care institutions, nonprofit summer camps for children, charitable institutions, nutrition programs for the elderly, and otherwise in the assistance of needy persons. A number of provisions to strengthen and improve the State Processing Program were separated and published in a final rule July 1, 1986. (51 FR 23719) (FNS 84-513)

Timetable:

Action	Date	FR Cite
NPRM	08/19/85	50 FR 33470
Interim Final Rule	06/30/88	
Final Action	03/31/89	

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: 7 USC 612c Note; 42 USC 3030a; 42 USC 1760; 5 USC 301; 7 USC 1431e; 42 USC 1779

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA07

96. FOOD DISTRIBUTION PROGRAM ON INDIAN RESERVATIONS

Significance: Agency Priority

Legal Authority: 7 USC 2013(b)

CFR Citation: 7 CFR 253

Legal Deadline: None.

Abstract: The rule reorganizes existing regulatory provisions for clarity and ease of reference. This rule describes the terms and conditions under which (1) USDA-donated foods (available under 7 CFR 250) may be distributed to households on or near Indian reservations; (2) the program may be administered by capable Indian tribal organizations; and (3) funds may be obtained from USDA for the costs incurred in administering the program. The rule also provides for the concurrent operation of the Food Distribution Program and the Food Stamp Program on Indian reservations when such concurrent operation is requested by an Indian tribal organization. (FNS 84-514)

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	
Final Action	05/30/88	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA09

97. EMERGENCY FOOD ASSISTANCE FOR VICTIMS OF DISASTERS

Legal Authority: 7 USC 2013(b); 7 USC 2014(h)

CFR Citation: 7 CFR 273; 7 CFR 280

Legal Deadline: None.

Abstract: This rule would define special eligibility and issuance

USDA—FNS

Final Rule Stage

procedures during declared disasters. (84-001)

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/30/88	
Final Action	03/30/89	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA24

98. CONFORMANCE WITH AID TO FAMILIES WITH DEPENDENT CHILDREN (AFDC) RULES: FOOD STAMP PROGRAM

Significance: Regulatory Program

Legal Authority: 7 USC 2014(f)

CFR Citation: 7 CFR 273

Legal Deadline: None.

Abstract: This rule reviews Food Stamp and Aid to Families with Dependent Children regulations for inconsistencies and proposes conformance by altering either or both program's rules. (FNS 85-002)

Timetable:

Action	Date	FR Cite
ANPRM	02/19/85	50 FR 6970
NPRM	09/29/87	52 FR 36546
NPRM Comment Period End	11/30/87	
Final Action	11/30/88	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA52

99. SIMPLIFIED APPLICATION AND STANDARDIZED BENEFITS: FOOD STAMP PROGRAM

Legal Authority: PL 99-198; 7 USC 2011 to 2027; 91 Stat 958

CFR Citation: 7 CFR 282.19

Legal Deadline: None.

Abstract: This rule addresses the simplified application and standardized benefit provisions contained in the Food Security Act of 1985. These provisions should result in reductions in administrative costs and depending on the benefit standardization procedures used, significant reductions in error rates. (FNS 86-010)

Timetable:

Action	Date	FR Cite
NPRM	04/23/87	52 FR 13450
Final Action	05/31/88	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA62

100. ADMINISTRATION/MANAGEMENT: FOOD STAMP PROGRAM

Legal Authority: PL 99-198, Secs 1524, 1530, 1526, 1535, 1539

CFR Citation: 7 CFR 272.4; 7 CFR 272.3; 7 CFR 273.18; 7 CFR 275.15

Legal Deadline: Statutory, April 1, 1987.

Abstract: This regulation implements the following five provisions of the Food Security Act of 1985: (1) sets standards for the periodic review of food stamp offices' hours of operation; (2) requires State agencies to encourage participation in the Expanded Food and Nutrition Education Program (EFNEP); (3) requires project areas with 5,000 or more households to establish units to detect fraud; (4) allows State agencies to enter into agreements with State agencies administering Unemployment Compensation laws so that food stamp State agencies can collect outstanding claims by withholding unemployment benefits and/or other methods of collecting claims when recoupment is not an available method; (5) requires the Department to require State agencies to change the certification procedures used in project areas where it is determined that payment error rates are impairing the integrity of the program. (FNS 86-011)

Timetable:

Action	Date	FR Cite
NPRM	03/09/87	52 FR 7158
Final Action	04/30/88	

Small Entity: No

Agency Contact: Irene Lankford, Department of Agriculture, Food and Nutrition Service, Room 1107, Park Office Center, 3101 Park Center Dr., Alexandria, VA 22302, **703 756-3064**

RIN: 0584-AA63

DEPARTMENT OF AGRICULTURE (USDA)
Food and Nutrition Service (FNS)

Completed Actions

101. QUALITY CONTROL ARBITRATION PROCEDURES: FOOD STAMP PROGRAM

CFR Citation: 7 CFR 276.7

Completed:

Reason	Date	FR Cite
Final Action	01/21/88	53 FR 1603

Small Entity: No

Agency Contact: Irene Lankford 703 756-3064

RIN: 0584-AA46

102. SPECIAL SUPPLEMENTAL FOOD PROGRAM FOR WOMEN, INFANTS AND CHILDREN: ADMINISTRATIVE FUNDING FORMULA

Significance: Agency Priority.

CFR Citation: 7 CFR 246.16(c)

Completed:

Reason	Date	FR Cite
Final Action	01/27/88	53 FR 2213

Small Entity: No

Agency Contact: Irene Lankford 703 756-3065

RIN: 0584-AA70

DEPARTMENT OF AGRICULTURE (USDA)
Food Safety and Inspection Service (FSIS)

Prerule Stage

103. ADMINISTRATIVE REGULATIONS

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq; 44 USC 3501 et seq; 5 USC 601 et seq; 7 CFR 1; EO 12291

CFR Citation: 9 CFR 304; 9 CFR 305; 9 CFR 306; 9 CFR 307; 9 CFR 329; 9 CFR 331; 9 CFR 335; 9 CFR 381

Legal Deadline: None.

Abstract: The Agency will review administrative requirements for applying for, granting, refusing, inaugurating, and withdrawing inspection; detaining, seizing, and condemning meat and poultry products; assigning program employees; designating States and territories and providing reimbursable services; scheduling of operations, and for overtime and holiday services.

Would also determine adequacy of current regulations as they relate to petitioning the Agency for regulatory change and informing interested persons of Agency procedures for appeal in the event of adverse determinations. (FSIS 83-009)

Timetable:

Action	Date	FR Cite
Begin Review	01/00/86	
End Review	12/31/88	

Small Entity: No

Agency Contact: G. E. McEvoy, Director, Planning Office, Department of Agriculture, Food Safety and Inspection Service, Room 105, Annex Bldg., Washington, DC 20250, 202 447-3317

RIN: 0583-AA02

104. TRANSPORTATION

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq; 5 USC 601 et seq; EO 12291

CFR Citation: 9 CFR 325; 9 CFR 381, Subpart S

Legal Deadline: None.

Abstract: The Agency will review Parts 325 and 381 Subpart S, of Title 9 of the Code of Federal Regulations relating to requirements on the movement of product between inspected facilities to determine if they reflect current Agency practice and whether they impose unnecessary burdens on industry. (FSIS 85-003)

Timetable:

Action	Date	FR Cite
Begin Review	12/01/86	
End Review	06/30/88	

Small Entity: No

Agency Contact: G. E. McEvoy, Director, Planning Office, Department of Agriculture, Food Safety and Inspection Service, Room 105, Annex Bldg., Washington, DC 20250, 202 447-3317

RIN: 0583-AA19

105. ELIGIBILITY OF FOREIGN COUNTRIES FOR IMPORTATION OF PRODUCTS INTO THE UNITED STATES

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 327; 9 CFR 381

Legal Deadline: None.

Abstract: FSIS will review the import eligibility provisions of regulations promulgated under the Federal Meat Inspection Act and Poultry Products Inspection Act.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/87	
End Review	10/31/88	

Small Entity: No

Agency Contact: G. E. McEvoy, Director, Planning Office, PP, Department of Agriculture, Food Safety and Inspection Service, Room 105-Annex Bldg., Washington, DC 20250, 202 447-3317

RIN: 0583-AA55

DEPARTMENT OF AGRICULTURE (USDA)
Food Safety and Inspection Service (FSIS)

Proposed Rule Stage

106. SWINE IDENTIFICATION AT OFFICIAL SLAUGHTERING ESTABLISHMENTS

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 309; 9 CFR 310; 9 CFR 320

Legal Deadline: None.

Abstract: FSIS, possibly in conjunction with APHIS and/or other agencies, is proposing a swine identification program to provide a means for USDA and other public agencies to determine the origin of trichinae-infected or otherwise diseased swine, and of pork found to be contaminated with harmful chemical residues, and thereby permit the causes of such conditions to be found and recurrences to be prevented to the benefit of all concerned. (FSIS 86-004)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Douglas Berndt, Director, Slaughter Inspection Standards & Procedures, Department of Agriculture, Food Safety and Inspection Service, Room 4444-South Bldg., Washington, DC 20250, 202 447-3219

RIN: 0583-AA25

107. VARIOUS AMENDMENTS TO ACCOMMODATE INSPECTION OF MEAT FOOD PRODUCTS UNDER TITLE IV OF THE FUTURES TRADING ACT OF 1986

Significance: Regulatory Program

Legal Authority: PL 99-641, Title IV

CFR Citation: 9 CFR 301 to 335

Legal Deadline: None.

Abstract: In November, 1986, PL 99-641 amended the Federal Meat Inspection Act to permit the Department to vary the manner and frequency by which it conducts inspection in establishments producing meat food products. All existing inspection regulations are based upon and reflect the previous statutory requirement that Federal inspectors be continuously present in

such establishments. FSIS must develop new inspection procedures to allocate inspection resources among such establishments based on a variety of factors, including (1) the nature and frequency of the processing operations, (2) the adequacy and reliability of the processing control and sanitary procedures, and (3) the establishment's history of compliance with inspection requirements. The meat inspection procedures will touch upon virtually all existing meat regulations concerning inspection of meat food products. Details of these new procedures and the specific proposed regulatory amendments will be developed upon the conduct in 1987 of a pilot program to test alternative procedures in selected plants.

Timetable:

Action	Date	FR Cite
NPRM	01/30/88	
NPRM Comment Period End	05/30/88	
Final Action	07/30/88	

Small Entity: Undetermined

Agency Contact: Judith Segal, Director, Policy and Planning Staff, Department of Agriculture, Food Safety and Inspection Service, 14th & Independence Ave., SW, Room 327-E, Administration Building, Washington, DC 20250, **202 447-6525**

RIN: 0583-AA26

108. REQUIREMENTS FOR PARTIALLY DEFATTED PRODUCTS

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318; 9 CFR 319

Legal Deadline: None.

Abstract: Would establish a standard of identity and composition, and would provide temperature and handling requirements for partially defatted meat products. Would also allow for use of these products in a greater number of meat food products at higher use levels.

Current regulation is not adequate to assure accurate labeling or to prevent commercial misrepresentation of such products.

Timetable:

Action	Date	FR Cite
ANPRM	08/23/85	50 FR 34157
ANPRM Comment Period End	01/21/86	
NPRM	04/01/88	
NPRM Comment Period End	06/01/88	
Final Action	07/15/88	
Final Action Effective	08/15/88	

Small Entity: Undetermined

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Room 311-Cotton Annex, Washington, DC 20250, **202 447-6042**

RIN: 0583-AA27

109. CONTROL OF SALMONELLA AND OTHER ENTERIC BACTERIA IN MEAT AND POULTRY PROCESSING

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 318; 9 CFR 381

Legal Deadline: None.

Abstract: Would permit an official meat or poultry establishment that has voluntarily developed effective microbiological controls for fresh packaged meat or poultry products to submit plans and records of such control systems to FSIS for approval. If the Administrator determines a control system to be adequate for the purpose of minimizing naturally occurring microbiological contaminations, he will approve the system, and the establishment will be permitted to use special labeling that acknowledges the use of an approved control system.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: W. H. Dubbert, Assistant Deputy Administrator, Science Program, FSIS, Department of Agriculture, Food Safety and Inspection Service, Room 401- Cotton Annex, Washington, DC 20250, **202 447-2326**

RIN: 0583-AA28

110. VERIFIED PRODUCTION CONTROL PROGRAM

Significance: Regulatory Program

Legal Authority: 21 USC 451 et seq; 21 USC 601 et seq

CFR Citation: 9 CFR 317; 9 CFR 323; 9 CFR 381

Legal Deadline: None.

Abstract: Would create a voluntary program available to all establishments which would permit label claims concerning how an animal was raised to appear on meat and poultry products subject to USDA's ability to verify such claims.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Dr. W. R. Miller, Director, Residue Evaluation and Planning Division, Science Division, Department of Agriculture, Food Safety and Inspection Service, Room 603-Cotton Annex, Washington, DC 20250, **202 447-2326**

RIN: 0583-AA29

111. SULFONAMIDES IN SWINE

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 309; 9 CFR 310

Legal Deadline: None.

Abstract: Would establish an in-plant testing program to monitor violative levels of sulfonamide residues in swine. Such program would be designed to encourage producers to market and packers to purchase only healthy animals that will produce safe and wholesome meat.

Timetable:

Action	Date	FR Cite
ANPRM	05/20/85	50 FR 20796
ANPRM Comment Period End	08/30/85	
NPRM	09/01/88	
NPRM Comment Period End	11/01/88	
Final Action	04/01/89	
Final Action Effective	05/01/89	

Small Entity: Undetermined

USDA—FSIS **Proposed Rule Stage**

Agency Contact: W. R. Miller, Director, Residue Evaluation and Planning Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250, 202 447-2807

RIN: 0583-AA31

112. USE AND LABELING OF BLOOD COMPONENTS AS INGREDIENTS IN MEAT FOOD PRODUCTS

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318; 9 CFR 317

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations to provide regulatory authority for the use of blood components in meat food products and to define labeling requirements for products containing blood components. At the present time, the regulations only address the use of whole blood in meat food products and labeling for products containing whole blood. The proposed rule would amend these sections and establish uniform standards for both whole blood and blood components.

Timetable:

Action	Date	FR Cite
NPRM	03/31/88	
NPRM Comment Period End	06/01/88	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, 202 447-4293

RIN: 0583-AA42

113. USE OF LACTIC ACID AND ACETIC ACID AS ANTI-MICROBIAL AGENTS ON MEAT AND POULTRY CARCASSES

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 318; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would amend Federal meat and poultry products inspection regulations by allowing lactic acid and acetic acid to be applied to meat and poultry carcasses for the purpose of reducing microbial contamination.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, 202 447-4293

RIN: 0583-AA43

114. GLUCONO DELTA LACTONE AS AN ACIDIFIER IN MEAT AND POULTRY PRODUCTS

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 318; 9 CFR 381

Legal Deadline: None.

Abstract: This final rule will respond to a petition submitted by Finnsugar Biochemicals, Inc., for approval for the use of glucono-delta-lactone (GDL) as the "acidulant" in a process for manufacturing "restructured meat products." The petitioner wants to use GDL as the acidifier in a USDA-approved binder matrix for restructured meat products which currently employs sodium alginate, calcium carbonate, encapsulated lactic acid, and calcium lactate. GDL would replace lactic acid as the acidifier for this use.

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, 202 447-4293

RIN: 0583-AA46

115. REQUIREMENTS FOR FOREIGN COUNTRY IMPORT CERTIFICATION AND LIVE ANIMAL IMPORTATION

Legal Authority: PL 99-198

CFR Citation: 9 CFR 327; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would respond to amendments made to the Federal Meat Inspection Act by the Food Security Act of 1985. The amendments require that FSIS periodically certify residue control programs submitted by foreign countries desiring to export meat products to the United States. The amendments also provide the Secretary with the authority to issue an order prohibiting the importation of livestock for immediate slaughter that have been administered a drug or antibiotic banned for use in the United States.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	
NPRM Comment Period End	08/01/88	
Final Action	02/01/89	
Final Action Effective	03/01/89	

Small Entity: No

Agency Contact: William Havlik, Assistant Deputy Administrator, International Programs, Department of Agriculture, Food Safety and Inspection Service, Room - 341 E, Administration Bldg., 14th & Independence Ave., SW, Washington, DC 20250, 202 447-2644

RIN: 0583-AA47

116. TRICHINA CONTROL REQUIREMENTS FOR DRY-CURED HAM

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations by incorporating the dry-cured ham research study findings. This study evaluated the efficiency of present procedures in the commercial production of dry-cured hams and determined the combinations of curing time, temperature, salt concentration, and water activity necessary to inactivate t. spiralis.

Timetable:

Action	Date	FR Cite
NPRM	01/30/88	
NPRM Comment Period End	04/30/88	
Final Action	12/15/88	

Small Entity: No

Agency Contact: Bill F. Dennis, Director, Processed Products Inspection Division, MPITS, Department of Agriculture, Food Safety and Inspection

Service, Rm 2158-South Bldg., Washington, DC 20250, **202 447-3840**

RIN: 0583-AA49

117. MOVEMENT OF IMPORTED PRODUCT PRIOR TO REINSPECTION

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 327; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would prohibit any transportation of imported meat and poultry products from the port of first arrival until reinspected by FSIS. Responds to 1987 Office of Inspector General (OIG) report that noted physical and administrative control problems over product shipped to other locations after entering the United States before it had received reinspection. Based on the above, OIG recommended that FSIS take action to require that all imported products be reinspected at the port of first arrival rather than at its final destination.

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	
NPRM Comment Period End	07/01/88	
Final Action	01/01/89	
Final Action Effective	02/01/89	

Small Entity: Undetermined

Agency Contact: Mark Manis, Director, Import Inspection Division, International Programs, FSIS, Department of Agriculture, Food Safety and Inspection Service, Rm. 4332-South Bldg., 14th & Independence Ave., SW, Washington, DC 20250, **202 447-2952**

RIN: 0583-AA53

118. USE AND PROTECTION OF APPROVED WATER SYSTEMS

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq; 42 USC 3007 et seq

CFR Citation: 9 CFR 308; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would prescribe acceptable conditions for the reuse of water in official establishments. This rule would outline methods protecting the potable water supply and describe conditions of use of fresh water. In addition, the rule would also consolidate and make uniform pre-existing policies for the use and reuse of water and brine.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	
NPRM Comment Period End	08/01/88	
Final Action	02/01/89	
Final Action Effective	03/01/89	

Small Entity: No

Agency Contact: Karen Wesson, Director, Facilities, Equipment, and Sanitation Div., Department of Agriculture, Food Safety and Inspection Service, Room 1140 South Bldg., Washington, DC 20250, **202 447-3885**

RIN: 0583-AA54

119. ● SULFONAMIDE AND ANTIBIOTIC RESIDUES IN YOUNG VEAL CALVES; CERTIFICATION REQUIREMENTS

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 309; 9 CFR 310

Legal Deadline: None.

Abstract: This proposed rule would be amended to require specific certification language, advise certifying parties of the consequences of false statements, and include custodians as well as producers as parties to certification. These changes will improve the effectiveness of the voluntary certifications by providing uniformity to certifications and warnings about false statements. Because of increasing high levels of antibiotic and sulfonamide residues found in young veal calves, the Food Safety and Inspection Service in 1984 initiated intensified inplant testing procedures to prevent adulterated meat from entering consumer channels. These procedures provide for a voluntary written certification program that allows for less intense testing of calves certified as not having been treated with drugs, or if so, that prescribed label directions were followed. More recently the Office of the Inspector General recommended that the Agency develop a standard form for the certified calf program.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: W. R. Miller, Director, Residue Evaluation and Planning Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250, **202 447-2807**

RIN: 0583-AA58

120. ● REQUIREMENTS FOR FOREIGN COUNTRY CERTIFICATION AND LIVE ANIMAL IMPORTATION

Significance: Agency Priority

Legal Authority: 21 USC 601 et seq; PL 99-198

CFR Citation: 9 CFR 327

Legal Deadline: None.

Abstract: This proposed rule responds to provisions of the 1985 Farm Bill which would amend the Federal meat and poultry products inspection regulations to require an annual certification of foreign country residue control programs by FSIS and would prescribe terms and conditions for the importation of live animals that have been administered a drug banned for use in the U.S.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Patricia Stolfa, Deputy Administrator, International Programs, Department of Agriculture, Food Safety and Inspection Service, 14th & Independence Ave., SW, Washington, DC 20250, **202 447-3473**

RIN: 0583-AA59

121. ● VOLUNTARY INSPECTION OF EXOTIC ANIMALS

Legal Authority: 7 USC 1622; 21 USC 601 et seq

CFR Citation: 9 CFR 350; 9 CFR 352

Legal Deadline: None.

Abstract: This proposed rule would provide for the voluntary inspection of certain exotic animals under Food Safety and Inspection Service's voluntary inspection program and would provide for ante-mortem and post-mortem inspection on a fee-for-service basis of elk, deer, antelope, reindeer and water buffalo in the manner as is presently performed for American bison.

USDA—FSIS **Proposed Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Douglas L. Berndt, Director, Slaughter Inspection Stds. and Proc. Branch, Department of Agriculture, Food Safety and Inspection Service, Room 4444 South Bldg., Washington, DC 20250, **202 447-3219**

RIN: 0583-AA60

122. ● IMPLEMENTATION OF PORK IRRADIATION

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 318; 9 CFR 319; 9 CFR 327; 9 CFR 331; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations by adding new provisions addressing: labeling requirements for irradiated pork and products containing irradiated ingredients; the use of irradiation as an accepted method for the destruction of Trichinella spiralis; and the designation that establishment numbers for official irradiation facilities will bear the prefix "R." The proposed rule also makes several technical amendments necessitated by the primary changes mentioned above.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Room 311 Annex Building, Washington, DC 20250, **202 447-7617**

RIN: 0583-AA61

123. ● CERTAIN PRODUCTS WITH MEAT INGREDIENTS -- EXEMPTIONS FROM DEFINITION OF A "MEAT FOOD PRODUCT"

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 301; 9 CFR 303

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations to exclude specific products and classes of products containing meat, meat byproducts, and/or meat food products from the definition "meat food product" and thereby would exempt these products from Federal inspection. The proposal identifies two broad conditions for exemption: (1) products containing 3 percent or less of raw meat or other portion of any carcass, or less than 2 percent of cooked meat or other portion of any carcass, and (2) products that historically have not been considered by consumers as products of the meat food industry. This proposal would replace current informal standards for exemptions with formal, codified exemptions.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250, **202 447-4293**

RIN: 0583-AA62

124. ● USE OF CERTAIN BINDERS IN MEAT AND POULTRY PRODUCTS AND TRANSFER OF BINDERS IN TEXT TO THE TABLES OF APPROVED SUBSTANCES

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 318; 9 CFR 319; 9 CFR 381

Legal Deadline: None.

Abstract: This rule would permit the use of wheat gluten, tapioca dextrin, whey protein concentrate, and sodium caseinate as binders in various meat and poultry products. This action responds to petitions submitted by several companies requesting that the Food Safety and Inspection Service permit these substances in various meat and poultry products to improve the texture of the products.

Timetable:

Action	Date	FR Cite
ANPRM	03/28/88	
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250, **202 447-4293**

RIN: 0583-AA64

125. ● IMMERSION CURED AND DRY CURED BACON

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This proposed rule would limit nitrate to 120 parts per million (ppm) going into immersion cured bacon bellies and to 200 ppm going into dry cured bacon bellies. The principal effect of this proposed rule would be to reduce the formation of nitrosamines in bacon by prohibiting the use of nitrate in the production of immersion cured and dry cured bacon.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Bill F. Dennis, Director, Processed Products Inspection Division, Department of Agriculture, Food Safety and Inspection Service, Rm. 2158 South Bldg., Washington, DC 20250, **202 447-3840**

RIN: 0583-AA65

126. ● CONTROL OF ADDED SUBSTANCES AND LABELING REQUIREMENTS FOR TURKEY HAM PRODUCTS

Legal Authority: 21 USC 451 et seq

CFR Citation: 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would amend the definition and standard and labeling requirements for turkey ham products. The current provision limits the amount of added water and other substances contained in turkey ham products by requiring the weight of the finished product to be no more than the original weight of the turkey thigh meat used prior to curing. This provision would be replaced by provisions specifying a minimum meat protein content on a fat free basis (PFF) in various turkey ham products. Compliance procedures to assure conformance with the proposed standards would be based on

contemporary statistical science applied to current processing.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Room 311 Annex Building, Washington, DC 20250, **202 447-4293**

RIN: 0583-AA66

127. ● ADDITIONAL TRICHINA DETECTION METHODS

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This proposed rule would amend the regulations to permit use of an approved method for examining swine for evidence of trichinosis. The Food Safety and Inspection Service (FSIS) has been petitioned by a manufacturer of serological tests to amend the Federal meat inspection regulations to approve the use of immunoassays for the examination of swine for evidence of trichinosis infection. FSIS has reviewed the performance of the petitioner's assay in a laboratory where sera prepared by the Agency were tested by a precisely defined procedure and has concluded that immunoassays can effectively detect evidence of trichinosis in swine.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Rm. 2159 South Bldg., Washington, DC 20250, **202 447-4293**

RIN: 0583-AA67

128. ● NET WEIGHT

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would make Federal and State weights and measures procedures and techniques more consistent, objective and equitable. Under the proposed rule, USDA would adopt the National Bureau of Standards Handbooks 133 and 44 as its standards. The proposed amendment would recognize a fixed amount of acceptable moisture loss by product. This will replace the term "reasonable variation." Moreover the amendment will grant concurrent jurisdiction to State and local authorities to enforce net weight labeling of federally inspected meat and poultry products within their geographic area. The amendment will promote uniform treatment of moisture loss and weights and measures standards as well as encourage and enable greater State and local participation.

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
NPRM Comment Period End	10/01/88	

Small Entity: No

Agency Contact: John McCutcheon, Deputy Administrator, Meat & Poultry Inspection Technical Services, Department of Agriculture, Food Safety and Inspection Service, Rm. 350-E, Administration Bldg., Washington, DC 20250, **202 447-3521**

RIN: 0583-AA69

129. ● ADDITIONAL TRICHINA DETECTION METHODS

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This proposed rule would amend the regulations to permit use of an approved method for examining swine for evidence of trichinosis. The Food Safety and Inspection Service (FSIS) has been petitioned by a manufacturer of serological tests to amend the Federal meat inspection regulations to approve the use of immunoassays for the examination of swine for evidence of trichinosis infection. FSIS has reviewed the performance of the petitioner's assay in a laboratory where sera prepared by the Agency were tested by a precisely defined procedure and has concluded that immunoassays can effectively detect evidence of trichinosis in swine.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Rm. 2159 South Bldg., Washington, DC 20250, **202 447-4293**

RIN: 0583-AA70

130. ● LABELING OF MEAT FOOD PRODUCTS THAT CONTAIN MECHANICALLY SEPARATED (SPECIES) UNDER CERTAIN CIRCUMSTANCES

Significance: Agency Priority

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 317

Legal Deadline: None.

Abstract: This proposed rule would add a new exception to the requirement that the list of ingredients on the labels of meat food products shall show the common or usual names of the ingredients. The exception would apply to the use of Mechanically Separated (Species) (MS(S)), at levels no greater than ten percent of the livestock and poultry product portion of a meat food product, providing that the labeling of such product bear a calcium content declaration in accordance with section 317.2(j)(13)(ii) of the Federal meat inspection regulations (9 CFR 317.2(j)(13) (ii)). This action is the result of a petition submitted to the Food Safety and Inspection Service by several members of the meat industry to amend the labeling requirements for meat food products containing MS(S).

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Washington, DC 20250, **202 447-4293**

RIN: 0583-AA71

DEPARTMENT OF AGRICULTURE (USDA)

Food Safety and Inspection Service (FSIS)

Final Rule Stage

131. STANDARD FOR FRANKFURTERS AND SIMILAR COOKED SAUSAGES

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 319

Legal Deadline: None.

Abstract: USDA has been petitioned by the American Meat Institute (AMI) "to promulgate a standard of identity and composition for 'lite' sausage." The current cooked sausage standard includes various processed meat food products, such as frankfurters, hot dogs, weiners, viennas, bolognas, and knockwurst. The AMI petition requests a new standard for lower-fat "lite" sausage that would require not more than 22.5 percent fat and not less than 11.5 percent protein, as compared with 30 percent fat and 10 percent added water maximums in the existing cooked-sausage standard. FSIS proposed rule provides additional flexibility to enable industry to market lower fat products. The rule allows a combination of up to 40 percent added water and fat, with a 30 percent ceiling on fat content. The Agency also seeks comment on the option of deleting entirely the standard for cooked sausages. (FSIS 86-002)

Timetable:

Action	Date	FR Cite
NPRM	11/24/86	51 FR 42239
NPRM Comment Period End	03/23/87	

Next Action Undetermined

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Department of Agriculture, Food Safety and Inspection Service, Standards and Labeling Division, MPITS, Washington, DC 20250, **202 447-6042**

RIN: 0583-AA21

132. DETERMINATION OF ADDED WATER IN COOKED SAUSAGES

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 317; 9 CFR 318

Legal Deadline: None.

Abstract: Would publish protocols for determining compliance of meat food products with current added water standards. Would differentiate in such products protein derived from meat and meat byproducts from protein derived from other sources. Would ensure that similar, competing ingredients for cooked sausages are treated consistently.

Timetable:

Action	Date	FR Cite
NPRM	08/18/87	
NPRM Comment Period End	10/19/87	
Final Action	04/15/88	
Final Action Effective	05/15/88	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Room 311-Cotton Annex, Washington, DC 20250, **202 447-6042**

RIN: 0583-AA30

133. CATTLE POST - MORTEM INSPECTION PROCEDURES AND STAFFING PROCEDURES

Significance: Regulatory Program

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 307; 9 CFR 310

Legal Deadline: None.

Abstract: This proposed rule would improve post-mortem inspection procedures for cattle which will result in maximum inspection efficiency and increased productivity. By modernizing cattle inspection procedures, FSIS would increase its inspection productivity while assuring that only wholesome meat enters domestic commerce.

It is anticipated that the meat industry will experience a net gain if this system of inspection is implemented in spite of the initial costs of facility modifications which may be necessary in some establishments. Savings to the industry as a whole should occur because of increased productivity and reduced overtime.

Timetable:

Action	Date	FR Cite
NPRM	09/30/87	
NPRM Comment Period End	11/30/87	
Final Action	04/01/88	

Small Entity: No

Agency Contact: Douglas Berndt, Director, Slaughter Inspection Standards & Procedures, Department of Agriculture, Food Safety and Inspection Service, Room 4444 South Bldg., Washington, DC 20250, **202 447-3219**

RIN: 0583-AA32

134. DISPOSAL OF LIVESTOCK CARCASSES AND PARTS CONDEMNED FOR BIOLOGICAL RESIDUES

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 309; 9 CFR 310; 9 CFR 314

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations governing methods of handling and disposing of livestock carcasses and parts condemned because they bear or contain biological residues. Current regulations do not require methods of disposal that preclude use of such carcasses or parts in nonhuman food such as animal feed. FSIS believes that such condemned articles must be destroyed by incineration or burial. This would make disposition of livestock carcasses and parts condemned for biological residues consistent with regulations which govern the disposition of poultry carcasses and parts condemned for biological residues.

Timetable:

Action	Date	FR Cite
NPRM	06/08/87	52 FR 21561
NPRM Comment Period End	08/07/87	
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: No

Agency Contact: Douglas L. Berndt, Director, Slaughter Inspection Standards and Procedures, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 4444-South Bldg., Washington, DC 20250, **202 447-3219**

RIN: 0583-AA33

135. BINDER CONSISTING OF SODIUM ALGINATE, CALCIUM CARBONATE, LACTIC ACID, AND CALCIUM LACTATE

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This final rule will permit the use of a binder complex approved for use in restructured meat products to be used in restructured poultry products in which binders are permitted, and will result in superior binding of chopped/ground/sectioned and formed poultry products.

Timetable:

Action	Date	FR Cite
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, **202 447-4293**

RIN: 0583-AA34

136. ELIMINATION OF SEALING REQUIREMENT FOR RENDERED EDIBLE ANIMAL FAT

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 316; 9 CFR 317; 9 CFR 350

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations to allow inspected and passed rendered edible animal fat transported in properly labeled tank cars or trucks to move in commerce without an official seal. Currently, establishments which process and then transport edible animal fat to another establishment must have the means of conveyance sealed with an official seal by a program employee. Establishments receiving the officially sealed product must have the seal broken by a program employee. This action would remove a restrictive sealing requirement that no longer appears to be necessary.

Timetable:

Action	Date	FR Cite
NPRM	12/01/87	52 FR 45639
NPRM Comment Period End	02/01/88	
Final Action	08/01/88	
Final Action Effective	09/01/88	

Small Entity: No

Agency Contact: Bill F. Dennis, Director, Processed Products Inspection Div, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 2158 South Bldg., Washington, DC 20250, **202 447-3840**

RIN: 0583-AA36

137. RANDOM WEIGHT PACKAGES; STATEMENT OF NET WEIGHT DECIMAL PLACES

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 381

Legal Deadline: None.

Abstract: This final rule will allow net weight statements on random weight packages of meat and poultry products to be expressed in terms of three or more decimal places. Currently, these statements are limited to two decimal places. The rule would facilitate the use of modern weighing equipment and permit the statement of net weight on packages to be expressed in accordance with the weighing equipment's capabilities.

Timetable:

Action	Date	FR Cite
NPRM	06/30/87	52 FR 24475
NPRM Comment Period End	08/31/87	
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: No

Agency Contact: Bill F. Dennis, Director, Processed Products Inspection Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 2158-South Bldg., Washington, DC 20250, **202 447-3840**

RIN: 0583-AA37

138. STREAMLINED INSPECTION SYSTEM FOR BROILERS AND CORNISH GAME HENS

Significance: Agency Priority

Legal Authority: 21 USC 451 et seq

CFR Citation: 9 CFR 381

Legal Deadline: None.

Abstract: This final rule will establish a new inspection system for broilers and cornish game hens in response to increased demands on Agency resources. The "streamlined inspection system" allows increased efficiency in the use of FSIS resources and those of the poultry industry while still providing consumers with wholesome, unadulterated products.

Certain changes in plant facilities are required but should result only in minor expenditures. The industry will realize gains through reduced charges for overtime, reduced workspace requirements, and increased productivity.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/29/86	51 FR 3569
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: No

Agency Contact: Douglas L. Berndt, Director, Slaughter Inspection Standards and Procedures, Department of Agriculture, Food Safety and Inspection Service, Room 4444 South Bldg., Washington, DC 20250, **202 447-3219**

RIN: 0583-AA38

139. ASCORBIC ACID, ERYTHORBIC ACID, CITRIC ACID, SODIUM ASCORBIC, AND SODIUM CITRATE IN FRESH PORK CUTS

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 317; 9 CFR 318

Legal Deadline: None.

Abstract: This final rule will permit the use of ascorbic acid, citric acid, erythorbic acid, sodium ascorbate, and sodium citrate, singly or in combination to maintain the color of fresh pork cuts. Fresh pork cuts which have been treated to maintain color by the addition of these substances will be required to be labeled with a qualifying phrase, contiguous to the product name, which indicates that they have been treated to maintain color. Use of these substances will result in maintenance of color for a period of time equivalent to the microbiological shelf life of fresh pork cuts. This will permit extended distribution of pork cuts prepared and packaged in federally inspected establishments. The petitioner has supplied FSIS with sufficient information to satisfy the requirements of 9 CFR 318.7(a)(2) which provide for the issuance of a final rule. However, due to the potential significance of

USDA—FSIS **Final Rule Stage**

color maintenance through the use of added substances, this rule was published as an interim final rule with request for comments so that commercial and public comment can be obtained and considered prior to confirmation of the rule as final.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/22/86	51 FR 30052
ANPRM Comment Period End	12/22/86	
Final Action	06/15/88	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Room 311-Annex Bldg., Washington, DC 20250, **202 447-6042**

RIN: 0583-AA40

140. DETERMINATION OF "ADDED WATER" IN COOKED SAUSAGES

Significance: Agency Priority

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations to define the method by which the Agency determines the quantity of added water in cooked sausages. Added water means any water not directly attributable to the meat, meat byproducts, mechanically separated (species), or poultry ingredients. The Federal meat inspection regulations limit the amount of added water to a maximum of 10 percent of the finished weight in cooked sausages. The amount of added water is determined by laboratory analysis and appropriate calculations. Discrepancies in the calculation of meat protein currently exist primarily due to the non-deduction from the total protein content of protein derived from certain non-meat protein sources. If the amount of protein derived from non-meat sources is not subtracted from the total protein content, it is possible that added water in excess of the 10 percent permitted by regulations would be present in the product. The proposed rule would correct this discrepancy.

Timetable:

Action	Date	FR Cite
NPRM	08/18/87	52 FR 30925
Final Action	08/01/88	
Effective		

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, **202 447-6042**

RIN: 0583-AA41

141. INGREDIENTS THAT MAY BE IDENTIFIED AS FLAVORS OR NATURAL FLAVORS WHEN USED IN MEAT AND POULTRY PRODUCTS

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat and poultry products inspection regulations to better define which substances should be permitted to be labeled as "flavors," "natural flavors," or "spices" on packages of meat and poultry products. The proposed rule addresses the use of substances which are often added to products for the purpose of serving as flavor enhancers, emulsifiers, stabilizers, binders, extenders, and as nutrients. Most of the substances that would be affected by the proposed rule are proteinaceous materials, having nutritional value, and which may be considered foods, in their own right. The proposed rule would require that these substances be identified by their common or usual names, thereby informing consumers of the origin of these materials including the species and specific animal tissues from which they are derived, if animal in origin. The proposed rule is designed in part to address the personal, cultural, and religious concerns of consumers, as well as the allergies or sensitivities some consumers may have to some of the substances.

Timetable:

Action	Date	FR Cite
NPRM	08/18/87	52 FR 30922
Final Action	07/01/88	
Final Action Effective	08/01/88	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, **202 447-6042**

RIN: 0583-AA44

142. SAFETY AND SANITATION REQUIREMENTS FOR ELECTRICAL STIMULATING EQUIPMENT

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 307; 9 CFR 308

Legal Deadline: None.

Abstract: This final rule will amend the Federal meat inspection regulations to specify safety and sanitation requirements for electrical stimulating (EST) equipment. Federally inspected establishments may use EST equipment to accelerate rigor mortis in slaughtered meat animals (cattle, sheep, swine, goats, horses, mules, or other equines). The safety requirements would protect inspection personnel working near that equipment from the hazard of potentially lethal electric shock or other injury. The sanitation requirements would prevent adulteration of the carcasses.

Timetable:

Action	Date	FR Cite
NPRM	04/16/87	52 FR 12422
NPRM Comment Period End	06/12/87	
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: No

Agency Contact: Karen Wesson, Director, Sanitation Division, Department of Agriculture, Food Safety and Inspection Service, Rm 1140-South Bldg., Washington, DC 20250, **202 447-3885**

RIN: 0583-AA45

143. USE OF AIR FOR CARCASS HIDE REMOVAL

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 310

Legal Deadline: None.

Abstract: This proposed rule would amend the Federal meat inspection regulations to allow the use of air to facilitate hide removal. Any

establishment interested in using air for such purpose would be required to submit proposed procedures to FSIS for approval prior to its use.

Timetable:

Action	Date	FR Cite
NPRM	11/01/87	
NPRM Comment Period End	01/01/88	
Final Action	03/01/88	
Final Action Effective	04/01/88	

Small Entity: No

Agency Contact: Douglas L. Berndt, Director, Slaughter Inspection Standards, and Procedures, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 4444-South Bldg., Washington, DC 20250, **202 447-3219**

RIN: 0583-AA48

144. ANTIOXIDANTS IN FABRICATED STEAKS

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 318

Legal Deadline: None.

Abstract: This final rule will allow for the use of certain approved antioxidants in fabricated steaks for the purpose of retarding rancidity. Thus, cooked and raw fabricated steaks will be added to the list of meat products in which butylated hydroxyanisole (BHA), butylated hydroxytoluene (BHT), propyl gallate and tertiary butylhydroquinone (TBHQ) may be used.

Timetable:

Action	Date	FR Cite
Final Action	03/01/88	
Final Action Effective	04/01/88	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, MPITS, Department of Agriculture, Food Safety and Inspection Service, Rm 311-Annex Bldg., Washington, DC 20250, **202 447-4293**

RIN: 0583-AA50

145. NOTICE OF PROCEEDINGS

Significance: Agency Priority

Legal Authority: PL 99-641, Sec 403 (c) (2)

CFR Citation: 9 CFR 335

Legal Deadline: None.

Abstract: This final rule will respond to change made in FMIA by Processed Products Improvement Act of 1986 which provides for prior notice and an opportunity to present views before a violation of FMIA is reported for criminal prosecution, except in cases where excepted by regulation. This rulemaking establishes exceptions to notice and opportunity to present views.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/27/87	52 FR 13827
Final Action	06/01/88	

Small Entity: No

Agency Contact: Robert W. Gonter, Assistant Deputy Administrator, Compliance Program MPIO, FSIS, Department of Agriculture, Food Safety and Inspection Service, Room 2933 - South Bldg., 14th & Independence Ave., SW, Washington, DC 20250, **202 447-7745**

RIN: 0583-AA51

146. REQUIREMENTS FOR IMPORTED POULTRY PRODUCTS

Significance: Agency Priority

Legal Authority: PL 99-198

CFR Citation: 9 CFR 381

Legal Deadline: None.

Abstract: This proposed rule would respond to an amendment made to the Poultry Products Inspection Act by Food Security Act of 1985. Amendment requires that all poultry or poultry products intended for export to the United States be subject to the same standards as domestic poultry products; it also requires that foreign countries implement species and residue testing programs at the point of slaughter for poultry and poultry products intended for export to the United States.

Timetable:

Action	Date	FR Cite
NPRM	05/01/87	52 FR 15960
NPRM Comment Period End	08/30/87	
Final Action	07/01/88	
Final Action Effective	08/01/88	

Small Entity: No

Agency Contact: William Havlik, Assistant Deputy Administrator, International Programs, FSIS, Department of Agriculture, Food Safety and Inspection Service, Rm. 341-E Administration Bldg., 14th & Independence Ave., SW, Washington, DC 20250, **202 447-2644**

RIN: 0583-AA52

147. ● TOTAL QUALITY CONTROL FOR LABELING

Legal Authority: 21 USC 601 et seq; 21 USC 451 et seq

CFR Citation: 9 CFR 317; 9 CFR 381

Legal Deadline: None.

Abstract: This rule will expand the concept of generically approved labeling for meat and poultry products by those establishments operating a USDA-approved Total Quality Control System that could develop an acceptable plan for controlling the labeling of their products.

Timetable:

Action	Date	FR Cite
NPRM	09/25/85	50 FR 38824
NPRM Comment Period End	04/17/86	51 FR 7283
Final Action	06/00/88	

Small Entity: No

Agency Contact: Margaret O'K. Glavin, Director, Standards and Labeling Division, Department of Agriculture, Food Safety and Inspection Service, Room 311 Annex Building, Washington, DC 20250, **202 447-4293**

RIN: 0583-AA63

148. ● SULFONAMIDE AND ANTIBIOTIC RESIDUES IN YOUNG VEAL CALVES; REDUCED TESTING

Significance: Agency Priority

Legal Authority: 21 USC 601 et seq

CFR Citation: 9 CFR 309; 9 CFR 310

Legal Deadline: None.

Abstract: This rule would amend the Federal meat inspection regulations to modify the testing frequency of young veal calves under certain conditions for residues of sulfonamides and antibiotics.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/20/87	52 FR 2101

USDA—FSIS **Final Rule Stage**

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: W. R. Miller, Director, Residue Evaluation and Planning Division, Department of Agriculture, Food Safety and Inspection Service, 14th & Independence Ave., SW, Washington, DC 20250, 202 447-2807

RIN: 0583-AA68

DEPARTMENT OF AGRICULTURE (USDA)
Food Safety and Inspection Service (FSIS)

Completed Actions

149. IDENTIFICATION SERVICE FOR POULTRY

CFR Citation: 9 CFR 362

Completed:

Reason	Date	FR Cite
Final Action	02/03/88	53 FR 3146

Small Entity: No

Agency Contact: Mr. Bill F. Dennis 202 447-3840

RIN: 0583-AA35

150. SWINE IDENTIFICATION AND RECORD KEEPING AT MARKETS AND AT OFFICIAL SLAUGHTERING ESTABLISHMENTS

Significance: Agency Priority

CFR Citation: 9 CFR 88; 9 CFR 309; 9 CFR 310; 9 CFR 320

Completed:

Reason	Date	FR Cite
Transferred to APHIS	09/01/87	

Small Entity: No

Agency Contact: Douglas L. Berndt 202 447-3219

RIN: 0583-AA39

151. FACILITY AND EQUIPMENT REQUIREMENTS FOR THE STREAMLINED INSPECTION SYSTEM FOR BROILERS AND CORNISH GAME HENS

Significance: Agency Priority

CFR Citation: 9 CFR 381

Completed:

Reason	Date	FR Cite
Final Action	10/21/87	52 FR 39207
Final Action Effective	12/21/87	

Small Entity: No

Agency Contact: Douglas L. Berndt 202 447-3219

RIN: 0583-AA56

DEPARTMENT OF AGRICULTURE (USDA)
Foreign Agricultural Service (FAS)

Proposed Rule Stage

152. DETERMINATION OF THE MARKET STABILIZATION PRICE FOR SUGAR FOR FY 1988

Legal Authority: Presidential Proclamation 5002; dated November 30, 1982

CFR Citation: 7 CFR 6.300 to 6.302

Legal Deadline: None.

Abstract: This notice sets forth the market stabilization price for sugar for the period October 1, 1987 - September 30, 1988. The Market Stabilization Price is used to determine bond requirements and maximum liabilities under certain programs authorized by Presidential Proclamation No. 5002 of November 30, 1982 (47 FR 54269). The calculation of the Market Stabilization Price is provided for in 7 CFR 6.300-6.302 (50 FR 36040). (FAS 86-003)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Richard J. Finkbeiner, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 4961-South Bldg., Washington, DC 20250, 202 447-6713

RIN: 0551-AA20

153. DETERMINATION OF IMPORT QUOTAS ON SUGAR FOR FISCAL YEAR 1988

Legal Authority: Presidential Proclamation 4941; dated May 5, 1982

CFR Citation: Not applicable

Legal Deadline: Statutory. Import quotas on sugar for fiscal year 1987 must be announced (filed in Federal Register) no later than the 15th day of the month immediately preceding the calendar quarter during which such determination shall be in effect.

Abstract: Presidential Proclamation 4941 dated May 5, 1982 amended headnote 3 of the Subpart A, Part 10, Schedule 1 of the Tariff Schedules of the United States (TSUS) (Headnote 3) to establish a system of quotas for U.S. sugar imports. (FAS 86-004)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Richard J. Finkbeiner, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 4961-South Bldg., Washington, DC 20250, 202 447-6713

RIN: 0551-AA21

154. TYPES AND QUANTITIES OF AGRICULTURAL COMMODITIES AVAILABLE FOR DONATION OVERSEAS UNDER SECTION 416(B) OF THE AGRICULTURAL ACT OF 1949 FOR EACH FISCAL YEAR

Legal Authority: for future FY's: Food Security Act of 1985

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: For FY 1986: The "Food Security Improvements Act of 1986" amends the Food Security Act of 1985, as amended, to require an estimate of

Commodity Credit Corporation stocks to be made available under Section 416(b) in FY 1986 by kind of commodity and quantity of each kind of commodity. The Food Security Act, as amended requires that this estimate be published in the Federal Register.

For future FY's: The Food Security Act of 1985, as amended, requires the above estimate be made and published in the Federal Register before the beginning of each fiscal year. (FAS 86-009)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Richard Finkbeiner, Regulatory Coordinator, Department of Agriculture, Foreign Agricultural Service, Room 4961-South Bldg., Washington, DC 20250, 202 447-6713

RIN: 0551-AA23

DEPARTMENT OF AGRICULTURE (USDA) Prerule Stage

Forest Service (FS)

155. PART 219 PLANNING

Significance: Agency Priority

Legal Authority: 16 USC 1604; 16 USC 1613; 5 USC 301

CFR Citation: 36 CFR 219

Legal Deadline: None.

Abstract: The rules at 36 CFR 219 set forth the procedures and resource standards that guide development and approval of National Forest land and resource management plans as required by the National Forest Management Act of 1976.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/89	
End Review	10/00/89	

Small Entity: No

Additional Information: Review of these planning regulations is being rescheduled to allow completion of all forest plans. It is essential to orderly planning for National Forest System lands and resources that the planning process remain stable until all plans are completed. Review of 36 CFR 219 is therefore rescheduled to begin April 1989.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA50

156. OFFICIAL FOREST SERVICE INSIGNIA

Legal Authority: 5 USC 301; 18 USC 701

CFR Citation: 36 CFR 264; 36 CFR 264.1; 36 CFR 264.2; 36 CFR 264.3; 36 CFR 264.4; 36 CFR 264.5

Legal Deadline: None.

Abstract: Since 1905 the Forest Service emblem, a fir-like tree in the center of a shield, has served to identify the Federal Agency responsible for protecting, managing, and developing the National Forests. Forest users and the public recognize it as a symbol of the organization. The Chief may authorize other uses of the insignia, i.e., public service, educational, and commercial purposes through the issuance of licenses. Rules governing the external use of the official insignia are set forth at 36 CFR Part 264. The rule authorizes commercial use for which a royalty is paid and for public use for which no royalty is paid. Review of the existing regulation will determine the need for licensed royalty payment and the need for changing reporting requirements from quarterly to annually. Current licensees will participate in the review process.

Timetable:

Action	Date	FR Cite
Begin Review	04/15/87	
End Review	06/30/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA59

157. 36 CFR 262 LAW ENFORCEMENT SUPPORT ACTIVITIES

Legal Authority: 16 USC 472; 16 USC 551; 16 USC 683; 7 USC 1011(f); 16 USC 1246(e); 16 USC 1133(c) to (d)(1); 16 USC 559(a)

CFR Citation: 36 CFR 262

Legal Deadline: None.

Abstract: These rules describe awards the Forest Service is authorized to make for information leading to arrest and convictions of persons who start fires or otherwise destroy property on National Forests. Subpart B sets forth rules governing impoundment or removal of unauthorized personal property from National Forest System lands.

Review will focus on the adequacy of the rules for administration of the National Forests and whether changes in law or circumstances reveal the need for revision.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/87	
End Review	09/30/88	

Small Entity: Not Applicable

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA65

158. 36 CFR 271 - USE OF "SMOKEY BEAR" SYMBOL

Legal Authority: 18 USC 711

CFR Citation: 36 CFR 271

Legal Deadline: None.

Abstract: The regulations govern how the name or image of "Smokey Bear" may be used, who may authorize the use of "Smokey Bear," and the use of official campaign materials, commercial licensing, and the association with the State Foresters and the Advertising Council. This review will focus on licensing and especially exclusive licenses and will consider counterpart regulations in Part 272-Use of "Woodsy Owl" Symbol as a possible approach

USDA—FS **Prerule Stage**

Timetable:

Action	Date	FR Cite
Begin Review	10/01/87	
End Review	09/30/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA66

159. WHISKEYTOWN-SHASTA-TRINITY NATIONAL RECREATION AREA

Legal Authority: 16 USC 472; 16 USC 551

CFR Citation: 36 CFR 292, Subpart B

Legal Deadline: None.

Abstract: The rules at 36 CFR 292, Subpart B govern joint administration of the Shasta and Clair Engle-Lewiston units of the National Recreation Area by the Forest Service and the Bureau of Reclamation. The rules also set forth standards for defining compatible private land uses within the National Recreation Area to govern decisions by local zoning authorities, or in the absence of such authorities, decisions on land uses by the Secretary of Agriculture. The review will focus on experience under the rules and whether they still serve the public interest in ensuring that development and management of the NRA meet congressional intent.

Timetable:

Action	Date	FR Cite
Begin Review	03/00/88	
End Review	01/00/89	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA68

160. 36 CFR 261 PROHIBITIONS

Legal Authority: 16 USC 472; 16 USC 551; 16 USC 683; 7 USC 1011(f); 16 USC 1246(e); 16 USC 1133(c) to (d)(1); 16 USC 559(a)

CFR Citation: 36 CFR 261, Prohibitions

Legal Deadline: None.

Abstract: These rules declare the range of unacceptable public behavior when visiting or using National Forest System lands. Among topics covered are prohibitions on setting campfires in certain areas, unlawful cutting of trees, and other unlawful uses of resources and property of the National Forest System. Violations of these prohibitions carry legal penalties.

Review will examine the adequacy of the rules for administration of the National Forest System and whether changes in conditions, laws, or other factors require revision.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/87	
End Review	09/30/88	

Small Entity: Not Applicable

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA75

161. USE OF "WOODSY OWL" SYMBOL

Legal Authority: 7 USC 2201; 16 USC 528; 16 USC 529; 16 USC 530; 16 USC 531

CFR Citation: 36 CFR 272; 36 CFR 272.1; 36 CFR 272.2; 36 CFR 272.3; 36 CFR 272.4; 36 CFR 272.5; 36 CFR 272.6

Legal Deadline: None.

Abstract: Woodsy Owl was originated in the early 1970s by the Forest Service, the Federal Agency responsible for protecting, managing, and developing the National Forest. The symbol represents a fanciful owl who wears forest green colored slacks, a brown colored belt, a Robin Hood style forest green colored hat with a red colored feather and furthers the slogan "Give a Hoot, Don't Pollute." The Chief of the Forest Service may authorize the use of Woodsy Owl through the issuance of licenses for commercial use, under certain specified conditions, and for non-commercial educational purposes, at no charge, when use is public service and will contribute to public information and education concerning wise use of the environment and programs which foster maintenance and improvement of environmental quality. Rules concerning the external use of the Woodsy Owl symbol are set forth at 36 CFR Part 272. The rule authorizes commercial use for which a royalty is paid and for public use for which no royalty is paid. Review of the existing regulation will determine the need for licensed royalty payment and the need for changing reporting requirements from quarterly to annually. (cont)

Timetable:

Action	Date	FR Cite
Begin Review	04/15/88	
End Review	10/31/88	

Small Entity: No

Additional Information: ABSTRACT CONT: Current licensees will participate in the review process.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA76

162. ● 36 CFR 241 WILDLIFE: COOPERATION IN WILDLIFE PROTECTION, WILDLIFE MANAGEMENT AND FEDERAL REFUGE REGULATIONS

Legal Authority: Sec 1, 30 Stat 35; Sec 1, 33 Stat 628; Sec 1, 39 Stat 476; 16 USC 472, 551, 683

CFR Citation: 36 CFR 241

Legal Deadline: None.

Abstract: The rule is being reviewed as required by E.O. 12291 which requires the review of existing rules on a five year cycle. The Forest Service does not anticipate substantial public comment to 36 CFR 241 as it has been successfully applied.

36 CFR 241.1 describes Forest Service cooperation with State, County and Federal officials in the enforcement of all laws and regulations for the protection of wildlife through lawful appointments of Forest Service employees to deputy game wardens with full power to enforce state laws and regulations.

36 CFR 241.2 describes how Forest Service cooperates with states in developing plans for securing and maintaining desirable populations of wildlife species including entry into cooperative agreements for such purposes.

USDA—FS **Prerule Stage**

36 CFR 241.3 regulates hunting of game or non-game animals on Forest Service lands not managed cooperatively with states by requiring persons desiring to hunt to procure a permit from the Forest Supervisor. Forest Service will cooperate with persons, firms, corporations and county and state officials in the management of animals on national forest lands not having (CONT)

Timetable:

Action	Date	FR Cite
Begin Review	02/01/88	
End Review	09/02/88	

Small Entity: No

Additional Information: ABSTRACT CONT: cooperative agreements for wildlife management with states. The Forest Service may sell or exchange or accept donations of animals in promoting conservation of wildlife.

Government Levels Affected: Local, State, Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, **202 235-1488**

RIN: 0596-AA81

163. ● ISOLATED CABIN AUTHORIZATIONS

Significance: Agency Priority

Legal Authority: 16 USC 551; 16 USC 497

CFR Citation: 36 CFR 251

Legal Deadline: None.

Abstract: Agency policy is to terminate isolated cabin authorizations on National Forest System land that were constructed without advance authorization and subsequently authorized by special use permit. These cabins are used for part- or full-time occupancy. These cabins differ from recreation residences which were established in tracts specific for this purpose and built with Agency approval and supervision. Isolated cabins originated in several ways, including encroachment and mining claims. They restrict management of the surrounding National Forest land and deprive the public from the use and enjoyment of the land actually occupied and the surrounding area. The action proposed is to seek input from the public as to whether the present policy should be continued, or whether it should be revised so as to examine each isolated occupancy and determine whether, in the interests of fairness and equity, the cabin should be converted to a recreation residence. (CONT)

Timetable:

Action	Date	FR Cite
ANPRM	07/01/88	
ANPRM Comment Period End	09/30/88	

Small Entity: No

Additional Information: ABSTRACT CONT: This proposal to revise current policy, originally included in proposed policy on recreation residences (52 FR 206-208). Public comments and continuing discussions with recreation residence permittees on that policy revealed widely divergent views on the Agency's policy, strongly suggesting that isolated cabins be treated separately from recreation residences. Therefore, so as to not further delay implementation of final policy on recreation residences, a decision has been made to seek additional public comment on the isolated cabin policy before a decision is made to revise the policy.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, **202 235-1488**

RIN: 0596-AA85

DEPARTMENT OF AGRICULTURE (USDA)
Forest Service (FS)

Proposed Rule Stage

164. ACCESS TO NON-FEDERAL LANDS

Legal Authority: PL 96-487, Sec 1323(a); 16 USC 3210(a)

CFR Citation: 36 CFR 251.53; 36 CFR 251.80

Legal Deadline: None.

Abstract: The proposed regulation will tie the granting of special-use authorizations for ingress and egress under the Alaska National Interest Lands and Conservation Act (ANILCA) to the existing authorities for granting authorizations to use or occupy National Forest lands and remove the discretionary aspects of those laws and regulations when applied to parties qualifying for access under ANILCA. (FS 85-001)

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
NPRM Comment Period End	04/00/88	
Final Action	08/00/88	
Final Action Effective	08/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, **703 235-1488**

RIN: 0596-AA31

165. GRAZING AND LIVESTOCK USE AND MANAGEMENT OF WILD, FREE-ROAMING HORSES AND BURROS

Legal Authority: 43 USC 1901; 16 USC 1331 to 1340; 16 USC 551; 7 USC 1011; 31 USC 9701

CFR Citation: 36 CFR 222, Subpart A; 36 CFR 222, Subpart B

Legal Deadline: None.

Abstract: Minor amendments to 36 CFR 222, Subparts A and B are under consideration to (1) delete the portion pertaining to Grazing Advisory Boards since the authority for these Boards under FLMA expired 12/31/85, (2) refine the procedures for placing wild horses and burros in private maintenance and care, (3) clarify the notification allowed before cancelling a permit when lands grazed are to be devoted to another public purpose

including disposal, and (4) delete the reference to the Granger-Thye Act concerning range improvements, and (5) authorize the Chief of the Forest Service to assess a service charge to recover the cost of processing grazing permit applications and permit waivers, and issuing grazing permits. (FS 86-004)

Timetable:

Action	Date	FR Cite
Review of Subpart B - notice of completion of review; no change in rules required	08/14/87	52 FR 30359
Subpart A		
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	01/00/89	
Final Action Effective	02/00/89	

Small Entity: No

Additional Information: The dates projected are for proposed and final rules revising 36 CFR 222, Subpart A-grazing and livestock use. No further rulemaking activity is planned on Subpart B. The review of Subpart B pursuant to E.O. 12291 concluded that there is no need to revise these rules (See Timetable).

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, **703 235-1488**

RIN: 0596-AA35

166. COLLECTION OF REIMBURSABLE COSTS FOR PROCESSING SPECIAL-USE APPLICATIONS AND ADMINISTRATION OF SPECIAL-USE AUTHORIZATIONS

Significance: Regulatory Program

Legal Authority: 43 USC 1764; 31 USC 483a; 30 USC 181 (Mineral Leasing Act)

CFR Citation: 36 CFR 251.58

Legal Deadline: None.

Abstract: The objective of the rulemaking is to establish the policy, procedures, and guidelines for recovering costs incurred by the Forest Service in the administration of special uses on National Forest System Lands. In addition, the rulemaking will propose minor clarifying amendments resulting from conclusion of review of the existing regulation. (RIN 0596-AA20) (FS 86-005)

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	
NPRM Comment Period End	08/30/88	
Final Action	12/30/88	
Final Action Effective	01/29/89	

Small Entity: No

Additional Information: This rulemaking will incorporate actions under 0596-AA20.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, **703 235-1488**

RIN: 0596-AA36

167. MODIFY THE GENERAL PROHIBITION AGAINST USE OF VEHICLES IN EXCESS OF 40 INCHES IN WIDTH ON TRAILS

Legal Authority: 16 USC 551

CFR Citation: 36 CFR 261.12(e)

Legal Deadline: None.

Abstract: The objective of this action is to permit forest officers more discretion for controlling off-road vehicle use. Three factors have created the need to modify this regulation: (1) the general prohibition at 36 CFR 261.12(e) controls trail use by width of vehicle. Originally developed to control four wheel-drive vehicles on trails, this method uses a fairly arbitrary device (width) to control use; (2) off-road vehicle plans (36 CFR 295) use vehicle types to prescribe the vehicles that are permitted to use forest trails; (3) some recent models of trail vehicles (all terrain vehicles and snowmobiles) exceed the forty inch rule by one to five inches. The combination of the two methods of control with the larger model sizes has created confusion among users about ORV plan direction and created law enforcement difficulties. The proposed action would clarify the regulations and still maintain the tools necessary to control off-road vehicle use. (FS 86-007)

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
NPRM Comment Period End	05/00/88	
Final Action	08/00/88	
Final Action Effective	08/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, **703 235-1488**

RIN: 0596-AA38

168. REVISE THE DEFINITION OF "MECHANICAL TRANSPORT" AT 36 CFR 293.6(A)

Legal Authority: 16 USC 113 to 136; 16 USC 528 to 531; 16 USC 577 to 577c; 16 USC 1133

CFR Citation: 36 CFR 293.6(a)

Legal Deadline: None.

Abstract: The objective of this action is to clarify the definition of mechanical transport in 36 CFR 293.6(a). Except where specifically provided for, the Wilderness Act (16 USC 1133) prohibits both motorized equipment and mechanical transport. Mechanical transport includes devices such as bicycles, hang gliders, wheeled carts, and other items designed to carry people or supplies and powered by either "non living" or "living" power sources. (FS 86-009)

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	09/00/88	
Final Action	02/00/89	
Final Action Effective	02/00/89	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 2417, Washington, DC 20013, **703 235-1488**

RIN: 0596-AA39

169. CONSERVATION OF FISH, WILDLIFE, AND THEIR HABITATS ON THE COPPER/RIVER ADDITION AND COPPER RIVER-BERING RIVER PORTION, CHUGACH NATIONAL FOREST, ALASKA

Legal Authority: PL 96-487, Title V

CFR Citation: Not yet determined

USDA—FS

Proposed Rule Stage

Legal Deadline: None.

Abstract: December 2, 1980, the Alaska National Interest Lands Conservation Act was signed into law. Section 501 (b) of the law requires that the Secretary of Agriculture promulgate regulations for the conservation of fish and wildlife and their habitats on the Chugach National Forest. The general National Forest System regulations and other existing laws governing management of National Forest System lands are applicable except as supplemental by these regulations or amended by the ANILCA, August 17, 1984. The new Chugach National Forest land management plan was appealed by 17 appellants. The settlement agreement specifies that subject to valid existing rights, the Forest Service will not allow timber harvest, road construction, surface occupancy for mineral leasing prior to publication of final regulations or completion of management area analysis for the Copper River Management Area. There are no alternatives to development of these regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA41

170. LAND EXCHANGES

Significance: Agency Priority

Legal Authority: 16 USC 485; 16 USC 486; 16 USC 516; 7 USC 1011; 16 USC 555a; 43 USC 1715; 43 USC 1716

CFR Citation: 36 CFR 254.1, (Revision); 36 CFR 254.15, (Revision)

Legal Deadline: None.

Abstract: Changes in existing regulations are needed to correct errors, delete obsolete portions, update to reflect current authorities, clarify ambiguities, and supplement by incorporating new requirements on negotiation and resolution of disputes.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	
NPRM Comment Period End	08/30/88	
Final Action	12/31/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA42

171. DEFINITION OF COMMON VARIETY MINERAL MATERIALS

Legal Authority: 30 USC 601 et seq; 30 USC 603 to 604; 30 USC 601; 30 USC 603; 30 USC 602; 16 USC 477; 16 USC 520; 7 USC 1010; 30 USC 192c, Section 3; 16 USC 508b; Section 3, 66 Stat. 285; 16 USC 521a; 75 Stat. 205; 23 USC 101 et seq; 16 USC 539a, Section 502

CFR Citation: 36 CFR 228, Subpart C

Legal Deadline: None.

Abstract: Whether a mineral deposit is a "common variety" determines whether or not it can be disposed of or sold by the Government under the 1947 Mineral Materials Act. Judicial and administrative interpretations defining common variety characterization determinations can only be made in court. Rulings in common variety cases are generally unpredictable, and the costs to both the Government and miner are high.

After a review of the legislative history of the 1955 surface Resources Act, which defined common varieties, we believe that Congress did not intend for certain minerals to be locatable under the Mining Laws; however, a failure to explicitly define the "common variety" term has led to misinterpretation and actions contrary to the original intent of the law. It is proposed that 36 CFR 228 Subpart C be amended to clarify this confusing classification situation. We believe PL 167 expressly provides for this action as it allows the Secretary of Agriculture to dispose of mineral materials "under such rules and regulations as he may prescribe."

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
NPRM Comment Period End	05/00/88	
Final Action	09/00/88	
Final Action Effective	10/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA44

172. REVISION OF TIMBER SALE CONTRACT FORMS FS-2400-6 AND FS-2400-6T

Significance: Regulatory Program

Legal Authority: 16 USC 535; 16 USC 551; 16 USC 472a; 16 USC 607A; 16 USC 618; 42 USC 4461

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: The present timber sale contract Form FS-2400-6 was developed in September 1973, and the Form FS-2400-6T was developed in October 1973. Since these dates several Acts, Laws, and policy changes have necessitated deletion of existing provisions and inserting supplemental provisions. The need to revise these documents has been recognized since the late 1970's. The revision will provide for clarification of provisions to reduce the potential for disputes between purchasers and the Forest Service. There will be no changes in the basic contract concepts except those dictated by law, regulation, and related policy. Comments from interested individuals and organizations will be utilized, as appropriate, in the formulation of the provision language.

Timetable:

Action	Date	FR Cite
Proposed Policy	05/01/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA45

173. LEASABLE MINERAL REGULATIONS

Significance: Regulatory Program

USDA—FS

Proposed Rule Stage

Legal Authority: 16 USC 473 to 475; 16 USC 477 to 482; 16 USC 551; 16 USC 528 to 531; 90 Stat. 2949 as amended

CFR Citation: 36 CFR 228, Subpart F to H

Legal Deadline: None.

Abstract: These subparts will set forth the rules by which the Forest Service will process and respond to proposal received from the Department of the Interior (DOI) for the issuance of mineral licenses, prospecting permits and leases, and for the approval of operating plans. The Forest Service has no regulations at this time which has resulted in inconsistent and untimely responses to the DOI. The only other alternative considered is not to promulgate regulations. Public costs are insignificant but public benefits could be substantial in that proposals should be processed more efficiently.

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
NPRM Comment Period End	05/00/88	
Final Action	08/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA46

174. APPLICATION PROCEDURES AND FEES FOR HYDROELECTRIC USES ON NATIONAL FOREST SYSTEM LANDS

Legal Authority: 16 USC 551; 43 USC 1761

CFR Citation: 36 CFR 251.54; 36 CFR 251.57

Legal Deadline: None.

Abstract: Regulations are needed to reduce confusion regarding the role of the Forest Service and its special-use authorization in permitting hydroelectric uses on National Forest System lands. The regulations objective will be to establish procedures, compatible with the procedures of the Federal Energy Regulatory Commission (FERC) for obtaining various approvals and involvement of the Forest Service in a timely manner.

Title V, Section 501 of the Federal Land Policy and Management Act of 1976 (FLPMA) requires that fees be paid for the use of NFS land; regulations have not yet been established to put these fees in effect. The objective is to establish a fee system for hydroelectric uses. A Notice of Proposed Policy was published 6/8/84 and comments were received. The proposed rule would take those comments into account.

Timetable:

Action	Date	FR Cite
NPRM	05/31/88	
NPRM Comment Period End	07/30/88	
Final Action	11/01/88	
Final Action Effective	12/01/88	

Small Entity: Undetermined

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $2,033,000; Base Year for Dollar Estimates: 1986

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA47

175. LOCATABLE MINERALS

Significance: Agency Priority

Legal Authority: 16 USC 478; 16 USC 551

CFR Citation: 36 CFR 228, Subpart A

Legal Deadline: None.

Abstract: To facilitate the orderly development of locatable minerals on the National Forest System public domain in an environmentally sound manner. Since the regulations were promulgated in 1974, certain legal requirements have changed due to the provisions of the Wilderness Act and recent court decisions; some sections of the regulations no longer apply and revisions and updating are necessary. Major changes proposed will specifically address the requirements for wilderness operations and, secondly, will clarify the mechanism for administering locatable mineral activities not conducted on mining claims but which are nevertheless authorized by the 1872 mining law.

Timetable:

Action	Date	FR Cite
NPRM	07/01/88	
NPRM Comment Period End	09/01/88	
Final Action	03/01/89	
Final Action Effective	04/01/89	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA49

176. APPEAL OF DECISIONS OF FOREST OFFICERS

Significance: Agency Priority

Legal Authority: 30 Stat 35 as amended sec 1; 16 USC 551cc, 472, 33 Stat 628

CFR Citation: 36 CFR 211.18

Legal Deadline: None.

Abstract: Forest Service rules at 36 CFR 211.18 establish the process and procedures by which the public may appeal a National Forest System management decision. The regulation is being reviewed as required by EO 12291. The Forest Service recognizes the administrative appeal process as useful and worthwhile, and considers it to be a valuable tool in conducting business. However, there are opportunities to make the process more efficient and less burdensome on the public while maintaining a useful forum within which to administratively resolve conflict.

Timetable:

Action	Date	FR Cite
Begin Review	03/10/87	
ANPRM	06/11/87	52 FR 22348
ANPRM Comment Period End	07/13/87	
End Review	09/00/87	
NPRM	04/15/88	
NPRM Comment Period End	06/15/88	
Final Action	10/15/88	
Final Action Effective	10/15/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA51

USDA—FS

Proposed Rule Stage

177. GRAZING FEES; EASTERN AND SOUTHERN REGIONS

Significance: Regulatory Program

Legal Authority: 16 USC 551; 31 USC 483a; 43 USC 1901

CFR Citation: 36 CFR 222.53

Legal Deadline: None.

Abstract: Different grazing fee systems are used in the Eastern and Southern Regions of the Forest Service. The current system in the Eastern Region is market driven. The system in the Southern Region is based on a cost of livestock production/ability to pay methodology which currently results in below market fees. Two alternatives are being considered. The first would continue the two different fee systems in the eastern U.S. The second alternative would implement a uniform market driven fee system in both Regions. The advantages of this alternative over the first are:

(1) Competitive bidding with a minimum bid price would be fair and equitable to all parties, the livestock owners and the government.

(2) The fee system would be cost effective and economic to administer.

(3) The fee system would provide for investments in cost effective range improvements on National Forest System lands in the eastern states.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	08/00/88	
Final Action	01/00/89	
Final Action Effective	03/01/89	

Small Entity: Undetermined

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA55

178. SKI AREA TERM PERMITS

Significance: Agency Priority

Legal Authority: PL 99-522, Sec 3(c)

CFR Citation: 36 CFR 251.50, (Revision)

Legal Deadline: Statutory, October 22, 1987. A one-year deadline is specified in the law.

Abstract: P.L. 99-522 provides new authority and direction for granting permits authorizing ski development and operation. It requires promulgation of rules within one year of enactment. Current direction for issuing special use permits including ski areas is contained in 36 CFR 251.50 through 251.64. While most of the current direction will continue to apply, revisions will be necessary to respond to the special provisions of the law relating to permit duration and acreage to be authorized.

The law has the effect of eliminating the current need and practice to issue two permits to authorize a single resort to use more than 80 acres. Further, it authorizes the issuance of 40 year permits instead of 30 which has been the maximum in the past.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	08/00/88	
Final Action	02/00/89	
Final Action Effective	02/00/89	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA57

179. FREE USE TO ALASKAN SETTLERS, MINERS, RESIDENTS AND PROSPECTORS

Legal Authority: 16 USC 477; 16 USC 492; 16 USC 551; 16 USC 607a; 16 USC 612

CFR Citation: 36 CFR 223.10

Legal Deadline: None.

Abstract: The Forest Service provides free use timber to persons in Alaska with few restrictions. Increased urbanization of existing towns, changing ownership patterns, and creation of new communities have made it more difficult to manage this program. The Forest Service proposes to limit the free use amounts to households rather than to individuals.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	
NPRM Comment Period End	05/01/88	
Final Action	08/01/88	
Final Action Effective	09/01/88	

Small Entity: Not Applicable

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA69

180. INCREASE IN MINIMUM RATES CHARGED FOR TIMBER

Legal Authority: 16 USC 472a

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: Minimum rates charged for timber have not been changed since 1979. The increased costs of preparing timber sales and the general increases in costs of logging and the price of timber have resulted in minimum rates that are disproportionately low. The action being considered is to increase minimum rates to account for inflationary increases since the rates were last changed.

Timetable:

Action	Date	FR Cite
NPRM	07/01/88	
NPRM Comment Period End	08/01/88	
Final Action	10/01/88	
Final Action Effective	11/01/88	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1987

Government Levels Affected: Local, Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA73

USDA—FS

Proposed Rule Stage

181. SALE OF TIMBER WHERE TOTAL PUBLIC BENEFITS MAY NOT MEET OR MAY EXCEED TOTAL COSTS

Legal Authority: 16 USC 472a; 16 USC 475; 16 USC 616; 16 USC 1604; 16 USC 1613

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: The Forest Service has been developing an accounting system to accurately track the total public benefits and total cost of the timber sale program on each national forest. The new system is to be installed on all forests before the start of FY 1989. The data generated by this effort will provide a basis for monitoring the implementation of Forest Plans. This proposal would establish additional procedures for evaluation of the accounting data when projected costs appear to exceed the total public benefits of the program. Under the proposal, unless there are other overriding public values, the timber sale program would be adjusted to a point where the total public benefits equal the total cost of the sales program.

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	
NPRM Comment Period End	06/15/88	
Final Action	08/15/88	
Final Action Effective	09/15/88	

Small Entity: Undetermined

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1987

Government Levels Affected: Local, Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA74

182. ● ADMINISTRATION OF EASEMENTS FOR WATER CONVEYANCE SYSTEMS

Significance: Agency Priority

Legal Authority: PL 99-545, Sec 1(c); 16 USC 524; 30 USC 51; 43 USC 661; 43 USC 1761; 43 USC 946 to 949

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: Section 1(c) of Public Law 99-545 amended Section 501 of the Federal Land Policy and Management Act (43 USC 1761) to transfer from the Secretary, USDI to Secretary, USDA all responsibility for administering all rights-of-way on Federal lands administered by the Secretary, USDA. This transfer concerns grants and easements for rights-of-ways issued under several previous Acts, most of which have been repealed. The principal Statutes involved are the Act of July 16, 1866 and the Act of March 3, 1891. The authorizations primarily involve use of the Federal lands for water conveyance systems (irrigation ditches). The regulations will set forth direction and procedures to enable field personnel to administer the individual authorizations. Regulations are needed as the Act requires that the grants/easements be administered under the statutory provisions and regulations in effect at the time the authorizations were issued. Failure to promulgate regulations (no action alternative) would leave field personnel without guidance and create the possibility of actions by rights-of-way holders contrary to established land management procedures (CONT)

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	
NPRM Comment Period End	07/31/88	
Final Action	10/31/88	
Final Action Effective	11/30/88	

Small Entity: No

Additional Information: and damage to Federal land resources.

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA78

183. ● REVISE SMALL TRACTS ACT REGULATIONS

Significance: Agency Priority

Legal Authority: 16 USC 521c-i

CFR Citation: 36 CFR 254.35 (revision); 36 CFR 254.41 (revision)

Legal Deadline: None.

Abstract: Application of the Act of January 12, 1983 (Small Tracts Act) has revealed an inadvertent inconsistency between the regulations at 36 CFR 254.35(f) and 254.41(a) and the legislative history of the Act. The regulations imply that the disposal of mineral fractions by sale can only be made in response to an application from an abutting landowner, thus discouraging the conveyance by sale to the public. The Act clearly authorizes sale of mineral fractions to the public through public sale, as well as individual applications, provided that certain conditions are met. The revisions will clarify the application of the Act to ensure that both individual applications and public sale are permissible means of disposing of qualifying tracts.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	
NPRM Comment Period End	08/30/88	
Final Action	12/01/88	
Final Action Effective	01/01/89	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA79

184. ● OIL AND GAS RESOURCES REGULATIONS

Legal Authority: 16 USC 473 to 475; 16 USC 477 to 482; 16 USC 551; 16 USC 528 to 531; 90 Stat. 2949 as amended

CFR Citation: 36 CFR 228 Subpart E

Legal Deadline: None.

Abstract: This subpart will set forth the rules by which the Forest Service will process and respond to the proposals received from the Department of the Interior for the issuance of mineral leases and approval of operations. These rules will describe how the Forest Service will consent to or not object to lease issuance, administer oil and gas operations, determine if a lessee or assignee may obtain future leases or assignments, and establish standards for reclamation and bonding, as required in the Federal Onshore Oil and Gas Leasing Reform Act of 1987. The Forest Service has no regulations

at this time which could result in inconsistent administration. The only other alternative considered is not to promulgate regulations. Public costs are insignificant but public benefits could be substantial in that proposals should be processed more efficiently.

Timetable:

Action	Date	FR Cite
NPRM	03/12/88	
NPRM Comment Period End	04/12/88	
Interim Final Rule	06/15/88	
Final Action	07/15/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA82

185. ● MODIFICATION OF TIMBER SALE DOWNPAYMENT REQUIREMENTS

Legal Authority: 16 USC 472a; 16 USC 618

CFR Citation: 36 CFR 223

Legal Deadline: None.

Abstract: There is a need to provide stronger incentives for purchasers of National Forest timber to complete their contracts on time. To help provide this incentive, the Department of Agriculture is proposing that the amount a purchaser deposits as downpayment on a timber sale not be available for credit to other uses until the last timber in the contract is harvested.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	
NPRM Comment Period End	05/01/88	
Final Action	07/01/88	
Final Action Effective	08/01/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA83

186. ● LUMBER PRICE INDEX TRENDS

Significance: Agency Priority

Legal Authority: 16 USC 476

CFR Citation: 36 CFR 223.64

Legal Deadline: None.

Abstract: Each month Western Wood Products Association (WWPA) publishes a Lumber Price Trends Index for eight Western Inland species or species combinations and two Pacific Northwest Coast species. These data are used by government agencies to appraise public timber offered for sale and to adjust prices billed for timber already under contract. This proposal makes public an intent to replace nine current WWPA index logs with new index logs based upon 1985-86 grade recovery studies. It is proposed to replace Pacific Northwest Hem-fir, and Douglas Fir and Idaho White Pine, Dry Douglas Fir--Larch, White Fir, Rocky Mountain Ponderosa Pine, Coast Inland North Ponderosa Pine, Sugar Pine, and White Woods current indexes with new indexes based upon a 1985-1986 recovery study.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
NPRM Comment Period End	04/01/88	
Final Action	05/01/88	
Final Action Effective	06/01/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA86

187. ● TIMBER SALE FINANCIAL SECURITY

Legal Authority: 16 USC 472a; 16 USC 618

CFR Citation: 36 CFR 223.49

Legal Deadline: None.

Abstract: Recent analysis of agency policies and procedures for ensuring the financial security of timber sale contracts have convinced the Forest Service that additional measures are needed. To assure more effective resource management and to better protect the public's financial interests in the sale of national forest timber, the agency is proposing to revise its policies and procedures as set forth in Chapter 2430 and 2450 of the Forest Service Manual. Specifically, the agency proposes to (1) eliminate the current ceiling on the required performance bond guarantee; (2) strengthen performance bond requirements by identifying (a) which actions are covered by the bond, (b) the extent of sureties liabilities, (c) when surety is liable; (3) increase the bid guarantee to 10% of the advertised value; (4) assess damages in the amount of the bid guarantee or the difference between bid value and resale value; (5) establish the guidelines for determining purchaser's financial ability to operate the sale; (6) specify shorter contract periods; and (7) modify the basis for determination of default damages (cont)

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	
NPRM Comment Period End	06/01/88	
Final Action	08/01/88	
Final Action Effective	09/01/88	

Small Entity: No

Additional Information: ABSTRACT CONT: by using timber sale appraisal procedures.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA87

DEPARTMENT OF AGRICULTURE (USDA)

Final Rule Stage

Forest Service (FS)

188. ENTRANCE INTO PETERSBURG WATERSHED

Legal Authority: 16 USC 551; 16 USC 472; 43 USC 1761 to 1771

CFR Citation: 36 CFR 251.35

Legal Deadline: None.

Abstract: Rule restricts entry into watershed without approval of authorized officials of Petersburg, Alaska. Review of this rule has been completed and reveals a need to update the rule to comply with legislative changes enacted since promulgation of this rule, and to streamline administrative entry into the watershed, and permit recreation access to a certain portion of the watershed without written authorization. (FS 84-017)

Timetable:

Action	Date	FR Cite
Begin Review	04/21/86	51 FR 13835
End Review	08/01/86	
NPRM	09/08/87	52 FR 33829
Final Action	05/00/88	
Final Action Effective	05/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, **703 235-1488**

RIN: 0596-AA23

189. LAND STATUS AND TITLE RECORDS

Legal Authority: 16 USC 472; 16 USC 551; 16 USC 1603

CFR Citation: 36 CFR 200.12, (New)

Legal Deadline: None.

Abstract: Objective is to establish that the Land Status Record as the official record of title for National Forest System lands and to set forth the authorities, policies, and procedures for recording, custody, maintenance, and use of title documents and title status reports. (FS 85-012)

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	
NPRM	05/30/88	
Final Action Effective	05/00/88	
NPRM Comment Period End	06/15/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, **703 235-1488**

RIN: 0596-AA24

190. PERIODIC PAYMENTS, DOWNPAYMENTS, AND MARKET RELATED CONTRACT ADDITIONS

Legal Authority: 16 USC 472a; 16 USC 618

CFR Citation: 36 CFR 223.52; 36 CFR 223.50

Legal Deadline: None.

Abstract: The Federal Timber Sale Contract Payment Modification Act directs the Forest Service to require purchasers to make downpayments and periodic payments on timber sales. The objective of these requirements is to discourage speculative bidding on National Forest System timber sales. A rule published 10/11/85 at 50 FR 41498 requires cash downpayments and a midpoint payment. However, to fully comply with the Act, additional rules are required. This rule will clarify how downpayments are determined, identify the requirements for periodic payments, permit the pooling of periodic payments, and establish a method for permitting market related contract term additions. The proposed rule is a requirement of the Act (FS 85-014).

Timetable:

Action	Date	FR Cite
NPRM	01/17/85	50 FR 2591
NPRM	11/06/87	52 FR 43020
NPRM Comment Period End	02/19/88	53 FR 544
Final Action	04/00/88	
Final Action Effective	05/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, **703 235-1488**

RIN: 0596-AA33

191. USE RESTRICTIONS OF NATIONAL FOREST LANDS FOR THE PROTECTION OF MUNICIPAL WATER SUPPLIES

Legal Authority: 16 USC 475; 16 USC 552; 16 USC 551; 16 USC 1600 to 1610; 16 USC 1701

CFR Citation: 36 CFR 251.9

Legal Deadline: None.

Abstract: This action amends the regulation providing protection of municipal watersheds to conform to recent legislation, principally the National Forest Management Act (NFMA) and the Federal Land Policy and Management Act (FLPMA). (FS 86-003)

Timetable:

Action	Date	FR Cite
End Review	08/01/86	
NPRM	09/08/87	52 FR 33837
NPRM Comment Period End	11/09/87	
Final Action	04/00/88	
Final Action Effective	04/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, **703 235-1488**

RIN: 0596-AA34

192. CONTROL OF SKEWED BIDDING ON NATIONAL FOREST TIMBER SALES

Legal Authority: 16 USC 472a

CFR Citation: 36 CFR 223.89

Legal Deadline: None.

Abstract: Timber may not be sold at less than appraised value. Skewed bidding enables bidders to tailor their bids to their competitive strengths. While skewed bidding can be advantageous to purchasers, it can also reduce Government receipts and increase Forest Service timber sale administration costs. These results were documented by the General Accounting Office (GAO/RCED-83-37). This proposal is made in partial response to the recommendations in that review. (FS 86-006)

USDA—FS **Final Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	07/01/83	48 FR 30417
NPRM	07/16/84	49 FR 28748
NPRM	01/30/87	52 FR 3027
Withdrawal of NPRM	05/15/87	52 FR 18399
NPRM	11/06/87	52 FR 42700
NPRM Comment Period End	02/19/88	53 FR 544
Final Action	04/00/88	
Final Action Effective	05/00/88	

Small Entity: No

Additional Information: Note: The dates projected for proposed policy publication are not firm. This document has been under OMB Regulatory Review, with no clearance yet received, since September 29, 1986.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, PO Box 96090, Washington, DC 20013-6090, 703 235-1488

RIN: 0596-AA37

193. SMALL BUSINESS TIMBER SALE SET ASIDE PROGRAM

Significance: Regulatory Program

Legal Authority: 15 USC 631

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: The policy is designed to ensure that small business purchasers have the opportunity to purchase a fair proportion of National Forest Timber. The proposed policy is consistent with the current standards and establishes procedures for determining what share of timber volume small business will have the opportunity to bid on without competition from large business.

Timetable:

Action	Date	FR Cite
NPRM	11/21/84	49 FR 45889
NPRM Comment Period End	11/21/84	49 FR 45889
Final Policy	06/13/85	50 FR 24788
Request Comments on Final Policy	02/03/86	51 FR 4264
Revised Proposed Policy	09/25/87	52 FR 36075
Proposed Policy Public Comment Period End	11/00/87	
Final Action	04/00/88	
Final Action Effective	04/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA43

194. INDIAN ALLOTMENTS ON NATIONAL FOREST SYSTEM LANDS

Significance: Agency Priority

Legal Authority: 16 USC 472; 16 USC 551; 16 USC 1603; 43 USC 1740; 25 USC 337

CFR Citation: 36 CFR 254, Subpart D (new)

Legal Deadline: None.

Abstract: Objectives are to set forth Forest Service procedures and role in the regulation of Indian allotments on National Forest System land. The Indian Allotment Act of 2/8/87, as by Section 31, Act of 6/25/10 authorizes the Secretary of the Interior to make allotments of National Forest System Lands to Indians for homesteading and agricultural and grazing purposes. The Forest Service has relied upon USDI rules and procedures at 43 CFR 2533 to govern its involvement in Indian allotment cases. Recent litigation and a decision by the Interior Board of Land Appeals indicate the need for the Forest Service to set forth its own regulations when the Forest Service determines that lands are not chiefly valuable for agricultural and grazing purposes. The only alternative is not to issue regulations. This is unacceptable since it leaves the Agency vulnerable to future IBLA appeals cases as well as future litigation.

Timetable:

Action	Date	FR Cite
NPRM	06/22/87	52 FR 23473
NPRM Comment Period End	07/22/87	52 FR 23473
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: No

Affected Sectors: None

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA52

195. PROHIBITIONS; FOSSIL COLLECTING

Legal Authority: 16 USC 551

CFR Citation: 36 CFR 261

Legal Deadline: None.

Abstract: In response to comments from the scientific and academic communities and in keeping with the recommendations of the National Academy of Sciences "Report on Guidelines for Paleontological Collecting," the Forest Service is clarifying its regulations concerning fossil collecting on National Forest System lands. The language on "paleontological resources" is being moved to a separate paragraph and the requirement for permits is being limited specifically to quarrying for fossils and for commercial activities. The no-action alternative would be to leave the regulation of paleontological resources the same as for archeological resources, with permits needed for all activities. Since there is no evidence of widespread problems, the permit process imposes unnecessary burdens on the casual collector and creates added paperwork for the Forest officer to manage.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/26/86	51 FR 30355
Final Action	06/01/88	
Final Action Effective	06/01/88	

Small Entity: No

Additional Information: The change in dates for final rule is necessitated by decision to await final report from National Academy of Sciences on "Guidelines for Paleontological Collecting." Report now received.

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, 202 235-1488

RIN: 0596-AA56

USDA—FS **Final Rule Stage**

196. NON-COMPETITIVE DISPOSAL OF MINERAL MATERIALS

Legal Authority: 30 USC 601 et seq; 30 USC 603 to 604; 30 USC 601; 30 USC 603; 30 USC 602; 16 USC 477; 16 USC 520; 7 USC 1010; 30 USC 192c, Sec 3; 16 USC 508b; Section 3, 66 Stat. 285; 16 USC 521a; 75 Stat. 205; 23 USC 101 et seq; 16 USC 539a, Sec 502

CFR Citation: 36 CFR 228, Subpart C

Legal Deadline: None.

Abstract: Existing regulations allow noncompetitive sale of mineral materials not in excess of 100,000 cubic yards in any individual sale or 200,000 cubic yards in any one State for the benefit of any entity in any period of twelve consecutive calendar months. The proposal would give the Forest Service flexibility in meeting requests for noncompetitive sales of large amounts of mineral materials when public property, health, and safety are threatened or when competition is impractical. The proposal is similar to rules governing mineral material sales by the Bureau of Land Management. Interim rulemaking is sought to resolve a situation in California where the volume restriction for noncompetitive sales may interfere with a mining claimant's statutory rights regarding locatable minerals.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/02/87	52 FR 10564
Begin Review	07/01/87	
Final Action	04/00/88	
Final Action Effective	05/00/88	

Small Entity: Yes

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20013-6090, **202 235-1488**

RIN: 0596-AA60

197. INCREASED DOWNPAYMENTS FROM TIMBER SALE PURCHASERS WITH A HISTORY OF DEFAULTS; AND DETERMINATION OF PURCHASER RESPONSIBILITY

Legal Authority: 16 USC 472a; 16 USC 618

CFR Citation: 36 CFR 223.49, (Revised)

Legal Deadline: None.

Abstract: The Forest Service proposes to increase the downpayment that purchasers who have defaulted on past contracts must pay on new sales. In addition, the proposal identifies elements of performance to be used in determination of purchasers' responsibility before awarding contracts.

Timetable:

Action	Date	FR Cite
NPRM	05/20/87	52 FR 18926
NPRM Comment Period End	07/06/87	52 FR 18926
Final Action	03/00/88	
Final Action Effective	04/00/88	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1987

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, **202 235-1438**

RIN: 0596-AA70

198. REVISE 36 CFR 223.178 REGARDING RELEASE OF CLAIMS AGAINST THE GOVERNMENT ON SALES OFFERED FOR GOVERNMENT BUYOUT

Legal Authority: 16 USC 472a; 16 USC 618

CFR Citation: 36 CFR 223.178

Legal Deadline: None.

Abstract: The Forest Service proposes to reconsider the requirement for release of a purchaser from further obligations under a contract selected for return to the government, and to clarify the requirements for completion of the buyout process authorized by the Federal Timber Contract Payment Modification Act.

Timetable:

Action	Date	FR Cite
NPRM	06/11/87	52 FR 22348
NPRM Comment Period End	08/12/87	52 FR 22348
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1987

Government Levels Affected: Federal

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, **202 235-1488**

RIN: 0596-AA71

199. REVIEW OF DECISIONS TO TERMINATE RECREATION RESIDENCE PERMITS

Legal Authority: 16 USC 551

CFR Citation: 36 CFR 211.18(b)

Legal Deadline: None.

Abstract: Certain recreation residence permits on National Forest land are on termination notice. The decision to terminate was made 10 or more years ago. The Forest Service has agreed to review those decisions to determine if they are still valid. The rule will facilitate conducting these reviews by excluding their outcome from the Agency's administrative appeal process. Since most of the earlier decisions were appealed, this action will prevent duplicative appeals that would delay needed land management activities.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/22/87	52 FR 27547
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P. O. Box 96090, Washington, DC 20090-6090, **202 235-1488**

RIN: 0596-AA72

200. ● REVISE RULES GOVERNING SPECIAL USES OF NATIONAL FOREST SYSTEM LANDS AND RESOURCES AT 36 CFR 251, SUBPART B TO REMOVE AMBIGUITIES REGARDING FIRST AMENDMENT RIGHTS

Significance: Agency Priority

Legal Authority: 16 USC 472, 551, 1134, 3210; 30 USC 185; 43 USC 1740, 1761 to 1771

USDA—FS **Final Rule Stage**

CFR Citation: 36 CFR 251.50; 36 CFR 251.51; 36 CFR 251.53; 36 CFR 251.54

Legal Deadline: None.

Abstract: A Federal District Court recently ruled that existing regulations discriminate against groups who wish to gather on National Forests to exercise their first amendment rights to free speech. The proposed rule will remove ambiguities regarding first amendment rights of assembly and free speech on National Forests.

Alternatives considered were: (1) no changes; (2) termination of all regulations concerning special use authorizations for large groups on the National Forests.

There will be no additional costs as a result of the proposed rule change. The benefit will be that the Forest Service will be able to regulate large group use on the National Forests, which in turn will protect the public health and safety, and protect National Forest resources.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	
Final Action	09/00/88	
Final Action Effective	09/00/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA80

201. ● APPEAL OF DECISIONS TO REOFFER RETURNED OR DEFAULTED TIMBER SALES ON NATIONAL FORESTS

Legal Authority: 30 Stat. 35, as amended, sec 1; 33 Stat. 628 16 USC 551, 472

CFR Citation: 36 CFR 211.17

Legal Deadline: None.

Abstract: This rule provides procedures by which individuals or groups may appeal Forest Service officials decisions to reoffer returned or defaulted timber sales on National Forests. The rule results from a recent 9th Circuit Court of Appeals decision. In order to respond quickly to that Court ruling and preserve the opportunity for a meaningful appeal for potential appellants, it is necessary to make this rule effective upon publication. However, the agency has invited public comment on the interim rule, which it will consider in promulgating a final rule.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/28/88	53 FR 2490
ANPRM Comment Period End	03/26/88	53 FR 2490
Final Action	05/01/88	

Small Entity: No

Agency Contact: Marian P. Connolly, Regulatory Coordinator, Department of Agriculture, Forest Service, P.O. Box 96090, Washington, DC 20090-6090, 202 235-1488

RIN: 0596-AA84

DEPARTMENT OF AGRICULTURE (USDA) — Completed Actions
Forest Service (FS)

202. SUSPENSION AND DEBARMENT OF TIMBER SALE CONTRACTORS

CFR Citation: 36 CFR 223, Subpart C

Completed:

Reason	Date	FR Cite
Final Action	11/12/87	52 FR 43324
Final Action Effective	11/12/87	52 FR 43324

Small Entity: No

Agency Contact: Marian P. Connolly 703 235-1488

RIN: 0596-AA09

203. CREATE A NEW SUBPART C TO 36 CFR 264 ENTITLED NATIONAL SCENIC AND HISTORIC TRAIL SYMBOLS

CFR Citation: 36 CFR 264

Completed:

Reason	Date	FR Cite
Withdrawn	02/17/88	

Small Entity: No

Agency Contact: Marian P. Connolly 202 235-1488

RIN: 0596-AA54

204. 36 CFR PART 222, SUBPART C - GRAZING FEES

Significance: Agency Priority

CFR Citation: 36 CFR 222.50 to .51

Completed:

Reason	Date	FR Cite
Final Action	02/02/88	53 FR 2978
Final Action Effective	03/01/88	

Small Entity: No

Agency Contact: Marian P. Connolly 202 235-1488

RIN: 0596-AA77

DEPARTMENT OF AGRICULTURE (USDA) — Proposed Rule Stage
Packers and Stockyards Administration (P&SA)

205. ● ANNUAL REPORTS

Significance: Agency Priority

Legal Authority: PL 100-173; 7 USC 228

CFR Citation: 9 CFR 201.97

Legal Deadline: None.

Abstract: The law provides for a live poultry dealer trust for the benefit of all unpaid cash sellers or poultry growers and requires prompt payment for the sale or delivery of poultry. Administrative enforcement authority is provided for the poultry trust and prompt payment provisions. Amendment to present regulations will be required to implement the new provisions of the law.

USDA—P&SA **Proposed Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	10/00/88	

Small Entity: No

Agency Contact: Calvin W. Watkins, Deputy Administrator, Department of Agriculture, Packers and Stockyards Administration, Room 3039, South Building, Washington, DC 20250-2800, **202 447-7063**

RIN: 0590-AA04

206. ● SCALES; ACCURATE WEIGHTS, REPAIRS, ADJUSTMENTS OR REPLACEMENTS AFTER INSPECTION

Significance: Agency Priority

Legal Authority: 7 USC 228

CFR Citation: 9 CFR 201.71(a)

Legal Deadline: None.

Abstract: This action is necessary to incorporate the 1988 edition of National Bureau of Standards (NBS) Handbook 44, "Specifications, Tolerances and Other Technical Requirements for Weighing and Measuring Devices," which contains a new scale code adopted by the National Conference on Weights and Measures. This change will make the requirements of the Packers and Stockyards Administration uniform with those applied by State and local weights and measures jurisdictions. The current regulation incorporates the 1983 edition of Handbook 44.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	

Small Entity: No

Agency Contact: Calvin W. Watkins, Deputy Administrator, Department of Agriculture, Packers and Stockyards Administration, Room 3039, South Building, Washington, DC 20250-2800, **202 447-7063**

RIN: 0590-AA05

DEPARTMENT OF AGRICULTURE (USDA)

Soil Conservation Service (SCS) **Proposed Rule Stage**

207. SNOW SURVEYS AND WATER SUPPLY FORECASTS

Legal Authority: 26 Stat. 653, Sec. 8; Reorg. No. IV of 1940

CFR Citation: 7 CFR 612.1 to 612.7

Legal Deadline: None.

Abstract: Sets forth policy and procedures for the administration of a cooperative snow survey and water supply forecast program, including the steps involved in carrying out the program. Sets out data collected and forecasts made, and eligible users of the data. (SCS 83-005)

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: (Future) FINAL ACTION - Not needed at this time

(Future) END REVIEW - Not needed at this time

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, **202 447-4811**

RIN: 0578-AA01

208. RELOCATION ASSISTANCE

Legal Authority: 42 USC 4601 et seq; PL 91-646

CFR Citation: 7 CFR 652

Legal Deadline: None.

Abstract: Prescribes the policies and procedures for the implementation of the Uniform Relocation Assistance and Real Property Acquisition Policies Act (42 USC 4601 et seq.) pertaining to the treatment of persons displaced from their homes, businesses, or farms because of federal financially assisted projects. (SCS 85-001)

Timetable:

Action	Date	FR Cite
End Review	01/31/86	
Next Action Undetermined		

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, **202 447-4811**

RIN: 0578-AA12

209. PROCEDURES FOR THE PROTECTION OF ARCHEOLOGICAL AND HISTORICAL PROPERTIES ENCOUNTERED IN SCS-ASSISTED PROGRAMS

Significance: Agency Priority

Legal Authority: 16 USC 470f; 16 USC 469

CFR Citation: 7 CFR 656, (Revision)

Legal Deadline: None.

Abstract: The regulations address legal requirements set forth by the Advisory Council on Historic Preservation regulations, Protection of Historic Properties (36 CFR 800). The action is to remove and reserve six sections from the regulation to be more consistent with revised 36 CFR 800 and reduce requirements.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Wayne F. Maresch, Director, Administrative Services Division, Department of Agriculture, Soil Conservation Service, P.O. Box 2890, Washington, DC 20013, **202 447-4811**

RIN: 0578-AA13

DEPARTMENT OF AGRICULTURE (USDA)
Soil Conservation Service (SCS)

Final Rule Stage

210. SOIL SURVEYS

Legal Authority: Part of Agriculture Appropriation Act of 1986; PL 74-46 The Soil Conservation and Domestic Allotment Act; PL 89-560 Soil Surveys for Resource Planning and Development; 42 USC 3271; 42 USC 3274

CFR Citation: 7 CFR 611

Legal Deadline: None.

Abstract: Prescribes the policy on soil survey operations including cooperative relationships with state agencies, standards, guidelines and plans on survey operations, distribution of soil survey information, and cartographic operations services furnished. (SCS 83-006)

Timetable:

Action	Date	FR Cite
End Review	12/31/86	

Next Action Undetermined

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, **202 447-4811**

RIN: 0578-AA00

211. PRIME AND UNIQUE FARMLANDS

Legal Authority: 16 USC 590(a to f); 42 USC 4321 et seq; PL 95-87

CFR Citation: 7 CFR 657.1 to 657.5

Legal Deadline: None.

Abstract: Prescribes SCS policy on the development and maintenance of an inventory of prime and unique farmland of the Nation including the criteria and characteristics used in the identification of such lands. (SCS 83-007)

Timetable:

Action	Date	FR Cite
End Review	02/00/87	

Next Action Undetermined

Small Entity: No

Agency Contact: Wayne Maresch, Regulatory Coordinator, Department of Agriculture, Soil Conservation Service, Room 6004-South Bldg., Washington, DC 20013, **202 447-4811**

RIN: 0578-AA10

212. FARMLAND PROTECTION POLICY ACT

Significance: Agency Priority

Legal Authority: 7 USC 4201

CFR Citation: 7 CFR 658

Legal Deadline: Statutory. 180 days after enactment of Food Security Act of 1985

Abstract: The United States Department of Agriculture amends its rule for implementing the Farmland Protection Policy Act to require progress reports, enable governors to bring action to enforce the requirements of the Act, include a section omitted by clerical error, revise how Federal agencies apply the Act, and revise the definition of farmland. These amendments are necessary in order to comply with amendments to the Farmland Protection Policy Act (FPPA) made by Title XII of the Food Security Act of 1985, Pub. L. 99-198, December 23, 1985, and to clarify several provisions of the existing rule. This rule will revise Part 658 of Title 7 of the Code of Federal Regulations.

Timetable:

Action	Date	FR Cite
Final Action	05/15/88	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1987

Affected Sectors: None

Agency Contact: Wayne F. Maresch, Director, Administrative Services Division, Department of Agriculture, Soil Conservation Service, PO Box 2890, Washington, DC 20013, **202 447-4811**

RIN: 0578-AA14

[FR Doc. 88-5078 Filed 04-22-88; 8:45 am]
BILLING CODE 3410-01-T

federal register

Monday
April 25, 1988

Part IV

Department of Commerce

Semiannual Regulatory Agenda

DEPARTMENT OF COMMERCE (DOC)

DEPARTMENT OF COMMERCE

Office of the Secretary

13 CFR Ch. III

15 CFR Subtitle A; Subtitle B, Chs. I, III, IV, VIII, IX; Subtitle D, Ch. XXIII

19 CFR Ch. III

37 CFR Ch. I, IV

48 CFR Ch. 13

50 CFR Chs. I, II, III, VI

Semiannual Agenda of Regulations

AGENCY: Office of the Secretary, Commerce.

ACTION: April 1988 regulatory agenda.

SUMMARY: In compliance with Executive Order (E.O.) 12291, entitled "Federal Regulation," and the Regulatory Flexibility Act (Pub. L. 96-354), the Department of Commerce in April and October of each year publishes in the **Federal Register** an agenda of the rulemaking actions covered by section 1 of E.O. 12291 that the Department plans to conduct or review over the next twelve months. Rulemaking actions are grouped according to prerulemaking, proposed rules, final rules, and rulemaking actions completed since the October 1987 agenda. The purpose of the agenda is to provide information to the public on regulations currently under review, being proposed, or issued by the Department. The agenda is intended to facilitate comments and views by interested members of the public.

The Department's April 1988 regulatory agenda includes regulatory activities that are expected to be conducted during the period April 1, 1988 through March 31, 1989.

FOR FURTHER INFORMATION CONTACT:

Specific: For additional information about a specific regulatory action listed in the agenda, contact the individual identified as the contact person.

General: Comments or inquiries of a general nature about the agenda should be directed to Michael A. Levitt, Assistant General Counsel for Legislation and Regulation, U.S. Department of Commerce, Washington, DC 20230, Telephone: (202) 377-8843.

SUPPLEMENTARY INFORMATION: On February 17, 1981, President Reagan signed E.O. 12291. The E.O. requires all executive agencies to publish semiannually an agenda of those regulations that are under consideration pursuant to this Order. Office of Management and Budget (OMB) Bulletin No. 88-1, issued October 7, 1987 establishes guidelines and procedures for the preparation and publication of the April 1988 Unified Agenda of Federal Regulations for all Federal departments and agencies. E.O. 12291 and the OMB Bulletin require that each agenda report the following information on non-exempt regulatory activities being conducted or planned to be conducted by the agency during the twelve-month period succeeding publication: The title of the regulation; the name, title, address and phone number of an agency person who is knowledgeable about the regulation; whether the regulation has or is expected to have a significant economic impact on a substantial number of small entities; the section(s) of the Code of Federal Regulations which will affect or be affected by the action; the section of the United States Code, Public Law or Executive Order that authorizes the action; an indication of whether or not the entry is a significant regulatory action included in the Administration's Regulatory Program and if the agency considers it a priority action; an abstract describing the problem the regulation addresses, alternatives to the regulation being considered, and potential costs and benefits of the action; legal deadline, if any; and a timetable of dates and, if available, **Federal Register** citations for past stages of the action.

The Regulatory Flexibility Act requires agencies to prepare a regulatory flexibility analysis where there is a positive finding that a rule will have a significant economic impact on a substantial number of small entities. E.O. 12291 requires agencies to prepare a regulatory impact analysis for any regulation considered to be a "major rule" as defined in the Order.

Explanation of Information Contained in the Agenda

Within the Department, the Office of the Secretary and various operating units may issue regulations. Operating units such as the National Oceanic and Atmospheric Administration (NOAA), the Economic Development Administration, the International Trade Administration, the National Bureau of Standards, and the Patent and Trademark Office issue the greatest share of the Department's regulations.

A large number of regulatory actions reported in the agenda are proposed or final Federal Information Processing Standards (FIPS), issued by the National Bureau of Standards (NBS) under Pub. L. 89-306. FIPS consist of standards and guidelines to improve Federal Government use and management of computers and information technology. The standards, while often of great use to industry and the public, apply only to the Federal Government. In developing the standards and guidelines, and in providing technical guidance and coordination to Federal agencies, NBS works closely with private industry standard-setting organizations.

Another large number of regulatory actions reported in the agenda deal with fishery management programs of NOAA's National Marine Fisheries Service (NMFS). To avoid repetition of programs and definitions, as well as to provide some understanding of the technical and institutional elements of the NMFS programs, a section on "Explanation of Information Contained in NMFS Regulatory Entries" is provided below.

Explanation of Information Contained in NMFS Regulatory Entries

The Magnuson Fishery Conservation and Management Act of 1976 (16 U.S.C. 1801 *et seq.*) (Act) governs the management of fisheries within the Exclusive Economic Zone (EEZ). The EEZ refers to those waters from the outer edge of the United States territorial sea to a distance of 200 miles. Fishery Management Plans (FMPs) are to be prepared for fisheries which require conservation and management measures. These FMPs regulate domestic and foreign fishing where permitted. Foreign fishing can be conducted in a fishery for which there is no FMP only if a preliminary fishing management plan has been issued to govern that foreign fishing. Under the Act, eight Regional Fishery Management Councils (Councils) prepare FMPs, or amendments to FMPs, for fisheries within their respective areas. In the development of such plans or amendments and their implementing regulations, the Councils are required by law to conduct public hearings on the

DOC

draft plans and to consider the use of alternative means of regulating.

The Council process for developing FMPs and amendments makes it difficult for NMFS to determine the significance of some regulatory actions under consideration at the time the semiannual regulatory agenda is published. Frequently NMFS does not have specific plan objectives or alternatives for management since the Councils may not have approved or submitted plans to the Secretary of Commerce for review, adoption, and implementation.

The DOC April 1988 regulatory agenda follows.

Robert H. Brumley,
Deputy General Counsel.

Office of the Secretary—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
213	Privacy Act	0690-AA16

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
214	Contract Clauses and Solicitation Provisions for the Commerce Automated Solicitation System	0690-AA08
215	Source Evaluation Procedures and Miscellaneous Revisions to the Commerce Acquisition Regulation	0690-AA13
216	Program Fraud Civil Remedies	0690-AA14

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
217	Enforcement of Nondiscrimination on the Basis of Handicap in Department of Commerce Programs	0690-AA06
218	Public Information	0690-AA15

Bureau of Economic Analysis—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
219	Implementation of Annual Survey of Selected Services Transactions with Unaffiliated Foreign Persons	0691-AA10
220	Increase in Exemption Levels for Quarterly Foreign Direct Investment Surveys Conducted by BEA -- Forms BE-605 and 606B	0691-AA12
221	Change in Exemption for Foreign Ocean Carriers' Expenses Survey Conducted by BEA -- Annual Report Form BE-29	0691-AA13
222	Increase in Exemption Level of Annual Survey of Foreign Direct Investment in the United States (Form BE-15) conducted by BEA	0691-AA14

Bureau of Economic Analysis—Completed Actions

Sequence Number	Title	Regulation Identifier Number
223	Benchmark Survey of Foreign Direct Investment in the United States -- 1987	0691-AA08
224	Revisions in Reporting Requirements for Surveys of U.S. Trade in Services with Foreign Persons	0691-AA09
225	Rule to Change Reporting Criteria for Minority-Owned Foreign Affiliates on Form BE-11C of the Annual Survey of U.S. Direct Investment Abroad	0691-AA11

DOC

Bureau of the Census—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
226	Foreign Trade Statistics Regulations	0607-AA10

Bureau of the Census—Completed Actions

Sequence Number	Title	Regulation Identifier Number
227	Shipper's Export Declaration -- Foreign Trade Statistics	0607-AA09

Economic Development Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
228	General Requirements for Financial Assistance -- Design, Construction of Buildings to Accommodate the Physically Handicapped	0610-AA05
229	Economic Development Administration: Property Management Standards	0610-AA07
230	Property Management Standards -- Mortgages	0610-AA12
231	General Requirements for Financial Assistance -- Flood Insurance Program; and Environmental Requirements	0610-AA16
232	General Requirements for Financial Assistance: Employment of Expediters or Administrative Employees; Compensation of Persons Engaged by or on Behalf of Applicants	0610-AA18
233	Overall Economic Development Program Public Works and Development Facilities Program	0610-AA19
234	Designation of Areas; Designation of PWIP Areas	0610-AA21
235	General Requirements for Financial Assistance; Unfair Competition	0610-AA22
236	Sale of Loans and Loan Guarantees to the Private Sector	0610-AA31
237	General Requirements for Financial Assistance -- Nonrelocation	0610-AA32
238	General Requirements for Financial Assistance - Project Modification	0610-AA33
239	Protection of EDA's Interest in Facilities Acquired, Built, or Improved with EDA Grant Funds	0610-AA35
240	Liability for Hazardous Substances Associated with EDA Loans and Loan Guarantees	0610-AA36
241	Adjustment Grants - Revolving Loan Funds	0610-AA37

General Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
242	Nonprocurement Debarment and Suspension	0605-AA02

General Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
243	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	0605-AA03

DOC

International Trade Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
244	General Regulations Governing Foreign Trade Zones in the United States, with Rules of Procedures	0625-AA04
245	Annual Watch Quota Allocations	0625-AA25
246	Antidumping and Countervailing Duties; Modifications	0625-AA26
247	Export Trade Certificates of Review	0625-AA27
248	Defense Priorities and Allocations System (DPAS)	0625-AA28

International Trade Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
249	Adjustment Assistance for Firms and Industries	0625-AA05
250	Antidumping Duties; Countervailing Duties	0625-AA08
251	Revisions to Short Supply Regulations	0625-AA21
252	Sanctions for Violation of Antidumping and Countervailing Duty Protective Orders	0625-AA24

International Trade Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
253	Effect of Imported Articles on the National Security	0625-AA15

National Bureau of Standards—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
254	FIPS for Information Resource Dictionary System (IRDS)	0693-AA38
255	FIPS for Codes for the Identification of Aquifer Names and Geologic Units	0693-AA44
256	FIPS for C Programming Language	0693-AA48
257	FIPS for Recorded Magnetic Tape Cartridge for Information Interchange; 4-Track, Serial, 0.250 in (6.30 mm), 6400 bpi (252 bpmm) Inverted Modified Frequency Modulation Encoded	0693-AA51
258	FIPS for Serial Recorded Magnetic Tape Cartridge for Information Interchange; Four and Five Track, 0.250 in (6.30 mm) 8000 bpi (315 bpmm) Streaming Mode Group Code Recording	0693-AA52
259	FIPS for One-Half Inch Magnetic Tape Interchange Using a Self Loading Cartridge	0693-AA53
260	FIPS for Recorded Formats for One and Two-Sided 5.25 Inch (130 mm) and 3.5 in (90 mm) Flexible Disk Cartridges	0693-AA54
261	FIPS for Recorded Magnetic Tape and Cartridge for Information Interchange; 18 track, Parallel, 12.65 mm (1/2 in), 1491 cpmm (37871 cpi) Group-Coded Recording	0693-AA55
262	FIPS for Device Level Interface for Streaming Cartridge and Cassette Tape Drives	0693-AA57
263	FIPS for Electronic Business Data Exchange	0693-AA62
264	Extensions to FIPS 127, Database Language SQL	0693-AA63
265	FIPS for Programmer's Hierarchical Interactive Graphics System (PHIGS)	0693-AA64

National Bureau of Standards—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
266	Revision to FIPS 100, Interface Between Data Terminal Equipment (DTE) and Data Circuit-Terminating Equipment (DCE) for Operation with Packet-Switched Data Communications Networks	0693-AA39
267	FIPS for Portable Operating System Environments (POSIX**)	0693-AA49
268	FIPS for Standard Generalized Markup Language (SGML)	0693-AA50

DOC

National Bureau of Standards—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
269	Revisions to FIPS 60, 61, 62, 63, 97, and 111, Computer System Input/Output (I/O) Interface Standards	0693-AA59
270	FIPS for Government Open Systems Interconnection Profile	0693-AA61

National Bureau of Standards—Completed Actions

Sequence Number	Title	Regulation Identifier Number
271	FIPS PUB 68-2, BASIC	0693-AA35
272	FIPS PUB 29-2, Interpretation Procedures for Federal Information Processing Standards for Software	0693-AA47
273	FIPS for Interfaces Between Flexible Disk Cartridge Drives and Their Host Controllers	0693-AA58
274	Review of FIPS 46, Data Encryption Standard	0693-AA60

National Oceanic and Atmospheric Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
275	Marine Fishery User Fees	0648-AB93
276	Taking of Marine Mammals Incidental to Underwater Tests by the Department of the Navy	0648-AC08
277	Amendment 1 Gulf of Mexico Reef Fish Fishery Management Plan	0648-AC16
278	Amendment 8 to the Fishery Management Plan for the Atlantic Surf Clam and Ocean Quahog Fisheries	0648-AC19
279	Amendment 2 to the Northeast Multispecies Fishery Management Plan	0648-AC26
280	Amendment 4 to the Pacific Coast Groundfish Fishery Management Plan	0648-AC43
281	Amendment 1 to the Fishery Management Plan for the Snapper- Grouper Fishery of the South Atlantic	0648-AC50
282	Bluefish Fishery Management Plan	0648-AC51
283	Federal Consistency with Approved Coastal Zone Management Programs	0648-AA34

National Oceanic and Atmospheric Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
284	Processed Fishery Products, Processed Products Thereof & Certain Other Processed Food Products: U.S. Standards for Grades of Frozen Fish Blocks & Products Made Therefrom ETC	0648-AA46
285	Implementation of PL 59-659 and Other Recommendations To Improve the Fishery Management System	0648-AB09
286	Development of a Fishery Management Plan for Summer Flounder	0648-AB30
287	Endangered Fish or Wildlife; Permits for the Incidental Taking of Endangered Marine Species	0648-AB47
288	Groundfish of the Gulf of Alaska and High Seas Salmon Fishery off Alaska; Regulatory Amendment	0648-AB51
289	Amendment 2 to the Fishery Management Plan for Atlantic Sea Scallops	0648-AB83
290	Resubmitted Portion of Amendment 1 to the American Lobster Fishery Management Plan	0648-AB89
291	Amendment 1 to the Swordfish FMP	0648-AB92
292	Safety of United States Observers Aboard Foreign Fishing Vessels	0648-AB94
293	Amendment 3 to the High Seas Salmon Fishery Off the Coast of Alaska East of 175 E. Longitude	0648-AC00
294	Amendment 2 to the Fishery Management Plan for the Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region	0648-AC10
295	Amendment 3 to the Fishery Management Plan for the Coastal Migratory Pelagic Resources	0648-AC15
296	Fishery Management Plan for Atlantic Billfishes	0648-AC24
297	Proposed Rule to Establish Product Specific Seafood Marketing Councils Under the Fish and Seafood Promotion Act of 1986 (FSPA)	0648-AC27
298	Regulatory Amendment Revising the Final Regulations Implementing the American Lobster Fishery Management Plan	0648-AC28
299	Amendment 2 to the Spiny Lobster Fishery Management Plan of the Gulf of Mexico and South Atlantic	0648-AC29
300	Foreign Fishing Poundage and Permit Fees, 1989	0648-AC30
301	Regulatory Amendment to Require Reporting of Pacific Coast Groundfish Landing to States	0648-AC31
302	Amendment 12 to the FMP for Groundfish of the Bering Sea and Aleutian Islands area	0648-AC32

DOC

National Oceanic and Atmospheric Administration—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
303	Amendment 1 to the Fishery Management Plan for the Precious Coral Fishery of the Western Pacific Region	0648-AC33
304	Fishery Management Plan for King and Tanner Crab in the Bering Sea and Aleutian Islands	0648-AC34
305	Amendment 2 to the Red Drum Fishery Management Plan for the Gulf of Mexico	0648-AC38
306	Reporting Requirements Governing Salmon Taken Off Alaska and Delivered or Landed Outside Alaska	0648-AC39
307	Atlantic Tuna Fisheries - Regulatory Amendment	0648-AC40
308	Regulatory Amendment to the Fishery Management Plan for the Atlantic Swordfish Fishery	0648-AC41
309	Amendment 17 to the FMP for Groundfish of the Gulf of Alaska	0648-AC42
310	Amendment 3 to the Fishery Management Plan for Atlantic Sea Scallops	0648-AC44
311	Policy to Require Observers to be Carried on Domestic Fishing Vessels	0648-AC45
312	Regulatory Amendment Modifying the Boundary of the Texas Seasonal Closure of the Shrimp Fishery of the Gulf of Mexico for 1988	0648-AC46
313	Regulatory Amendment Revising the Final Regulations Implementing the Fishery Management Plan for the Coastal Migratory Pelagic Resources	0648-AC47
314	Regulatory Amendment to Designate Special Fishing Areas in the Snapper-grouper Fishery of the South Atlantic	0648-AC48
315	Amendment 9 to the Fishery Management Plan for Commercial and Recreational Salmon fisheries off the Coasts of Washington, Oregon, and California	0648-AC49
316	Proposed Regulations for the Key Largo National Marine Sanctuary	0648-AA33
317	Draft Regulations for the Proposed Flower Garden Banks National Marine Sanctuary	0648-AB49
318	Proposed Regulations for the Looe Key National Marine Sanctuary	0648-AB64
319	Proposed Regulations for the National Estuarine Reserve Research Program	0648-AB68
320	Rulemaking to Implement 1985 Reauthorization of the Coastal Zone Management Act (CZMA)	0648-AC02
321	Proposed Regulations for the Channel Islands National Marine Sanctuary	0648-AC03
322	Proposed Regulations for the Point Reyes-Farallon Islands National Marine Sanctuary	0648-AC05

National Oceanic and Atmospheric Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
323	Fishery Conservation and Management: Confidentiality of Statistics	0648-AA38
324	U.S. General Standards for Grades of Shrimp	0648-AA47
325	Foreign Fishing - Scientific Research	0648-AB23
326	Regulations Governing the Taking and Importing of Marine Mammals; Importation of Yellowfin Tuna	0648-AB46
327	Endangered Fish and Wildlife; Approaching Humpback Whales in Hawaiian Waters	0648-AB79
328	Groundfish of the Gulf of Alaska - Amendment 16 and Groundfish of the Bering Sea and Aleutian Islands Area - Amendment 11a	0648-AB98
329	U.S. Standards for Grades of Fish Fillets	0648-AC12
330	Amendment to Regulation Providing for Allocation of Pacific Halibut Among Domestic Fishermen	0648-AC20
331	Implementation of Conditionally Approved Measures Under Amendment 1 to the Spiny and Slipper Lobster FMP in the Gulf of Mexico and South Atlantic - Permits and Bag Limits	0648-AC25
332	Regulatory Amendment to Prohibit Landings of Undersize Red Snapper in the Reef Fish Fishery of the Gulf of Mexico	0648-AC36
333	Implementation of Conditionally Approved Measures Under Amendment to the Spiny and Slipper Lobster FMP in the Gulf of Mexico and South Atlantic - Trap Removal	0648-AC37
334	Interjurisdictional Fisheries	0648-AC52
335	Proposed Regulations for the National Marine Sanctuary Program	0648-AA31
336	Draft Regulations for the Proposed Cordell Bank National Marine Sanctuary	0648-AB50
337	Deep Seabed Mining Regulations for Commercial Recovery	0648-AA36

National Oceanic and Atmospheric Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
338	Marking Requirements for the Importation, Exportation, & Interstate Transportation of Fish or Wildlife	0648-AA53
339	U.S. Standards for Grades of Fresh or Frozen North American Freshwater Catfish and Products Made Therefrom	0648-AA73
340	Amendment No. 5 to the Fishery Management Plan for the Spiny Lobster Fisheries of the Western Pacific Region	0648-AB81
341	Amendment 1 to the Red Drum Fishery Management Plan for the Gulf of Mexico	0648-AB91
342	Groundfish of the Bering Sea and Aleutian Islands - Amendment 11	0648-AB96

DOC

National Oceanic and Atmospheric Administration—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
343	Amendment 2 to the American Lobster Fishery Management Plan	0648-AB97
344	Amendment 8 to the Fishery Management Plan for Commercial and Recreational Salmon Fisheries Off the Coasts of Washington, Oregon, and California	0648-AB99
345	Foreign Fishing Poundage and Permit Fees, 1988	0648-AC01
346	Amendment 1 to the Northeast Multispecies Fishery Management Plan	0648-AC04
347	Performance Standards for Tuna Skippers	0648-AC07
348	Amendment 1 for the Fishery Management Plan for the Bottomfish and Seamount Groundfish Fisheries of the Western Pacific Region	0648-AC11
349	Amendment to the Regulations Implementing the Atlantic Sea Scallop FMP - Revise the Expiration Date of Fishing Permits	0648-AC13
350	Amendment to Regulations for Groundfish of the Gulf of Alaska, Bering Sea and Aleutian Islands Area - Reporting Requirements	0648-AC14
351	Amendment 4 to the Fishery Management Plan for the Shrimp Fishery of the Gulf of Mexico	0648-AC17
352	Amendment 3 to the Pacific Coast Groundfish Fishery Management Plan	0648-AC18
353	Regulatory Amendment to the Fishery Management Plan for the Atlantic Swordfish Fishery - Extension of The Plan	0648-AC21
354	Regulatory amendment to the FMP for Groundfish of the Gulf of Alaska Groundfish, other Than Sablefish	0648-AC35
355	Regulatory Amendment Revising the Final Regulations Implementing the American Lobster Fishery Management Plan	0648-AC09

National Telecommunications and Information Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
356	Public Telecommunications Facilities Program: Report and Order (Final Rules), Funding Priorities and Policy Statement	0660-AA01

Office of Productivity, Technology and Innovation—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
357	Administration of a Uniform Patent Policy with Respect to Domestic Rights in Inventions Made by Government Employees	0692-AA05

Office of Productivity, Technology and Innovation—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
358	Licensing of Government-Owned Inventions	0692-AA04

Patent and Trademark Office—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
359	Requests for Identifiable Records	0651-AA04
360	Deposit of Biological Materials for Patent Purposes	0651-AA13
361	Trademark Applications Pursuant to 15 U.S.C. 1126	0651-AA23
362	Duty of Disclosure - Information Disclosure Statement	0651-AA27
363	Requests for Presidential Proclamations under the Semiconductor Chip Protection Act	0651-AA29
364	Revision of Patent Fees	0651-AA30

DOC

Patent and Trademark Office—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
365	Practice Before the Patent and Trademark Office	0651-AA31
366	Miscellaneous Changes in Patent Practice	0651-AA32

Patent and Trademark Office—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
367	Variety Denomination Requirements for Plant Patent Applications	0651-AA12
368	Trademark Automated Search System Fees	0651-AA18
369	Miscellaneous Amendments of Patent Rules	0651-AA25

United States Travel and Tourism Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
370	Travel Promotion Fee	0644-AA00

DEPARTMENT OF COMMERCE (DOC)

Prerule Stage

Office of the Secretary (OS)

213. ● PRIVACY ACT

Legal Authority: 5 USC 552a

CFR Citation: 15 CFR 4b

Legal Deadline: None.

Abstract: The existing regulations implementing the Privacy Act are being revised to reflect the centralization of the administrative appeals process. Current regulations assign final decisionmaking authority within the same component making the initial decision. Centralization within the Office of General Counsel would promote enhanced objectivity in the Department's final administrative decisions on Privacy Act requests.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/88	
ANPRM Comment Period End	05/00/88	

Small Entity: Yes

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Geraldine P. LeBoo, Management Analyst, Department of Commerce, Office of the Secretary, Washington, DC 20230, 202 377-3630

RIN: 0690-AA16

DEPARTMENT OF COMMERCE (DOC)

Proposed Rule Stage

Office of the Secretary (OS)

214. CONTRACT CLAUSES AND SOLICITATION PROVISIONS FOR THE COMMERCE AUTOMATED SOLICITATION SYSTEM

Legal Authority: 41 USC 251 et seq; PL 98-369; PL 98-577

CFR Citation: 48 CFR 1 to 53

Legal Deadline: None.

Abstract: The Department of Commerce is currently reviewing standardized contract clauses and solicitation provisions for inclusion in a planned Departmentwide automated solicitation system. A proposed amendment to the Commerce Acquisition Regulation (CAR) would illustrate and incorporate these standardized clauses and provisions. This should ultimately be less burdensome to Department contractors and potential contractors, since the clauses and provisions would be used uniformly throughout the Department.

DOC—OS — Proposed Rule Stage

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Robert A. Welch, Deputy Director for Procurement, Department of Commerce, Office of the Secretary, Office of Procurement and Administrative Ser, 14th Street & Constitution Avenue, NW, Washington, DC 20230, 202 377-2773

RIN: 0690-AA08

215. SOURCE EVALUATION PROCEDURES AND MISCELLANEOUS REVISIONS TO THE COMMERCE ACQUISITION REGULATION

Legal Authority: 41 USC 251 et seq

CFR Citation: 48 CFR 1 to 53

Legal Deadline: None.

Abstract: The Department of Commerce has no formal uniform source evaluation procedures applicable to its procurement activities. Standardization of source evaluation procedures will alleviate potential inconsistencies among procurement professionals as well as potential Department Contractors relative to evaluation of proposals.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Robert A. Welch, Deputy Director for Procurement, Department of Commerce, Office of the Secretary, Office of Procurement and Administrative Ser, 14th Street and Constitution Ave., NW, Washington, DC 20230, 202 377-2773

RIN: 0690-AA13

216. PROGRAM FRAUD CIVIL REMEDIES

Legal Authority: 31 USC 3809

CFR Citation: 15 CFR 25

Legal Deadline: None.

Abstract: This rule, if promulgated, would implement the Program Fraud Civil Remedies Act of 1986 which authorizes the Department of Commerce (and certain other Federal agencies) to impose through administrative adjudication civil penalties and assessments against persons making false claims or statements to it.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Jerry Walz, Chief, Contract Law Division, Room 5893, Department of Commerce, Office of the Secretary, Washington, DC 20230, 202 377-1122

RIN: 0690-AA14

DEPARTMENT OF COMMERCE (DOC)
Office of the Secretary (OS)

Final Rule Stage

217. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN DEPARTMENT OF COMMERCE PROGRAMS

Legal Authority: 29 USC 794; EO 12250

CFR Citation: 15 CFR 8c

Legal Deadline: None.

Abstract: Regulations will be proposed providing for the enforcement of Section 504 of the Rehabilitation Act of 1973, as amended. These regulations will ensure programmatic and physical accessibility for handicapped individuals in Department of Commerce activities.

Timetable:

Action	Date	FR Cite
NPRM	11/24/84	49 FR 45861
NPRM Comment Period End	03/21/85	49 FR 45861
Final Action	04/00/88	

Small Entity: No

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Richard Stearns, Chief, EEO Division, Department of Commerce, Office of the Secretary, Office of Civil Rights, 14th and Constitution Avenue, NW, Washington, DC 20230, 202 377-5691

RIN: 0690-AA06

218. PUBLIC INFORMATION

Legal Authority: 5 USC 552

CFR Citation: 15 CFR 4

Legal Deadline: None.

Abstract: The existing regulations implementing the Freedom of Information Act are being revised to incorporate changes in the Department's policies and procedures affecting FOIA administration. Additionally, the revision adopts the provisions of E.O. 12600, Predisclosure Notification Procedures for Confidential Information, dated June 23, 1987. Section 4.9 of the regulations was completed on July 17, 1987, 52 FR 26951, to comply with the Freedom of Information Reform Act of 1986.

Timetable:

Action	Date	FR Cite
NPRM	04/28/87	52 FR 15327
NPRM Comment Period End	06/12/87	52 FR 15327
Final Action Effective	04/01/88	

Small Entity: No

Affected Sectors: All

Government Levels Affected: Local, State, Federal

Agency Contact: Geraldine P. LeBoo, Management Analyst, Department of Commerce, Office of the Secretary, US Department of Commerce, Washington, DC 20230, 202 377-3630

RIN: 0690-AA15

DEPARTMENT OF COMMERCE (DOC)
Bureau of Economic Analysis (BEA)

Proposed Rule Stage

219. IMPLEMENTATION OF ANNUAL SURVEY OF SELECTED SERVICES TRANSACTIONS WITH UNAFFILIATED FOREIGN PERSONS

Significance: Agency Priority

Legal Authority: 22 USC 3101 to 3108 Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 801

Legal Deadline: None.

Abstract: This action will amend 15 CFR 801 by adding rules to implement a new annual follow-on survey to the BE-20 Benchmark Survey of Selected Services Transactions with Unaffiliated Foreign Persons--1986. The scope and coverage of the annual survey are expected to be more limited than that of the benchmark survey, with exact scope and coverage to be determined after analysis of preliminary results of the 1986 BE-20. Data from the annual survey will be used to derive universe estimates of covered services transactions in nonbenchmark years, thus updating the data collected in the benchmark survey. The first year of coverage will be 1987; the survey will not be taken for a year covered by the benchmark survey.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	08/00/88	
Final Action	09/00/88	
Final Action Effective	10/00/88	

Small Entity: No

Public Compliance Cost: Initial Cost: $1,600,000; Yearly Recurring Cost: $1,600,000; Base Year for Dollar Estimates: 1988

Agency Contact: Betty L. Barker, Acting Chief, International Investment Div., Department of Commerce, Bureau of Economic Analysis, 1401 K Street, NW, Room 607, Tower Building, Washington, DC 20230, **202 523-0659**

RIN: 0691-AA10

220. INCREASE IN EXEMPTION LEVELS FOR QUARTERLY FOREIGN DIRECT INVESTMENT SURVEYS CONDUCTED BY BEA -- FORMS BE-605 AND 606B

Legal Authority: 22 USC 3101 to 3108 Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 806

Legal Deadline: None.

Abstract: This action will raise the exemption levels for quarterly report Forms BE-605 (Transactions of U.S. Affiliates, Except an Unincorporated Bank, with Foreign Parent) and BE-606B (Transactions of U.S. Banking Branch or Agency with Foreign Parent) from $15 million to $20 million. The purpose of the action is to bring the exemption levels into conformance with those for Form BE-12 (LF) of the Benchmark Survey of Foreign Direct Investment in the United States -- 1987. As a result of the action, the number of reports filed by U.S. companies will be significantly reduced, thereby reducing both reporting and processing burden.

Timetable:

Action	Date	FR Cite
NPRM	02/16/88	53 FR 04420
NPRM Comment Period End	04/01/88	
Final Action	05/00/88	
Final Action Effective	06/00/88	

Small Entity: No

Agency Contact: Betty L. Barker, Acting Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, 1401 K Street, NW, Room 607, Tower Building, Washington, DC 20230, **202 523-0659**

RIN: 0691-AA12

221. ● CHANGE IN EXEMPTION FOR FOREIGN OCEAN CARRIERS' EXPENSES SURVEY CONDUCTED BY BEA -- ANNUAL REPORT FORM BE-29

Legal Authority: 22 USC 3101 to 3108 Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 806

Legal Deadline: None.

Abstract: This action will change the exemption for annual report Form BE-29 (Foreign Ocean Carriers' Expenses in the United States). An exemption based on number of calls by foreign carriers will be added and the exemption level based on the value of reportable transactions will be lowered. The change will more accurately identify persons with significant reportable transactions. This action will also place a limit on the number of reports required for certain kinds of carriers. As a result of this action, the number of reporters and number of reports filed by respondents will be reduced, thereby reducing both reporting and processing burdens.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	08/00/88	
Final Action	09/00/88	
Final Action Effective	10/00/88	

Small Entity: No

Agency Contact: Anthony J. DiLullo, Assistant Chief, Department of Commerce, Bureau of Economic Analysis, Balance of Payments Division, Bureau of Economic Analysis BE-58, Washington, DC 20230, **202 523-0621**

RIN: 0691-AA13

222. ● INCREASE IN EXEMPTION LEVEL OF ANNUAL SURVEY OF FOREIGN DIRECT INVESTMENT IN THE UNITED STATES (FORM BE-15) CONDUCTED BY BEA

Legal Authority: 22 USC 3101 to 3108 Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 806

Legal Deadline: None.

Abstract: This action will raise the exemption level for Form BE-15 (Annual Survey of Foreign Direct Investment in the United States) from $10 million to $20 million. The purpose of the action is to bring the exemption level into conformance with that for Form BE-12 (LF) of the Benchmark Survey of Foreign Direct Investment in the United States-1987. As a result of the action, the number of reports filed by U.S. companies will be significantly reduced, thereby reducing both reporting and processing burden.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
NPRM Comment Period End	11/00/88	
Final Action	02/00/89	
Final Action Effective	03/00/89	

Small Entity: No

Agency Contact: Betty L. Barker, Acting Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, 1401 K Street, NW, Room 607, Tower Building, Washington, DC 20230, **202 523-0659**

RIN: 0691-AA14

DEPARTMENT OF COMMERCE (DOC)
Bureau of Economic Analysis (BEA)

Completed Actions

223. BENCHMARK SURVEY OF FOREIGN DIRECT INVESTMENT IN THE UNITED STATES -- 1987

Legal Authority: 22 USC 3101 to 3108 Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 806.15; 15 CFR 806.17

Legal Deadline: Statutory. The survey must cover the year 1987.

Abstract: This action will amend existing rule 15 CFR Part 806.17 to provide for the conduct of the BE-12, Benchmark Survey of Foreign Direct Investment in the United States -- 1987, as required by the International Investment and Trade in Services Act, 22 USC 3101 to 3108 (see especially Sec 4(b) of the Act). The existing rule covers a similar survey for 1980, which has been completed and which the new survey will update.

Timetable:

Action	Date	FR Cite
NPRM	11/05/87	52 FR 42447
NPRM Comment Period End	12/21/87	
Final Action	01/15/88	53 FR 01015
Final Action Effective	02/16/88	

Small Entity: No

Agency Contact: Betty L. Barker, Acting Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, 1401 K Street, NW, Room 607, Tower Building, Washington, DC 20230, **202 523-0659**

RIN: 0691-AA08

224. REVISIONS IN REPORTING REQUIREMENTS FOR SURVEYS OF U.S. TRADE IN SERVICES WITH FOREIGN PERSONS

Legal Authority: 22 USC 3101 to 3108 Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 801

Legal Deadline: None.

Abstract: This action will amend 15 CFR 801 to bring three existing BEA services surveys into conformance with the new BE-20 Benchmark Survey of Selected Services Transactions with Unaffiliated Foreign Persons -- 1986 and with its anticipated annual follow-on survey. Specifically, it will: (1) change the titles of the three surveys to clarify coverage. The title of the BE-47 survey will change to "Annual Survey of Construction, Engineering, Architectural, and Mining Services Provided by U.S. Firms to Unaffiliated Foreign Persons." The title of the BE-48 survey will change to "Annual Survey of Reinsurance and Other Insurance Transactions by U.S. Insurance Companies With Foreign Persons." The title of the BE-93 survey will change to "Annual Survey of Royalties, License Fees, and Other Receipts and Payments for Intangible Rights Between U.S. and Unaffiliated Foreign Persons." (2) Amend 15 CFR 801.9(b) (4) to expand coverage of the BE-48 survey to include direct insurance as well as reinsurance transactions. In designing the BE-20 survey, it was decided to include direct insurance on the existing BE-48 survey rather than on the BE-20. (CONT.)

Timetable:

Action	Date	FR Cite
NPRM	09/30/87	52 FR 36587
NPRM Comment Period End	11/16/87	
Final Action	12/09/87	52 FR 46587
Final Action Effective	01/08/88	52 FR 46588

Small Entity: No

Additional Information: ABSTRACT CONT: Heretofore, no data on direct insurance transactions with foreign persons have been collected. (3) Amend 15 CFR 801 to revise the description of "Who must report" in the three surveys for clarification purposes; no substantive changes are intended. (4) Amend 15 CFR 801 to apply existing exemption levels for the BE-47 and 48 surveys to newly added items. No change in the exemption levels themselves is planned. For the BE-47 survey, the current exemption level will be applied to the gross book value of new contracts received. For the BE-48 survey, the current exemption level will be applied to primary insurance premiums received and primary insurance losses paid.

Agency Contact: Betty L. Barker, Acting Chief, International Investment Division, Department of Commerce, Bureau of Economic Analysis, 1401 K Street, NW, Room 607, Tower Building, Washington, DC 20230, **202 523-0659**

RIN: 0691-AA09

225. RULE TO CHANGE REPORTING CRITERIA FOR MINORITY-OWNED FOREIGN AFFILIATES ON FORM BE-11C OF THE ANNUAL SURVEY OF U.S. DIRECT INVESTMENT ABROAD

Legal Authority: 22 USC 3101 to 3108 Int'l Investment & Trade in Svcs Survey Act

CFR Citation: 15 CFR 806.14(f)(3)(iii), (Revision)

Legal Deadline: None.

Abstract: This action will revise 15 CFR 806.14(f) (3) (iii) by lowering the percentage of ownership above which a minority-owned foreign affiliate must be reported on Form BE-11C of BEA's Annual Survey of U.S. Direct Investment Abroad. The ownership cutoff now used on the BE-11c is 25 percent. However, foreign business enterprises owned between 10 and 25 percent by a U.S. person are, by definition, also considered foreign affiliates and are thus part of the universe of U.S. direct investment abroad. Experience has shown that some of these affiliates with low ownership interests are, nevertheless, very large. Without the type of information collected on the form, data for such affiliates and, thus, for the universe as a whole, cannot be accurately estimated. For affiliates owned at least 20 percent, but less than 25 percent, by the U.S. Reporter and for which total assets, sales or net income exceed $10 million, this action would require reporting of all 7 data items on the form. For affiliates owned at least 10 percent, but less than 20 percent, by the U.S. Reporter and for which total assets, sales, or net income exceed (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/14/87	52 FR 34685
NPRM Comment Period End	10/14/87	
Final Action	11/04/87	52 FR 42275
Final Action Effective	12/04/87	52 FR 42275

Small Entity: No

Additional Information: ABSTRACT CONT: $100 million, this action would require reporting of only 3 data items--assets, sales, and net income--and only for fiscal year 1987.

Agency Contact: Patricia Walker, Chief, Direct Investment Abroad Branch, Department of Commerce, Bureau of Economic Analysis, 1401 K

DOC—BEA Completed Actions

S'reet, NW, Room 603, Tower Building, Washington, DC 20230, 202 523-0661

RIN: 0691-AA11

DEPARTMENT OF COMMERCE (DOC)
Bureau of the Census (CENSUS)

Proposed Rule Stage

226. FOREIGN TRADE STATISTICS REGULATIONS

Significance: Regulatory Program

Legal Authority: 13 USC 301 to 307

CFR Citation: 15 CFR 30.1 to 30.92

Legal Deadline: None. Deadline is contingent upon legislation not yet passed.

Abstract: Review of CFR 30 for changes to conform with the new statistical classification (harmonized) system for imports and exports. This review will combine elements of housekeeping changes, updating obsolete information, clarification, bringing the system into line with harmonization (including metric measurements) and conformance of reporting with current practices.

There should be no added burden or cost placed on the public because no additional information is required, nor new reporting requirements.

The benefits of these changes will be: allowing direct comparisons between U.S. imports and exports, enabling comparisons between the trade balances of the U.S. and of our major trading partners.

Once the legislation is passed, there is no alternative to making these changes in order to implement the legislation. Additionally, Section 30.24 will be revised to be consistent with Customs Regulations by eliminating the "four day rule" regarding submission of "Shipper's Export Declarations."

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entity: No

Affected Sectors: All

Government Levels Affected: Federal

Agency Contact: Don L. Adams, Chief, Foreign Trade Division, Department of Commerce, Bureau of the Census, Washington, DC 20233, 301 763-5342

RIN: 0607-AA10

DEPARTMENT OF COMMERCE (DOC)
Bureau of the Census (CENSUS)

Completed Actions

227. SHIPPER'S EXPORT DECLARATION -- FOREIGN TRADE STATISTICS

Legal Authority: 13 USC 301 to 307; 5 USC 301

CFR Citation: 15 CFR 30; 15 CFR 30.55(h)

Legal Deadline: None.

Abstract: It is proposed to amend the Foreign Trade Statistics Regulations to raise the present exemption for filing shipper's Export Declarations (except for shipments requiring a validated export license) from $1000 to $1500. The exemption for shipments through the U.S. Postal Service will remain at $500.

Timetable:

Action	Date	FR Cite
NPRM	04/24/87	52 FR 13714
NPRM Comment Period End	06/23/87	
Final Action	08/31/87	52 FR 32782
Final Action Effective	10/01/87	

Small Entity: No

Agency Contact: Don L. Adams, Chief, Foreign Trade Division, Department of Commerce, Bureau of the Census, Washington, DC 20233, 301 763-5342

RIN: 0607-AA09

DEPARTMENT OF COMMERCE (DOC)
Economic Development Administration (EDA)

Final Rule Stage

228. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE -- DESIGN, CONSTRUCTION OF BUILDINGS TO ACCOMMODATE THE PHYSICALLY HANDICAPPED

Legal Authority: 42 USC 4151 to 4156; 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 309.14

Legal Deadline: None.

Abstract: Existing regulations will be amended if necessary to reflect the most recent (1980) standards of the American National Standards Institute (ANSI) for handicap accessibility as well as the "Minimum Guidelines and Requirements for Accessible Design" published by the Architectural and Transportation Barriers Compliance Board (47 FR 33862, August 14, 1982) and the proposed "Uniform Federal Accessibility Standards" published by GSA (comments due by August 22, 1983).

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development

Administration, Operations and Administration, 14th & Constitution Ave., NW, Room 7001, Washington, DC 20230, 202 377-5441

RIN: 0610-AA05

229. ECONOMIC DEVELOPMENT ADMINISTRATION: PROPERTY MANAGEMENT STANDARDS

Legal Authority: 40 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 314

Legal Deadline: None.

Abstract: EDA's regulations regarding the use and disposition of real property acquired or improved with federal funds is being revised to clarify EDA policy regarding the authorized use and disposition of grant property (real property) and in particular requirements regarding the lease and/or sale of such property. As revised the change will clarify present requirements for property determining the appropriate amount of compensation due the Federal Government upon the sale of real property acquired or improved with grant funds.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, Operations and Administration, 14th & Constitution Ave., NW, Room 7001, Washington, DC 20230, 202 377-5441

RIN: 0610-AA07

230. PROPERTY MANAGEMENT STANDARDS -- MORTGAGES

Legal Authority: 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 314.5

Legal Deadline: None.

Abstract: These amendments allow the Assistant Secretary to waive the prohibition against placing mortgages on property which has been financed by an EDA public works grant, if an additional condition is met. This additional condition for waiver is that all proceeds from a loan which is secured by a mortgage or lien on property which has been financed by an EDA public works grant shall be available only to the grantee and such proceeds shall be used on the project which secures such loans, or for working capital purposes relating to that project.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/30/84	49 FR 22463
Final Action	06/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Deputy Chief Counsel, Department of Commerce, Economic Development Administration, Operations and Administration, 14th & Constitution Ave., NW, Room 7001, Washington, DC 20230, 202 377-5441

RIN: 0610-AA12

231. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE -- FLOOD INSURANCE PROGRAM; AND ENVIRONMENTAL REQUIREMENTS

Legal Authority: 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 309.15; 13 CFR 309.18

Legal Deadline: None.

Abstract: This rule amends EDA's regulation at 13 CFR 309.15 on Flood Hazard to reflect a shift in the administration of the Flood Insurance Program from the Department of Housing and Urban Development (HUD) to the Federal Emergency Management Agency (FEMA). It also updates environmental regulations at 13 CFR 309.18.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/25/86	51 FR 23042
Final Action	05/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Walter Archibald, Director, Office of Compliance Review, Department of Commerce, Economic Development Administration, Herbert C. Hoover Bldg., 14th & Constitution Avenue, NW, Room 7215, Washington, DC 20230, 202 377-2710

RIN: 0610-AA16

232. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE: EMPLOYMENT OF EXPEDITERS OR ADMINISTRATIVE EMPLOYEES; COMPENSATION OF PERSONS ENGAGED BY OR ON BEHALF OF APPLICANTS

Legal Authority: 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 309

Legal Deadline: None.

Abstract: This rule amends EDA's general requirements regulation -- employment of expediters or administrative employees -- concerning EDA positions involving discretion, to conform to the reorganization of EDA pursuant to Department of Commerce Organization Order 45-1. Old positions which are no longer in existence are deleted. New comparable positions are listed in the amended regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/20/85	50 FR 97
Final Action	06/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Deputy Chief Counsel for Economic Development and Administration, Department of Commerce, Economic Development Administration, Herbert C. Hoover Bldg., 14th St. between Penn. & Const. Ave., NW, Washington, DC 20230, 202 377-5441

RIN: 0610-AA18

233. OVERALL ECONOMIC DEVELOPMENT PROGRAM PUBLIC WORKS AND DEVELOPMENT FACILITIES PROGRAM

Legal Authority: 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 302; 13 CFR 304; 13 CFR 305

DOC—EDA

Final Rule Stage

Legal Deadline: None.

Abstract: This rule amends EDA's rules by updating provisions concerning Public Works Impact Areas and Special Impact Areas, specifically as to Designation Requirements; Overall Economic Development Program Requirements; and Supplementary Grant Rates.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/07/86	51 FR 24512
Final Action	06/00/88	

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Walter Archibald, Director, Office of Compliance Review, Department of Commerce, Economic Development Administration, Herbert C. Hoover Bldg., 14th & Constitution Avenue NW, Room 7215, Washington, DC 20230, **202 377-2710**

RIN: 0610-AA19

234. DESIGNATION OF AREAS; DESIGNATION OF PWIP AREAS

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 302

Legal Deadline: None.

Abstract: 13 CFR Part 302 at Section 302.7 entitled "Designation of Public Works Impact Program Areas" is amended at paragraph (a)(4) to delete reference to submission of an Overall Economic Development Program (OEDP) since under EDA's authorizing legislation, Public Works Impact Program (PWIP) projects need not meet OEDP requirements; and to add that although there are no boundary constraints for PWIPs under the Act, program considerations dictate that for an area to be given PWIP designation, it must be capable of analysis in light of available data establishing eligibility for designation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/03/86	51 FR 24302
Final Action	05/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Walter Archibald, Director, Office of Compliance Review, Department of Commerce, Economic Development Administration, Herbert C. Hoover Bldg., 14th St. between Penn. and Const. Ave., NW, Room 7215, Washington, DC 20230, **202 377-2710**

RIN: 0610-AA21

235. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE; UNFAIR COMPETITION

Legal Authority: 42 USC 3211; Dept. of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 309

Legal Deadline: None.

Abstract: 13 CFR 309 at Sec 309.2 entitled "Unfair Competition" has been amended to change conditions under which EDA will conduct a study (verification and evaluation) called a "702 Study" of the capacity and demand for particular goods, materials, commodities, services or facilities. The amendment will narrow the unfair competition requirements for a "702 Study" by raising the threshold amount of projects from $10,000 to $25,000. Also, the unfair competition exceptions have been expanded to apply to all EDA financial assistance programs. Certain projects are exempt from "702 Study" requirements and the definition of retention of capacity and employment has been changed by deleting the word "existing."

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/02/86	51 FR 16292
Final Action	04/00/88	

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Walter Archibald, Director, Office of Compliance Review, Department of Commerce, Economic Development Administration, Herbert C. Hoover Bldg., 14th St. between Penn. and Const. Ave., NW, Room 7215, Washington, DC 20230, **202 377-2710**

RIN: 0610-AA22

236. SALE OF LOANS AND LOAN GUARANTEES TO THE PRIVATE SECTOR

Significance: Regulatory Program

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR Chapter III

Legal Deadline: None.

Abstract: EDA seeks to repeal the limitation in the Commerce Appropriation Act ("McDade Amendment") whereby funds cannot be used to sell any loan to private interests, except with the consent of the borrower.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Joseph Levine, Chief Counsel, Department of Commerce, Economic Development Administration, 14th Street between Pennsylvania & Constitution Avenues, NW, Washington, DC 20230, **202 377-4678**

RIN: 0610-AA31

237. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE -- NONRELOCATION

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 309.3

Legal Deadline: None.

Abstract: This rule will amend EDA's nonrelocation rule by changing the rate of interest to be charged when failure to abide by the nonrelocation rule results in termination of financial assistance provided by EDA. Interest will be at the rate used in Federal debt collection and discount evaluation under the Debt Collection Act. The rule will also state that the 48 month period for compliance by covered grantees is retroactive if the violation occurs after September 15, 1986.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/10/87	52 FR 21932
Final Action	05/00/88	

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Joseph Levine, Chief Counsel, Department of Commerce, Economic Development Administration, 14th Street between Pennsylvania & Constitution Avenues, NW, Washington, DC 20230, 202 377-4687

RIN: 0610-AA32

---

238. GENERAL REQUIREMENTS FOR FINANCIAL ASSISTANCE - PROJECT MODIFICATION

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 309.26

Legal Deadline: None.

Abstract: The purpose of this amendment is to conform the statement of EDA's policy on project modification to guidelines established by the General Accounting Office on change of scope, by putting into regulatory language, that which has been actual EDA practice. The rule change provides standards and states that EDA will not allow project modification which would constitute a change of scope.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/20/87	51 FR 37175
Final Action	04/00/88	

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Joseph Levine, Chief Counsel, Department of Commerce, Economic Development Administration, 14th Street between Pennsylvania & Constitution Avenues, NW, Washington, DC 20230, 202 377-4687

RIN: 0610-AA33

---

239. PROTECTION OF EDA'S INTEREST IN FACILITIES ACQUIRED, BUILT, OR IMPROVED WITH EDA GRANT FUNDS

Significance: Regulatory Program

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR 314

Legal Deadline: None.

Abstract: EDA intends to initiate regulatory action to protect its interests by: (1) enabling EDA to acquire liens in property purchased or improved with EDA grant funds; and (2) once EDA has such ownership rights in property, by enabling EDA to expend funds to protect and care for such property, including liquidation, litigation or any other necessary action. The latter regulatory action is contingent upon legislation being enacted which authorizes EDA to expend funds and take other actions to protect its ownership rights in property purchased or improved with EDA grant funds. The Department of Commerce Legislative Program for the Second Session of the 100th Congress includes the submission of appropriate legislation to the Congress.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	
Final Action	07/00/88	
Final Action Effective	07/00/88	
Proposed Legislation	00/00/00	

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Joseph Levine, Chief Counsel, Department of Commerce, Economic Development Administration, 14th Street between Pennsylvania & Constitution Avenues, NW, Washington, DC 20230, 202 377-4687

RIN: 0610-AA35

---

240. LIABILITY FOR HAZARDOUS SUBSTANCES ASSOCIATED WITH EDA LOANS AND LOAN GUARANTEES

Significance: Regulatory Program

Legal Authority: 42 USC 3211; Department of Commerce Organization Order 10-4, as amended

CFR Citation: 13 CFR Chapter III

Legal Deadline: None.

Abstract: EDA will undertake some action to enable it to minimize financial losses resulting from hazardous substances on property it has acquired as a result of defaulted business loans and loan guarantees.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/88	
Final Action	08/00/88	
Final Action Effective	08/00/88	

Small Entity: Not Applicable

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Joseph Levine, Chief Counsel, Department of Commerce, Economic Development Administration, 14th Street between Pennsylvania & Constitution Avenues, NW, Washington, DC 20230, 202 377-4687

RIN: 0610-AA36

---

241. ● ADJUSTMENT GRANTS - REVOLVING LOAN FUNDS

Legal Authority: 42 USC 3211; DOC Organization Order 10-4, as amended

CFR Citation: 13 CFR 308

Legal Deadline: None.

Abstract: This would amend EDA's rule on adjustment grants to provide that revolving loan fund (RLF) grants are held in trust by the grantee as trustee for the benefit of borrowers and potential borrowers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: James F. Marten, Acting Chief Counsel, Department of Commerce, Economic Development Administration, Herbert C. Hoover Bldg., Room 7001, 14th St. &

DOC—EDA **Final Rule Stage**

Constitution Ave., NW, Washington, DC 20230, **202 377-4687**

RIN: 0610-AA37

DEPARTMENT OF COMMERCE (DOC) — Final Rule Stage
General Administration (ADMIN)

242. NONPROCUREMENT DEBARMENT AND SUSPENSION

Legal Authority: EO 12549, Debarment and Suspension

CFR Citation: 15 CFR 26

Legal Deadline: None.

Abstract: To eliminate duplicative and inconsistent debarment and suspension actions across the government. Private actions or actions by other levels of government would lack broad enough jurisdiction. This regulation will benefit the U.S. by eliminating duplicative and costly actions. Benefits have not been quantified at this time.

Timetable:

Action	Date	FR Cite
NPRM Comment Period End	12/21/87	52 FR 39021
Final Action	05/00/88	

Small Entity: Undetermined

Government Levels Affected: Local, State, Federal

Agency Contact: Robert McNamara, Grants/Cooperative Agreement Specialist, Department of Commerce, General Administration, 14th & Constitution Avenue, NW, Washington, DC 20230, **202 377-5817**

RIN: 0605-AA02

DEPARTMENT OF COMMERCE (DOC) — Completed Actions
General Administration (ADMIN)

243. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

Legal Authority: 5 USC 301

CFR Citation: 15 CFR 24

Legal Deadline: None.

Abstract: This action states the fiscal and administrative conditions governing grants to State and local governments and subrecipients which are State and local governments. It is intended to simplify and standardize the Federal grant process and eliminate redundant and inconsistent administrative requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/09/87	52 FR 21820
NPRM Comment Period End	08/10/87	
Final Action	03/11/88	53 FR 8034
Final Action Effective	10/01/88	

Small Entity: No

Government Levels Affected: Local, State

Agency Contact: Robert M. McNamara, Grants/Cooperative Agreement Specialist, Department of Commerce, General Administration, Room H6204, 14th Street and Constitution Ave., NW, Washington, DC 20230, **202 377-5817**

RIN: 0605-AA03

DEPARTMENT OF COMMERCE (DOC) — Proposed Rule Stage
International Trade Administration (ITA)

244. GENERAL REGULATIONS GOVERNING FOREIGN TRADE ZONES IN THE UNITED STATES, WITH RULES OF PROCEDURES

Legal Authority: 19 USC 81a et seq Foreign-Trade Zones Act of 1934

CFR Citation: 15 CFR 400

Legal Deadline: None.

Abstract: Revision of the regulation is needed to administer the Foreign-Trade Zones Act of 1934, as amended, to provide for the establishment, operation, and maintenance of foreign-trade zones in ports of entry of the United States. At the time the ANPRM was published the emphasis was on changing the rules to provide improved guidance to the public on procedures and criteria followed in making decisions concerning special-purpose subzones and operations detrimental to the public interest. Since that time, it has been decided to propose revisions to the entire 15 CFR 400 in order to update the language and conform it to current CFR format.

Timetable:

Action	Date	FR Cite
ANPRM	10/14/80	45 FR 67681
ANPRM Comment Period End	12/15/80	
NPRM	02/18/83	48 FR 7151
NPRM Comment Period End	04/19/83	48 FR 7188

Next Action Undetermined

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: William D. Hunter, Acting Deputy Chief Counsel for Import Administration, Department of Commerce, International Trade Administration, Room 3622,

DOC—ITA **Proposed Rule Stage**

Pennsylvania Ave. and 14th St., NW, Washington, DC 20230, **202 377-1411**

RIN: 0625-AA04

245. ANNUAL WATCH QUOTA ALLOCATIONS

Legal Authority: PL 97-466, Sec 110 (1983); 19 USC 1202 general headnote 3(a)

CFR Citation: 15 CFR 303

Legal Deadline: None.

Abstract: The regulation allocates watch quotas on an annual basis, in compliance with the requirements of the statute and regulations. Program issues allocations no later than March 1 of each year, under section 303.6(b) of the regulations.

Timetable:

Action	Date	FR Cite
Proposed allocation of watches	04/00/88	

Small Entity: No

Agency Contact: Frank Creel, Director, Statutory Import Programs Staff, Department of Commerce, International Trade Administration, 14th and Pennsylvania Ave., NW, Rm. 1523, Washington, DC 20230, **202 377-1660**

RIN: 0625-AA25

246. ANTIDUMPING AND COUNTERVAILING DUTIES; MODIFICATIONS

Legal Authority: 19 USC 1303; 19 USC 1516a; 19 USC 1671 et seq

CFR Citation: 19 CFR 353; 19 CFR 355

Legal Deadline: None.

Abstract: As appropriate, the ITA will amend the current regulations in effect at the time of enactment of modifications in the statutory authority for imposing antidumping and countervailing duties, if such legislation is enacted in 1988 or 1989.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: William D. Hunter, Acting Deputy Chief Counsel for Import Administration, Department of Commerce, International Trade Administration, 14th and Pennsylvania Ave., NW, Washington, DC 20230, **202 377-1411**

RIN: 0625-AA26

247. EXPORT TRADE CERTIFICATES OF REVIEW

Significance: Agency Priority

Legal Authority: 15 USC 4020

CFR Citation: 15 CFR 325

Legal Deadline: None.

Abstract: Changes in 15 CFR Part 325 may become necessary as a result of pending trade legislation.

Timetable:

Action	Date	FR Cite
NPRM	12/21/82	47 FR 56972
Interim Final Rule	03/11/83	48 FR 10596
Final Action	01/08/85	50 FR 1804

Next Action Undetermined

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Government Levels Affected: Local, State, Federal

Agency Contact: George Muller, Deputy Director, Office of Export Trading Company Affairs, Department of Commerce, International Trade Administration, **202 377-5131**

RIN: 0625-AA27

248. ● DEFENSE PRIORITIES AND ALLOCATIONS SYSTEM (DPAS)

Legal Authority: 50 USC 2061 et seq; EO 10480

CFR Citation: 15 CFR 350

Legal Deadline: None.

Abstract: The Defense Priorities and Allocations System (DPAS) implements the priorities and allocations authority of Title I of the Defense Production Act of 1950, as amended. The DPAS was published as a final rule on July 30, 1984. Based on the findings and recommendations of an interagency sponsored study concerning the controlled materials program, and comments from both defense agency and industry users, this proposed rule would amend the DPAS to remove the controlled materials provisions and make certain revisions to its procedural requirements. These amendments will have no costs associated with them, would reduce the regulatory and information reporting burden on industry and make the DPAS more effective and efficient, and would result in cost savings for defense contractors.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Yes

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Richard V. Meyers, DPAS Program Manager, Department of Commerce, International Trade Administration, Office of Industrial Resources Admin., National Security Preparedness Div., Room 3878, Washington, DC 20230, **202 377-3634**

RIN: 0625-AA28

DEPARTMENT OF COMMERCE (DOC)
International Trade Administration (ITA)

Final Rule Stage

249. ADJUSTMENT ASSISTANCE FOR FIRMS AND INDUSTRIES

Legal Authority: 19 USC 2341 et seq

CFR Citation: 15 CFR 320

Legal Deadline: None.

Abstract: This regulation will implement the responsibilities transferred from EDA to ITA concerning the provision of adjustment assistance to firms and industries adversely affected by imports. The proposed rule will reflect amendments to the authorizing legislation and make procedural changes required because of the transfer of the program to ITA. Proposed rules were published in the Federal Register (November 1984).

DOC—ITA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	11/13/84	49 FR 44903
NPRM Comment Period End	12/13/84	

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: Further action on this regulation is under study by the Department.

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: John F. Mizroch, Deputy Assistant Secretary, Department of Commerce, International Trade Administration, Office of Trade Adjustment Assistance, Washington, DC 20230, **202 377-0150**

RIN: 0625-AA05

250. ANTIDUMPING DUTIES; COUNTERVAILING DUTIES

Significance: Regulatory Program

Legal Authority: 19 USC 1303; 19 USC 1671 et seq

CFR Citation: 19 CFR 353; 19 CFR 355

Legal Deadline: None.

Abstract: Current antidumping and countervailing duty regulations will be revised to reflect recent statutory changes and current administrative practices and to improve the clarity of the regulations. The revisions will improve administrative efficiency in enforcement of the antidumping and countervailing duty laws. The revisions will replace the entire text of 19 CFR Parts 353 and 355.

Timetable:

Action	Date	FR Cite
NPRM CVD Regulations	06/10/85	50 FR 29225
NPRM Comment Period End CVD Regulations	09/09/85	50 FR 32088
NPRM AD Regulations	08/13/86	51 FR 29046
NPRM Comment Period End AD Regulations	09/30/86	
Final Action AD Regulations	06/30/88	
Final Action CVD Regulations	06/30/88	

Small Entity: No

Affected Sectors: Multiple

Agency Contact: William D. Hunter, Acting Deputy Chief Counsel for Import Administration, Department of Commerce, International Trade Administration, Room 3622, Pennsylvania Ave. & 14th St., NW, Washington, DC 20230, **202 377-1411**

RIN: 0625-AA08

251. REVISIONS TO SHORT SUPPLY REGULATIONS

Legal Authority: 50 USC app 2401 et seq; PL 99-64; 42 USC app 2401 et seq; 10 USC 7420 et seq; 43 USC 1354; 30 USC 185; EO 11912; EO 12214; EO 12002

CFR Citation: 15 CFR 371; 15 CFR 377; 15 CFR 399

Legal Deadline: None.

Abstract: On July 12, 1985, the Export Administration Amendments Act of 1985 (PL 99-64) extended and amended the Export Administration Act of 1979 (50 USC app 2401, et seq.)(EAA). Certain changes were made to the Short Supply provisions of Section 7 of the EAA. Accordingly, revision of the Short Supply provisions (15 CFR 377) and related licensing requirements (15 CFR 371 and 399) of the Export Administration Regulations (15 CFR 368-399) is necessary. An interim final rule was issued which included (1) elimination of the validated licensing requirement for exports of refined petroleum products so as to permit their export with certain restrictions under a general license; (2) a new definition of "crude oil" for purposes of the regulation; and (3) certain technical and housekeeping changes. There are no costs associated with this action which would promote the export of decontrolled products.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/09/85	50 FR 41131
Final Action	12/00/88	

Small Entity: Yes

Agency Contact: Rodney A. Joseph, Short Supply Program Manager, Department of Commerce, Export Administration, Office of Technology and Policy Analysis, Room 1634, Washington, DC 20230, **202 377-3205**

RIN: 0625-AA21

252. SANCTIONS FOR VIOLATION OF ANTIDUMPING AND COUNTERVAILING DUTY PROTECTIVE ORDERS

Significance: Regulatory Program

Legal Authority: 19 USC 1677

CFR Citation: 19 CFR 353; 19 CFR 354, (added); 19 CFR 355

Legal Deadline: None.

Abstract: The ITA will add a new part 354 to the antidumping (part 353) and countervailing duty (part 355) regulations that establishes procedures for imposing sanctions against an individual, firm or other entity that violates the terms of an administrative protective order issued under 19 U.S.C. 1677. We will make conforming changes in parts 353 and 355.

Timetable:

Action	Date	FR Cite
NPRM	07/06/87	52 FR 25246
NPRM Comment Period End	09/04/87	
Final Action	04/30/88	

Small Entity: No

Agency Contact: William D. Hunter, Acting Deputy Chief Counsel for Import Administration, Department of Commerce, International Trade Administration, 14th and Pennsylvania Ave., NW, Room 3622, Washington, DC 20230, **202 377-1411**

RIN: 0625-AA24

DEPARTMENT OF COMMERCE (DOC)
International Trade Administration (ITA)

Completed Actions

253. EFFECT OF IMPORTED ARTICLES ON THE NATIONAL SECURITY

Legal Authority: 19 USC 1862 Trade Expansion Act of 1962, as amended; 5 USC App. Reorganization Plan No. 3 of 1979; EO 12188

CFR Citation: 15 CFR 359

Legal Deadline: None.

Abstract: Section 359.10(a) of the existing regulation requires that a report of an investigation be organized into several sections containing classified and unclassified information. Paragraph (c) of that section requires that the report (excluding confidential material) be published in the Federal Register. Paragraph (a) will be amended to delete the report organization requirement and paragraph (b) will be amended to permit publication of either the full report or a summary thereof. It is impractical, time consuming, and not cost effective to organize the report, and publish the full report, as now required by the regulation. Section 359.10(c) will also be amended to provide that a copy of the report will be available to the public from the Publications Distribution Office of the Department rather than at ITA's Freedom of Information Records Inspection Facility.

Timetable:

Action	Date	FR Cite
Withdrawn	01/13/88	

Small Entity: Not Applicable

Additional Information: No revision of the regulation is required at this time.

Affected Sectors: None

Agency Contact: Edward Levy, 232 Program Manager, Department of Commerce, International Trade Administration, Strategic Analysis Division, Washington, DC 20230, **202 377-2322**

RIN: 0625-AA15

DEPARTMENT OF COMMERCE (DOC)
National Bureau of Standards (NBS)

Proposed Rule Stage

254. FIPS FOR INFORMATION RESOURCE DICTIONARY SYSTEM (IRDS)

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (now draft proposed) which will promote portability of information resources. The Information Resource Dictionary System is a software system for recording, storing, and processing descriptions of an organization's significant data. Use of the standard will improve identification of data that can be shared within an organization, reduce unnecessary development of computer programs, and increase portability of staff skills and training.

Timetable:

Action	Date	FR Cite
NPRM	08/13/85	50 FR 32610
NPRM Comment Period End	11/12/85	50 FR 32610

Next Action Undetermined

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA38

255. FIPS FOR CODES FOR THE IDENTIFICATION OF AQUIFER NAMES AND GEOLOGIC UNITS

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 15 CFR 6

Legal Deadline: None.

Abstract: This standard will adopt for Federal government use codes for aquifer names and geologic units developed by the Department of the Interior under its Memorandum of Understanding with NBS to develop and maintain earth science data element and representation standards. The standard will facilitate the interchange of information among Federal departments and agencies.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA44

256. FIPS FOR C PROGRAMMING LANGUAGE

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (currently draft proposed standard) which defines the syntax of the C programming language and the semantics for its interpretation. The standard will be used by implementors as the reference authority in developing compilers, interpreters or forms of high level language processors and by other computer professionals who need to know the precise syntactic and semantic rules of the standard. Use of this standard will promote the portability of programs between different systems, and will enable organizations to more fully utilize staff training and skills.

Timetable:

Action	Date	FR Cite
NPRM	01/09/87	52 FR 851
NPRM Comment Period End	04/09/87	52 FR 851

Next Action Undetermined

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA48

257. FIPS FOR RECORDED MAGNETIC TAPE CARTRIDGE FOR INFORMATION INTERCHANGE; 4-TRACK, SERIAL, 0.250 IN (6.30 MM), 6400 BPI (252 BPMM) INVERTED MODIFIED FREQUENCY MODULATION ENCODED

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (currently draft proposed) that provides the format and recording requirements for magnetic tape cartridges. The standard defines the requirements and supporting test methods needed to ensure data interchange between information systems, communications systems, and associated equipment.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA51

258. FIPS FOR SERIAL RECORDED MAGNETIC TAPE CARTRIDGE FOR INFORMATION INTERCHANGE; FOUR AND FIVE TRACK, 0.250 IN (6.30 MM) 8000 BPI (315 BPMM) STREAMING MODE GROUP CODE RECORDING

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (currently draft proposed) that provides the format and recording requirements for magnetic tape cartridges. The standard defines the requirements and supporting test methods needed to ensure data interchange between information systems, communications systems, and associated equipment.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA52

259. FIPS FOR ONE-HALF INCH MAGNETIC TAPE INTERCHANGE USING A SELF LOADING CARTRIDGE

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (ANSI X3.85-1981) which provides the requirements and test methods necessary to ensure physical interchange of a self loading cartridge to be used with 1/2 inch wide magnetic tape.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA53

260. FIPS FOR RECORDED FORMATS FOR ONE AND TWO-SIDED 5.25 INCH (130 MM) AND 3.5 IN (90 MM) FLEXIBLE DISK CARTRIDGES

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (currently draft proposed) that specifies the track layout, track format, and other characteristics of the recorded signal. This is one part of a set of functional specifications needed to ensure interchangeability of data between information processing systems by use of a physically removable medium.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA54

261. FIPS FOR RECORDED MAGNETIC TAPE AND CARTRIDGE FOR INFORMATION INTERCHANGE; 18 TRACK, PARALLEL, 12.65 MM (1/2 IN), 1491 CPMM (37871 CPI) GROUP-CODED RECORDING

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (currently draft proposed) that provides requirements for a tape cartridge to be used for information interchange among information processing systems, communications systems, and associated equipment. Used with associated standards for unrecorded media, tape labels and file structures, this standard will support data interchange between different systems.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA55

---

262. FIPS FOR DEVICE LEVEL INTERFACE FOR STREAMING CARTRIDGE AND CASSETTE TAPE DRIVES

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (ANSI X3.146-1986) that specifies the interface between streaming cartridge and cassette tape drives, and small computer systems. This standard will facilitate the acquisition of cartridge and cassette tape drives made by different manufacturers, expand the Federal Government's sources of supply, and reduce costs of acquisition.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA57

---

263. FIPS FOR ELECTRONIC BUSINESS DATA EXCHANGE

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: A group of voluntary industry standards that will facilitate computer-to-computer interchange of procurement data will be adopted as FIPS. Developed by Accredited Standards Committee X12, the standards will provide standard data elements, formats, and contents of electronic messages containing procurement-related information. These standards will reduce paperwork, improve productivity, and enable more effective information and inventory management.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA62

---

264. ● EXTENSIONS TO FIPS 127, DATABASE LANGUAGE SQL

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: The proposed extensions will adopt American National Standards (both currently draft standards) to the SQL language for relational databases. One proposal (Draft Addendum ISO 9075/DAD 1) provides features for assuring the correctness of data that is organized in SQL databases. The other proposal specifies interfaces between SQL and other programming languages including Ada, C, COBOL, FORTRAN, PASCAL, and PL/I. Use of these extensions will promote the portability of programs between different systems, and will enable organizations to more fully utilize staff skills and training.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA63

---

265. ● FIPS FOR PROGRAMMER'S HIERARCHICAL INTERACTIVE GRAPHICS SYSTEM (PHIGS)

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This FIPS will adopt the American National Standard Programmer's Hierarchical Interactive Graphics System (ANSI X3.144-198X). This standard will improve the portability of graphics application programs among different manufacturers' computer systems and will help agencies make more effective use of staff skills and training.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA64

DEPARTMENT OF COMMERCE (DOC)
National Bureau of Standards (NBS)

Final Rule Stage

266. REVISION TO FIPS 100, INTERFACE BETWEEN DATA TERMINAL EQUIPMENT (DTE) AND DATA CIRCUIT-TERMINATING EQUIPMENT (DCE) FOR OPERATION WITH PACKET-SWITCHED DATA COMMUNICATIONS NETWORKS

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This revision will make the standard consistent with minor changes that were made to Recommendation X.25 by the Consultative Committee for International Telegraph and Telephone in 1984. This is an international standard for data processing equipment, services and telecommunications equipment using public packet switched data communications networks.

Timetable:

Action	Date	FR Cite
NPRM	07/10/86	51 FR 25088
NPRM Comment Period End	10/08/86	51 FR 25088
Final Action	06/00/88	

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA39

267. FIPS FOR PORTABLE OPERATING SYSTEM ENVIRONMENTS (POSIX**)

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt the Institute of Electrical and Electronics Engineers (IEEE) Standard for Portable Operating System for Computer Environments (IEEE 1003.1/POSIX**). This standard will facilitate the interchange of computer programs between UNIX operating system derived environments and make it possible to increase the productivity of staff members who develop and document computer programs for these systems.

* UNIX is a registered trademark of AT&T.

**POSIX is a trademark of the IEEE.

Timetable:

Action	Date	FR Cite
NPRM	08/29/86	51 FR 30896
NPRM Comment Period End	11/28/86	51 FR 30896
Final Action	06/00/88	

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA49

268. FIPS FOR STANDARD GENERALIZED MARKUP LANGUAGE (SGML)

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR none

Legal Deadline: None.

Abstract: This standard will adopt an International Standard ISO/DIS 8879 (currently a draft standard) which standardizes the application of generic coding and generalized markup concepts for documents that are processed by text processing and word processing systems. It provides a coherent and unambiguous syntax for describing what a user chooses to identify within a document. Use of this standard will facilitate the interchange of documents among systems with differing text processing languages and the processing of documents by more than one application, when applications use the same text processing language.

Timetable:

Action	Date	FR Cite
NPRM	10/29/87	52 FR 41609
NPRM Comment Period End	01/27/88	52 FR 41609
Final Action	09/00/88	

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA50

269. REVISIONS TO FIPS 60, 61, 62, 63, 97, AND 111, COMPUTER SYSTEM INPUT/OUTPUT (I/O) INTERFACE STANDARDS

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: Revisions to the family of input/output (I/O) interface standards will be proposed to reflect changes in computer technology and to facilitate the interconnection of peripherals to personal and minicomputers. New applicability, implementation and waiver provisions will be proposed to existing interface standards to be effective after January 1, 1990. A transition plan to cover the period from January 1988 to January 1990 will also be proposed.

Timetable:

Action	Date	FR Cite
NPRM	11/19/87	52 FR 44462
NPRM Comment Period End	02/17/88	52 FR 44462
Final Action	12/00/88	

Small Entity: Undetermined

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA59

270. FIPS FOR GOVERNMENT OPEN SYSTEMS INTERCONNECTION PROFILE

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This standard will adopt a procurement specification developed by the Government Open Systems Interconnection Users Group. The specification will enable the Federal government to acquire computer network systems that conform to

DOC—NBS **Final Rule Stage**

national and international standards for OSI. The specification addresses needs to acquire multivendor systems using available or soon-to-be-available standard products.

Timetable:

Action	Date	FR Cite
NPRM	10/28/87	52 FR 41488
NPRM Comment Period End	01/26/88	52 FR 41488
Final Action	06/00/88	

Small Entity: Undetermined

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA61

DEPARTMENT OF COMMERCE (DOC)
National Bureau of Standards (NBS)

Completed Actions

271. FIPS PUB 68-2, BASIC

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This standard adopts American National Standard (ANSI X3.113-1987) which defines the syntax of the BASIC programming language and the semantics for its interpretation. The standard will be used by implementors as the reference authority in developing compilers, interpreters or forms of high level language processors and by other computer professionals who need to know the precise syntactic and semantic rules of the standard. Use of this standard will promote the portability of programs between different systems, and will enable organizations to more fully utilize staff training and skills.

Timetable:

Action	Date	FR Cite
NPRM	01/13/86	51 FR 1418
NPRM Comment Period End	04/14/86	51 FR 1418
Final Action	08/28/87	52 FR 32578
Final Action Effective	03/01/88	52 FR 32578

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA35

272. FIPS PUB 29-2, INTERPRETATION PROCEDURES FOR FEDERAL INFORMATION PROCESSING STANDARDS FOR SOFTWARE

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This revision to the interpretation procedures for Federal Information Processing Standard programming languages will provide for more flexibility and more timely response to requests for interpretations by adding to the methods that are available for developing interpretations.

Timetable:

Action	Date	FR Cite
NPRM	12/10/86	51 FR 44505
NPRM Comment Period End	03/10/87	51 FR 44505
Final Action	09/14/87	52 FR 34696
Final Action Effective	09/14/87	52 FR 34696

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA47

273. FIPS FOR INTERFACES BETWEEN FLEXIBLE DISK CARTRIDGE DRIVES AND THEIR HOST CONTROLLERS

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This standard will adopt an American National Standard (ANSI X3.80-1981) that specifies the interface between flexible disk drives and the host system. This standard will facilitate the acquisition of flexible disk drives made by different manufacturers, expand the Federal government's sources of supply, and reduce costs of acquisition.

Timetable:

Action	Date	FR Cite
Withdrawn -not needed to meet government requirements.	02/26/88	

Small Entity: Undetermined

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA58

274. REVIEW OF FIPS 46, DATA ENCRYPTION STANDARD

Legal Authority: 40 USC 759(f); EO 11717

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: FIPS 46, Data Encryption Standard (DES), will be reviewed to assess its adequacy in protecting unclassified computer information. FIPS 46 was approved for Federal government use in 1977 and reaffirmed in 1983. The DES specifies an algorithm to be implemented in electronic

hardware devices and used for the cryptographic protection of computer data.

Timetable:

Action	Date	FR Cite
NPRM	03/06/87	52 FR 7006
NPRM Comment Period End	06/04/87	52 FR 7006
Final Action	01/22/88	53 FR 01813

Small Entity: No

Affected Sectors: 357 Computer and Office Equipment

Government Levels Affected: Federal

Agency Contact: Shirley Radack, Program Analyst, Department of Commerce, National Bureau of Standards, B151 Technology, Gaithersburg, MD 20899, **301 975-2833**

RIN: 0693-AA60

DEPARTMENT OF COMMERCE (DOC) — Prerule Stage

National Oceanic and Atmospheric Administration (NOAA)

NATIONAL MARINE FISHERIES SERVICE

275. MARINE FISHERY USER FEES

Significance: Regulatory Program

Legal Authority: Not Yet Determined

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: A marine fishery user fee system will provide a substantial and stable source of revenue to partially offset Federal fishery expenditures and information needed for effective fishery management. Fees would be collected from the sale of marine fish conservation permits and stamps, and from an assessment on landing or delivery of fish for commercial purposes. Revenues would be shared with the states for marine fishery conservation activities. Administration costs are estimated to be $7,500,000 annually, with net Federal revenues of approximately $40 million.

Timetable:

Action	Date	FR Cite
Next steps depend on Congressional action	00/00/00	

Small Entity: Undetermined

Public Compliance Cost: Initial Cost: $7,500,000; Yearly Recurring Cost: $7,500,000; Base Year for Dollar Estimates: 1986

Affected Sectors: 203 Canned, Frozen, and Preserved Fruits, Vegetables, and Food Specialties

Government Levels Affected: State, Federal

Agency Contact: John T. Everett, Chief, Program Evaluation and Coordination Division, Department of Commerce, National Oceanic and Atmospheric Administration, Management and Budget Staff, NMFS, Washington, DC 20235, **202 673-5464**

RIN: 0648-AB93

276. TAKING OF MARINE MAMMALS INCIDENTAL TO UNDERWATER TESTS BY THE DEPARTMENT OF THE NAVY

Legal Authority: 16 USC 1361 to 1497 Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 228

Legal Deadline: None.

Abstract: Based on a request from the Department of the Navy, NMFS is considering regulations that would allow a small number of harbor seals and California sea lions to be taken incidental to underwater explosive tests in San Francisco Bay. Section 101(a)(5) of the Marine Mammal Protection Act allows the taking of small numbers of Marine mammals incidental to specified activities provided that certain findings can be made and regulations are established that set forth permissible methods of taking and requirements for monitoring and reporting.

Timetable:

Action	Date	FR Cite
ANPRM	08/01/88	

Small Entity: No

Agency Contact: Nancy Foster, Director, Office of Protected Resources, and Habitat Programs, NMFS, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Ave., NW, Washington, DC 20235, **202 673-5350**

RIN: 0648-AC08

277. AMENDMENT 1 GULF OF MEXICO REEF FISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 641

Legal Deadline: Statutory. 110 days after submission of the Amendment by the Fishery Management Council

Abstract: The regulations will attempt to rebuild declining reef fish stocks. It will propose to (1) prohibit use of fish traps, roller trawls, and powerheads within inshore stressed areas, (2) establish construction requirements, maximum size and numerical limits for fish traps, (3) require a permit for fish trap operators, and (4) establish a minimum size limit of 13 inches.

Timetable:

Action	Date	FR Cite
ANPRM	09/16/88	
NPRM	10/01/88	
NPRM Comment Period End	11/14/88	
Final Action	01/03/89	
Final Action Effective	02/02/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, **813 983-3141**

RIN: 0648-AC16

DOC—NOAA

Prerule Stage

278. AMENDMENT 8 TO THE FISHERY MANAGEMENT PLAN FOR THE ATLANTIC SURF CLAM AND OCEAN QUAHOG FISHERIES

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq; Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 652

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Mid-Atlantic Fishery Management Council.

Abstract: Amendment 8 would address current regulatory restraints on industry designed to conserve the resource. The FMP objectives would be modified to promote economic stability, simplify regulations, and to allow more operational flexibility for the industry. Long-term management alternatives to be considered include an Individual Transferable Quota System and other limited effort vessel allocation schemes.

Timetable:

Action	Date	FR Cite
ANPRM	08/04/88	
NPRM	08/18/88	
NPRM Comment Period End	10/03/88	
Final Action	11/22/88	
Final Action Effective	12/22/88	

Small Entity: Yes

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm Street, Gloucester, MA 01930-3799, **617 281-3600**

RIN: 0648-AC19

279. ● AMENDMENT 2 TO THE NORTHEAST MULTISPECIES FISHERY MANAGEMENT PLAN

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 651

Legal Deadline: Statutory. 110 days after the amendment is submitted by the Fishery Management Council.

Abstract: Amendment 2 will provide additional protection to groundfish resources in the North Atlantic beyond that provided by the FMP. The amendment is aimed at reducing fishing pressure on ten valuable fish species and rebuilding their stocks (cod; haddock; yellowtail, winter, windowpane, and witch flounders; pollock; redfish; American plaice; and white hake).

Timetable:

Action	Date	FR Cite
ANPRM	10/15/88	
NPRM	11/01/88	
NPRM Comment Period End	12/15/88	
Final Action	02/20/89	
Final Action Effective	03/20/89	

Small Entity: Yes

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Gloucester, MA 01930-3799, **617 281-3600**

RIN: 0648-AC26

280. ● AMENDMENT 4 TO THE PACIFIC COAST GROUNDFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 663; 50 CFR 611.70

Legal Deadline: Statutory. 110 days after the amendment is submitted by the Pacific Fishery Management Council.

Abstract: Amendment 4 will make many technical and format changes to the FMP to make it a more useful and up-to-date document. Amendment 4 may consider the following: broader framework authority to take timely inseason actions for social-economic reasons; long-term sablefish management, including possible allocation to user groups; procedures for establishing allowable incidental catch levels in other fisheries; a framework for reviewing and conforming Federal management measures to changes in California State management of the set net fishery south of 38 degrees N. latitude; the recreational bag limit for lingcod; the definitions and application of ABC and OY; effort limitation in the joint venture fishery for Pacific whiting; revision of procedures regarding experimental fishing permits. The Amendment still is in the planning stage and may not include all these issues, or may add others.

Timetable:

Action	Date	FR Cite
ANPRM	10/01/88	
NPRM	10/15/88	
NPRM Comment Period End	11/29/88	
Final Action	01/18/89	
Final Action Effective	02/17/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Rolland A. Schmitten, Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way NE, Bldg 1, Seattle, WA 98115, **206 526-6150**

RIN: 0648-AC43

281. ● AMENDMENT 1 TO THE FISHERY MANAGEMENT PLAN FOR THE SNAPPER- GROUPER FISHERY OF THE SOUTH ATLANTIC

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 646

Legal Deadline: Statutory. 110 days after the amendment is submitted by the South Atlantic Fishery Management Council.

Abstract: Amendment 1 would prohibit the use of trawl gear in the directed fishery for snapper-groupers. The ban would apply from Cape Hatteras south through the Atlantic coast of Florida. More than 25 percent of the catch by trawls in this area is from the snapper-grouper complex. The prohibition is aimed primarily at fishing with roller trawls which destroy sessile organisms including sponges and sea fans.

Timetable:

Action	Date	FR Cite
ANPRM	06/16/88	
NPRM	07/01/88	
NPRM Comment Period End	08/15/88	
Final Action	10/05/88	
Final Action Effective	11/04/88	

Small Entity: Undetermined

DOC—NOAA

Prerule Stage

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Regional Director, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, 813 893-3141

RIN: 0648-AC50

282. ● BLUEFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: Not yet determined

Legal Deadline: Statutory. 110 days after submission by the Fishery Management Council.

Abstract: The FMP would control the growth of the recreational and commercial fisheries in the EEZ. The Atlantic States Marine Fisheries Commission is developing a plan simultaneously with the Council and will coordinate state management with federal management of bluefish throughout its range.

Timetable:

Action	Date	FR Cite
ANPRM	11/01/88	
NPRM	11/16/88	
NPRM Comment Period End	01/01/89	
Final Action	02/22/89	
Final Action Effective	03/04/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Gloucester, MA 01930-3799, 617 281-3600

RIN: 0648-AC51

NATIONAL OCEAN SURVEY/OFFICE OF COASTAL RESOURCES MANAGEMENT

283. FEDERAL CONSISTENCY WITH APPROVED COASTAL ZONE MANAGEMENT PROGRAMS

Significance: Regulatory Program

Legal Authority: 16 USC 1456 Coastal Zone Management Act of 1972

CFR Citation: 15 CFR 930

Legal Deadline: None.

Abstract: On January 11, 1984, the U.S. Supreme Court issued its decision in Secretary of the Interior et al. v. California et al. No. 82-1326. The Court held that the sale of Outer Continental Shelf (OCS) oil and gas leases is not an activity "directly affecting" the Coastal Zone Management Act of 1972, as amended (CZMA), and therefore, that a consistency determination is not required under that section before such sales may be made. Section 307 (c)(1) required that Federal agencies conducting or supporting activities "directly affecting the coastal zone" must conduct or support those activities in a manner which is consistent to the maximum extent practicable with federally-approved state coastal zone management programs. NOAA engaged in rulemaking to revise certain CZMA regulations as a result of the Supreme Court decision. NOAA removed those references which identify OCS lease sales as activities covered by the Section 307(c)(1) requirements.

Timetable:

Action	Date	FR Cite
ANPRM	06/01/84	49 FR 22825
ANPRM Comment Period End	08/31/84	49 FR 22825
NPRM	01/28/85	50 FR 3798
NPRM Comment Period End	03/01/85	50 FR 3798
Final Action	08/30/85	50 FR 35210
Decision whether to proceed with rulemaking	04/15/88	

Small Entity: No

Additional Information: NOAA issued a final rule August 31, 1985 making the changes required by the Supreme Court Decision, and decided to undertake a comprehensive study of the Federal consistency process. The Draft Study issued April 1985 will assist NOAA in evaluating the need for and consequences of further revision of the Federal consistency regulations. Further revision has been deferred pending review of public comment on the April study, and amendments to the CZMA enacted in 1986, and the outcome of pending litigation.

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: James P. Blizzard, Deputy Director, Office of Ocean and Coastal Resource Mgmt., Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Washington, DC 20235, 202 673-5111

RIN: 0648-AA34

DEPARTMENT OF COMMERCE (DOC)

National Oceanic and Atmospheric Administration (NOAA)

Proposed Rule Stage

NATIONAL MARINE FISHERIES SERVICE

284. PROCESSED FISHERY PRODUCTS, PROCESSED PRODUCTS THEREOF & CERTAIN OTHER PROCESSED FOOD PRODUCTS: U.S. STANDARDS FOR GRADES OF FROZEN FISH BLOCKS & PRODUCTS MADE THEREFROM ETC

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 264A; 50 CFR 264B; 50 CFR 264C; 50 CFR 264D; 50 CFR 264E; 50 CFR 264F; 50 CFR 264G

Legal Deadline: None.

Abstract: The revised rule will expand the coverage of established voluntary standards for grades of fishery products to include new products made from fish blocks. The standards will take into account new technology and equipment. These standards will be used in a voluntary program of fishery products inspection and certification by the NMFS. Industry has shown a high level of interest and support for the revisions. The timetable for this action is very tentative. Further research will be needed before the rule is published.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

DOC—NOAA

Proposed Rule Stage

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Program Analyst, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Trade and Industry Services, Inspection Services Division, Washington, DC 20235, **202 673-5875**

RIN: 0648-AA46

285. IMPLEMENTATION OF PL 59-659 AND OTHER RECOMMENDATIONS TO IMPROVE THE FISHERY MANAGEMENT SYSTEM

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 601

Legal Deadline: None.

Abstract: Revision of regulatory guidance with regard to the operations of the Regional Fishery Management Councils is being considered to conform with new legislation and administration regulatory policy. These guidelines will not have a direct regulatory impact on the fishing industry or entities participating in the industry.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: None

Government Levels Affected: State, Federal

Agency Contact: Richard H. Schaefer, Acting Director, Office of Fisheries, Conservation and Management, Department of Commerce, National Oceanic and Atmospheric Administration, Washington, DC 20235, **202 673-5263**

RIN: 0648-AB09

286. DEVELOPMENT OF A FISHERY MANAGEMENT PLAN FOR SUMMER FLOUNDER

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 653, (Reserved)

Legal Deadline: Statutory. 110 days after the amendment is submitted by the Fishery Management Council.

Abstract: Summer flounder is seasonably vulnerable to very large and varied commercial and recreational fisheries. Landings have declined in recent years and there is concern that overfishing may occur. The summer flounder crosses Council and Regional boundaries necessitating close coordination between the constituent agencies. The long-term benefits of higher production and revenue to the fishermen and processors are expected to outweigh any short-term limitations on catches in order to rebuild the stocks. Rebuilding the stocks to the maximum level, the efficiency of the fleet will improve as catches per unit of effort will correspondingly rise.

Timetable:

Action	Date	FR Cite
NPRM	03/03/88	
NPRM Comment Period End	05/15/88	
Final Action	07/31/88	
Final Action Effective	08/30/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm St. FNER, Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AB30

287. ENDANGERED FISH OR WILDLIFE; PERMITS FOR THE INCIDENTAL TAKING OF ENDANGERED MARINE SPECIES

Legal Authority: 16 USC 1531 et seq Endangered Species Act of 1973

CFR Citation: 50 CFR 222

Legal Deadline: None.

Abstract: The proposed regulations implement Section 10(a)(1)(B) of the Endangered Species Act, as amended (ESA). The proposal provides, under limited circumstances, for issuance of permits allowing the incidental taking of endangered species. The proposal applies to certain Federal permit or license holders and to private entities or State or local governments whose actions are not otherwise subject to Federal involvement or control. Prior to the 1982 amendments to the ESA, the taking of endangered species was prohibited except for scientific research or to enhance the propagation or survival of the species. Permits issued under the proposed regulations would allow permit holders to conduct their activities without risk of prosecution for the incidental take of species authorized by such permits.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: Undetermined

Additional Information: Potential cost to applicants is estimated at $420. Cost per applicant is estimated at $210. Each applicant will be required to submit a conservation plan as part of the permit process. NEPA, E.O. 12291 and RFA determinations have not been undertaken.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Agency Contact: Patricia A. Carter, Fishery Biologist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of

Protected Resources and Habitat Programs, NMFS, Washington, DC 20235, **202 673-5351**

RIN: 0648-AB47

288. GROUNDFISH OF THE GULF OF ALASKA AND HIGH SEAS SALMON FISHERY OFF ALASKA; REGULATORY AMENDMENT

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser and Management Act

CFR Citation: 50 CFR 672; 50 CFR 674; 50 CFR 611.92

Legal Deadline: None.

Abstract: As required under P.L. 98-623, NOAA issues a regulatory amendment to codify the fishery management boundaries of southeastern Alaska established by that law.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	07/00/88	
Final Action	09/00/88	
Final Action Effective	10/00/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Jonathan Pollard, Attorney-Advisor, Department of Commerce, National Oceanic and Atmospheric Administration, NOAA Office of General Counsel-GCAK, P.O. Box 21668, Juneau, AK 99801, **907 568-7414**

RIN: 0648-AB51

289. AMENDMENT 2 TO THE FISHERY MANAGEMENT PLAN FOR ATLANTIC SEA SCALLOPS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 650

Legal Deadline: Statutory. 110 days after the amendment is submitted by the Fishery Management Council.

Abstract: This amendment will revise the management program by modifying the meat count measure to include a provision for seasonal changes reflecting fluctuations in the size of scallops.

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
NPRM Comment Period End	05/00/88	
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm Street, Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AB83

290. RESUBMITTED PORTION OF AMENDMENT 1 TO THE AMERICAN LOBSTER FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 649

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: The revised portion of the amendment will exempt Mid-Atlantic black sea bass fishing gear from the escape vent requirement in a specified fishing area east and south of Barnegat, New Jersey.

Timetable:

Action	Date	FR Cite
NPRM	04/14/88	
NPRM Comment Period End	04/25/88	
Final Action	06/14/88	
Final Action Effective	07/14/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/NER, 14 Elm Street, Federal Bldg., Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AB89

291. AMENDMENT 1 TO THE SWORDFISH FMP

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 630

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: Amendment 1 will reflect concern for status of swordfish stocks based on recent stock assessments (Oct. 1987 and Jan. 1988). U.S. longline fishery now targets tunas and small swordfish in nearshore waters and seeks larger, more valuable swordfish in more distant waters. The Council will consider size limits, area closure, and quota management in Amendment 1 in an attempt to reduce the fishing mortality of small billfish in the exclusive economic zone.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
NPRM Comment Period End	01/00/89	
Final Action	03/00/89	
Final Action Effective	04/00/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Regional Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, **813 983-3141**

RIN: 0648-AB92

292. SAFETY OF UNITED STATES OBSERVERS ABOARD FOREIGN FISHING VESSELS

Significance: Regulatory Program

Legal Authority: PL 99-659

CFR Citation: 50 CFR 611.8

Legal Deadline: None.

Abstract: United States observers are required aboard foreign vessels permitted to fish in the U.S. Exclusive Economic Zone (EEZ). Conditions aboard these vessels can be hazardous to the safety of observers. To prevent injury to observers, the Department of Commerce intends to publish minimum

safety standards that must be maintained aboard foreign fishing vessels before they will be permitted to fish in the U.S. EEZ.

The alternative to establishing U.S. standards is to accept flag-state standards as adequate. This solution will probably not be feasible because there is a wide variation in foreign safety standards and differing degrees of compliance with standards. In some cases, foreign fishing vessels meeting existing flag-state standards would not be suitable for U.S. observers.

Costs of this action will be borne by the owners of foreign fishing vessels. This action is beneficial in that it may prevent serious injury, including death, to observers during the performance of their duty.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: Undetermined

Agency Contact: Gary A. Wood, Special Agent, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Washington, DC 20235, **202 673-5299**

RIN: 0648-AB94

293. AMENDMENT 3 TO THE HIGH SEAS SALMON FISHERY OFF THE COAST OF ALASKA EAST OF 175 E. LONGITUDE

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 674

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: This Amendment will (1) update the scientific data and other information used as a basis for management actions, (2) enhance the framework aspect of annual and inseason rulemaking under the fishery management plan (FMP), and (3) ensure conformity of the FMP with the Pacific Salmon Treaty.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
NPRM Comment Period End	11/00/88	
Final Action	01/00/89	
Final Action Effective	01/00/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, P.O. Box 1668, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AC00

294. AMENDMENT 2 TO THE FISHERY MANAGEMENT PLAN FOR THE BOTTOMFISH AND SEAMOUNT GROUNDFISH FISHERIES OF THE WESTERN PACIFIC REGION

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq; Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 683

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council

Abstract: The amendment will establish a limited access system in the bottomfish fisheries of the Western Pacific.

Timetable:

Action	Date	FR Cite
NPRM	11/01/88	
NPRM Comment Period End	12/15/88	
Final Action	02/20/89	
Final Action Effective	03/19/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: E. Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/SWR, 300 S. Ferry Street, Terminal Island, California 90731, **213 514-6600**

RIN: 0648-AC10

295. AMENDMENT 3 TO THE FISHERY MANAGEMENT PLAN FOR THE COASTAL MIGRATORY PELAGIC RESOURCES

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and; Management Act

CFR Citation: 50 CFR 642

Legal Deadline: Statutory. 110 days after submission of the Amendment by the Fishery Management Council.

Abstract: This amendment will revise the mackerel allocations between commercial and recreational fishermen.

Timetable:

Action	Date	FR Cite
NPRM	01/06/89	
NPRM Comment Period End	02/21/89	
Final Action	04/14/89	
Final Action Effective	05/13/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/SER, 9450 Koger Boulevard, St. Petersburg, FL 33702, **813 983-3141**

RIN: 0648-AC15

296. ● FISHERY MANAGEMENT PLAN FOR ATLANTIC BILLFISHES

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 644

Legal Deadline: Statutory. 110 days after the plan is submitted by the Fishery Management Council.

Abstract: The plan was prepared jointly by the South Atlantic, New England, Mid-Atlantic, Gulf and Caribbean Fishery Management Councils. It would establish a management regime for sailfish, white and blue marlin, and longbill spearfish in the Atlantic, Gulf, and Caribbean exclusive economic zone. The plan's objectives are to maintain the highest availability of billfishes to the recreational fishery, to optimize social and economic benefits by reserving

billfish for its traditional use, and to improve the understanding of the condition of billfish stocks and the fishery. Proposed management measures include (1) prohibition on the sale of billfish caught from the management unit, (2) possession prohibition aboard pelagic longline and drift gill net vessels, (3) recreational minimum size limits, (4) mandatory tournament reporting, and (5) limited exemptions for a Puerto Rico handline fishery.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	06/00/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Boulevard, St. Petersburg, FL 33702, **813 893-3141**

RIN: 0648-AC24

297. ● PROPOSED RULE TO ESTABLISH PRODUCT SPECIFIC SEAFOOD MARKETING COUNCILS UNDER THE FISH AND SEAFOOD PROMOTION ACT OF 1986 (FSPA)

Significance: Regulatory Program

Legal Authority: 16 USC 4001 to 4017 Fish & Seafood Promotion Act of 1986 (FSPA)

CFR Citation: 50 CFR 7 (New)

Legal Deadline: None.

Abstract: The U.S. fishing industry has not exhibited significant economic growth in the past 5 years. Some segments of the industry have suffered because the catches have been flat despite increasing demand. This is mainly due to high value stocks being fully exploited while there is a lack of markets for low value species. Therefore, significant quantities of lower-valued fish have gone unharvested, have been allocated to foreign countries, or sold to foreign processing vessels in joint ventures. The seafood marketing councils, established by the FSPA, will be the focus of coordinated industry marketing activities to promote the full utilization of all U.S. fisheries. This agency will oversee establishment and operations of these councils, enforcing provisions of the FSPA. Costs to the Federal Government have not been calculated but are expected to be minimal since the councils will be funded through assessments on industry participants represented on the councils. The long term potential benefit to the U.S. fishing industry may be substantial.

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
Internal DOC/NOAA Review ends	03/00/88	
NPRM Comment Period End	05/00/88	
Final Action	06/00/88	
Final Action Effective	06/00/88	

Small Entity: Undetermined

Additional Information: The proposed rule is being drafted in NOAA and will be available for internal review in January 1988. The anticipated date of publication in the Federal Register is March 1988. Since each council will be funded by segments of the industry represented on the council, with certain parameters regarding volume, income, etc., and each council determines these parameters, it is difficult to predict which segments of the industry may bear the economic burden--i.e., small businesses versus large businesses. These issues are being explored at this time.

We should be able to provide additional information when this information is updated.

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Carmen J. Blondin, Director, Off. of Trade & Industry Services, Department of Commerce, National Oceanic and Atmospheric Administration, Washington, DC 20235, **202 673-5260**

RIN: 0648-AC27

298. ● REGULATORY AMENDMENT REVISING THE FINAL REGULATIONS IMPLEMENTING THE AMERICAN LOBSTER FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 649

Legal Deadline: None.

Abstract: This action will require all escape vents in traps to be compatible with a minimum carapace length of 3 5/16 inches.

Timetable:

Action	Date	FR Cite
NPRM	07/12/88	
NPRM Comment Period End	07/27/88	
Final Action	12/01/88	
Final Action Effective	12/31/88	

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AC28

299. ● AMENDMENT 2 TO THE SPINY LOBSTER FISHERY MANAGEMENT PLAN OF THE GULF OF MEXICO AND SOUTH ATLANTIC

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 640

Legal Deadline: Statutory. 110 days after submission by the Fishery Management Council.

Abstract: This rule would propose a limited entry system for the fishery.

Timetable:

Action	Date	FR Cite
NPRM	12/16/88	
NPRM Comment Period End	01/31/89	
Final Action	03/24/89	
Final Action Effective	04/24/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric

DOC—NOAA **Proposed Rule Stage**

Administration, 9450 Koger Blvd., St. Petersburg, FL 33708, **813 893-3141**

RIN: 0648-AC29

300. ● FOREIGN FISHING POUNDAGE AND PERMIT FEES, 1989

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and Mgmt. Act

CFR Citation: 50 CFR 611.22

Legal Deadline: Statutory. 110 days after submission from the Fishery Management Council.

Abstract: This rule will set poundage and permit fees for foreign fishing in 1989.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	
NPRM Comment Period End	10/30/88	
Final Action	12/15/88	
Final Action Effective	01/01/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Alfred J. Bilik, Fishery Management Office, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Washington, DC 20235, **202 673-5315**

RIN: 0648-AC30

301. ● REGULATORY AMENDMENT TO REQUIRE REPORTING OF PACIFIC COAST GROUNDFISH LANDING TO STATES

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 663

Legal Deadline: None.

Abstract: The regulatory amendment would make it a Federal requirement that all landings of groundfish be reported to the appropriate states in compliance with state laws.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
NPRM Comment Period End	04/15/88	
Final Action	07/01/88	
Final Action Effective	08/01/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Rolland A. Schmitten, Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/NWR, 7600 Sand Point Way NE, Bldg. 1, Seattle, WA 98115, **206 526-6150**

RIN: 0648-AC31

302. ● AMENDMENT 12 TO THE FMP FOR GROUNDFISH OF THE BERING SEA AND ALEUTIAN ISLANDS AREA

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 675; 50 CFR 611

Legal Deadline: Statutory. 110 days after submission by the fishery Management Council.

Abstract: The amendment would provide for (1) increasing the maximum annual optimum yield for all species from 2 million mt. up to 2.4 million mt. to provide for greater economic benefits, (2) delaying the start of the joint venture fishery on post-spawning pollock from April 15 to June 15 to assure an improved quality product, (3) conserving crab and halibut taken as incidental catch in the groundfish fisheries, (4) determining the retainable incidental catch in multispecies longline fisheries, and (5) revising the weekly reporting requirement for catches transferred at sea to improve reporting times.

Timetable:

Action	Date	FR Cite
NPRM	10/17/88	
NPRM Comment Period End	11/30/88	
Final Action	01/11/89	
Final Action Effective	02/10/89	

Small Entity: Yes

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, P O Box 1668, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AC32

303. ● AMENDMENT 1 TO THE FISHERY MANAGEMENT PLAN FOR THE PRECIOUS CORAL FISHERY OF THE WESTERN PACIFIC REGION

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and Mgmt. Act

CFR Citation: 50 CFR 680

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council.

Abstract: The amendment will include measures to encourage local fishermen to increase effort to harvest precious coral.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
NPRM Comment Period End	05/16/88	
Final Action	07/06/88	
Final Action Effective	08/05/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: E. Charles Fullerton, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 300 South Ferry Street, Terminal Island, CA 90731, **213 514-6660**

RIN: 0648-AC33

304. ● FISHERY MANAGEMENT PLAN FOR KING AND TANNER CRAB IN THE BERING SEA AND ALEUTIAN ISLANDS

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 671

Legal Deadline: Statutory. 110 days after submission by the Fishery Management Council.

Abstract: The FMP would govern fishing for king and tanner crab in the EEZ by minimum sizes, annual guideline harvest levels, definition of legal gear, restriction on harvest of female crabs, registration areas, and provision for inseason adjustments. The

State of Alaska would adopt measures for reporting requirements, fishing seasons, gear placement, gear storage, gear restrictions, and vessel tank inspections. A person may appeal to the Secretary if he believes a State action does not comply with the FMP, the Magnuson Act, or other applicable law.

Timetable:

Action	Date	FR Cite
NPRM	05/12/88	
NPRM Comment Period End	06/26/88	
Final Action	08/31/88	
Final Action Effective	09/30/89	

Small Entity: Yes

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: State, Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, P O Box 1668, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AC34

305. ● AMENDMENT 2 TO THE RED DRUM FISHERY MANAGEMENT PLAN FOR THE GULF OF MEXICO

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 653

Legal Deadline: Statutory. 110 days after submission from the Fishery Management Council.

Abstract: This amendment will continue the closure of the primary management area in the Gulf of Mexico exclusive economic zone (EEZ) to the harvest of red drum. This action would follow an emergency rule which achieved the same fishery closure for 180 days under emergency authority. This action would reduce to zero previous commercial incidental and recreational catches totalling 625,000 pounds per year. The action is based upon new biological information indicating significant problems with the condition of the adult brood stock and recommendations of science advisors to take immediate protective measures for the brood stock and to increase the escapement of juveniles from the inshore areas to the offshore brood stock.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	05/30/88	
Final Action Effective	06/30/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd, St. Petersburg, FL 33702, **813 893-3141**

RIN: 0648-AC38

306. ● REPORTING REQUIREMENTS GOVERNING SALMON TAKEN OFF ALASKA AND DELIVERED OR LANDED OUTSIDE ALASKA

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 674

Legal Deadline: Statutory. 110 days after submission by the Fishery Management Council.

Abstract: A mandatory reporting requirement for fishing vessel operators who harvest salmon in the EEZ off Alaska and who sell, transport, or deliver salmon in the EEZ or to a U.S. port outside Alaska. The operator must submit a fish ticket to the Alaska Department of Fish and Game after each sale, transfer or delivery. Receipt of this ticket is necessary to obtain timely data on salmon catches.

Timetable:

Action	Date	FR Cite
NPRM	03/15/88	
NPRM Comment Period End	04/30/88	
Final Action	05/29/88	
Final Action Effective	06/29/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, P O Box 1668, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AC39

307. ● ATLANTIC TUNA FISHERIES - REGULATORY AMENDMENT

Legal Authority: 16 USC 971 et seq

CFR Citation: 50 CFR 285

Legal Deadline: None.

Abstract: Regulatory Amendment to clarify intent of existing regulation through international agreements that no directed fishing is allowed on Atlantic bluefin tuna in the Gulf of Mexico. The existing regulation has a category for incidental catch of bluefin in the domestic longline fishery for other species. The intent of the existing regulation is no fishing in the Gulf of Mexico for bluefin tuna under any other category of fishing. This amendment will clarify that point.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Federal Bldg., Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AC40

308. ● REGULATORY AMENDMENT TO THE FISHERY MANAGEMENT PLAN FOR THE ATLANTIC SWORDFISH FISHERY

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 630

Legal Deadline: None.

Abstract: This regulatory amendment will modify the present data collection system to require 100 percent mandatory dealer reporting of swordfish landing. This information is required to determine total fishery landings, fishing effort, and biological

data (e.g., size of population, age, classes) for stocks assessment purposes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, **813 893-3141**

RIN: 0648-AC41

309. ● AMENDMENT 17 TO THE FMP FOR GROUNDFISH OF THE GULF OF ALASKA

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 672; 50 CFR 611

Legal Deadline: Statutory. 110 days after submission by the Fishery Management Council.

Abstract: The amendment would provide (1) a framework for comprehensive management of incidental catches, (2) a framework for setting fishing season on an annual basis, and (3) a minimum size limit on sablefish.

Timetable:

Action	Date	FR Cite
NPRM	11/01/88	
NPRM Comment Period End	12/17/88	
Final Action	02/20/89	
Final Action Effective	03/22/89	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, P O Box 1668, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AC42

310. ● AMENDMENT 3 TO THE FISHERY MANAGEMENT PLAN FOR ATLANTIC SEA SCALLOPS

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 650

Legal Deadline: Statutory. 110 days after the submission by the Fishery Management Council.

Abstract: This amendment will involve a major revision of the management plan with the purpose of replacing a management program based on a meat count standard measure with some other management approach of equal or greater effectiveness in meeting the plan's objectives.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	08/00/88	
Final Action	10/00/88	
Final Action Effective	11/00/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AC44

311. ● POLICY TO REQUIRE OBSERVERS TO BE CARRIED ON DOMESTIC FISHING VESSELS

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 620

Legal Deadline: None.

Abstract: The policy would establish guidelines for the use of observers in the domestic fisheries managed under the Magnuson Act. The observers collect catch and effort data on fishing operations, and biological information on fish stocks and the marine ecosystem.

Timetable:

Action	Date	FR Cite
NPRM	05/15/88	
NPRM Comment Period End	06/30/88	
Final Action	10/01/88	
Final Action Effective	10/01/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Dr. Peter H. Fricke, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Fisheries Cons. and Mgt., 1825 Connecticut Ave., NW, Washington, DC 20235, **202 673-5263**

RIN: 0648-AC45

312. ● REGULATORY AMENDMENT MODIFYING THE BOUNDARY OF THE TEXAS SEASONAL CLOSURE OF THE SHRIMP FISHERY OF THE GULF OF MEXICO FOR 1988

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 658

Legal Deadline: None.

Abstract: This action will change the seaward boundary of the 1988 Texas closure from 200 nautical miles off the Texas coast to 15 nautical miles. This modification will allow fishermen to harvest marketable-sized shrimp from the previously closed area, and will allow NMFS to collect current data on fishing effort and patterns to evaluate the impact of the seasonal closure.

Timetable:

Action	Date	FR Cite
NPRM	03/11/88	
NPRM Comment Period End	04/10/88	
Final Action	05/23/88	
Final Action Effective	05/23/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region,

Department of Commerce, National Oceanic and Atmospheric Administration, F/SER, 9450 Koger Boulevard, St. Petersburg, FL 33702, **813 893-3141**

RIN: 0648-AC46

313. ● REGULATORY AMENDMENT REVISING THE FINAL REGULATIONS IMPLEMENTING THE FISHERY MANAGEMENT PLAN FOR THE COASTAL MIGRATORY PELAGIC RESOURCES

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 642

Legal Deadline: None.

Abstract: This amendment will ban drift gillnets in the king mackerel fishery.

Timetable:

Action	Date	FR Cite
NPRM	03/16/88	
NPRM Comment Period End	04/15/88	
Final Action	06/24/88	
Final Action Effective	07/01/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/SER, 9450 Koger Blvd., St. Petersburg, FL 33702, **813 983-3141**

RIN: 0648-AC47

314. ● REGULATORY AMENDMENT TO DESIGNATE SPECIAL FISHING AREAS IN THE SNAPPER-GROUPER FISHERY OF THE SOUTH ATLANTIC

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 646

Legal Deadline: None.

Abstract: The regulatory amendment would establish two special management zones around artificial reefs that were requested by the Ft. Pierce Sport Fishing Club and approved by the South Atlantic Fishery Management Council. Within the fishery management plan for the snapper-grouper fishery, use of fish traps, bottom longlines, hydraulic and electric reels unless mounted on a hand-held rod would be prohibited. In addition, spear fishing on the inshore site is prohibited and possession or harvest of jewfish would be prohibited.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
NPRM Comment Period End	04/01/88	
Final Action	06/01/88	
Final Action Effective	07/01/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Regional Director, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, **813 893-3149**

RIN: 0648-AC48

315. ● AMENDMENT 9 TO THE FISHERY MANAGEMENT PLAN FOR COMMERCIAL AND RECREATIONAL SALMON FISHERIES OFF THE COASTS OF WASHINGTON, OREGON, AND CALIFORNIA

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 661

Legal Deadline: Statutory. 110 days after the amendment is submitted by the Fishery Management Council.

Abstract: This Amendment will address: (1) allocation of chinook and coho salmon north of Cape Falcon between commercial and recreational fisheries, (2) the ocean escapement goal for Klamath River fall chinook, (3) allocation of chinook salmon between commercial and recreational fisheries between Cape Blanco, Oregon and Point Delgada, California, and (4) shoreside sorting of prohibited species caught in midwater trawls.

Timetable:

Action	Date	FR Cite
NPRM	07/01/88	
NPRM Comment Period End	08/15/88	
Final Action	10/20/88	
Final Action Effective	11/20/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Rolland A. Schmitten, Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way, NE, Building 1, Seattle, Washington, 98115, **206 526-6150**

RIN: 0648-AC49

NATIONAL OCEAN SURVEY/OFFICE OF COASTAL RESOURCES MANAGEMENT

316. PROPOSED REGULATIONS FOR THE KEY LARGO NATIONAL MARINE SANCTUARY

Legal Authority: 16 USC 1431 to 1434

CFR Citation: 15 CFR 929

Legal Deadline: None.

Abstract: These regulations are being revised to update enforcement provisions and to change research permit requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
NPRM Comment Period End	02/00/89	
Final Action	06/00/89	
Final Action Effective	07/00/89	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Suite 714, Washington, DC 20235, **202 673-5126**

RIN: 0648-AA33

317. DRAFT REGULATIONS FOR THE PROPOSED FLOWER GARDEN BANKS NATIONAL MARINE SANCTUARY

Legal Authority: *6 USC 1431 to 1434

CFR Citation: 15 CFR 943

Legal Deadline: None.

Abstract: These regulations will protect the ecological and biological reef communities of the East and West Flower Garden Banks offshore Texas and Louisiana, if the area is designated as a national marine sanctuary.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	09/00/88	
Final Action	04/00/89	
Final Action Effective	06/00/89	

Small Entity: No

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Mgt., 1825 Connecticut Avenue, NW, Suite 714, Washington, DC 20235, **202 673-5126**

RIN: 0648-AB49

318. PROPOSED REGULATIONS FOR THE LOOE KEY NATIONAL MARINE SANCTUARY

Legal Authority: 16 USC 1431 to 1434

CFR Citation: 15 CFR 937

Legal Deadline: None.

Abstract: These regulations are being revised to update enforcement provisions and to change research permit requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
NPRM Comment Period End	11/00/88	
Final Action	03/00/89	
Final Action Effective	04/00/89	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Suite 714, Washington, DC 20235, **202 673-5126**

RIN: 0648-AB64

319. PROPOSED REGULATIONS FOR THE NATIONAL ESTUARINE RESERVE RESEARCH PROGRAM

Legal Authority: 16 USC 1461

CFR Citation: 15 CFR 921

Legal Deadline: None.

Abstract: When the Coastal Zone Management Reauthorization Act of 1985 becomes effective, the existing regulations for the National Estuarine Sanctuary Program will need to be updated to reflect the changes that will occur in the program--(1) a stronger emphasis for conducting, promoting and coordinating research within the system; (2) changes the name of the program to "National Estuarine Reserve Research System"; (3) the amount of Federal financial assistance is increased to $4,000,000 per site; and (4) submission of an annual report to Congress beginning with fiscal year 1986.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	10/00/88	

Small Entity: No

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Suite 714, Washington, DC 20235, **202 673-5126**

RIN: 0648-AB68

320. RULEMAKING TO IMPLEMENT 1985 REAUTHORIZATION OF THE COASTAL ZONE MANAGEMENT ACT (CZMA)

Legal Authority: 16 USC 1456; PL 99-272, Subtitle D

CFR Citation: 15 CFR 923

Legal Deadline: None.

Abstract: PL 99-272, the Coastal Zone Management Reauthorization Act of 1985, amended Sec 306(g) of the Coastal Zone Management Act (16 USC 1456) dealing with submission and approval of changes to federally-approved state coastal zone management programs. NOAA/OCRM intends to issue regulations to implement these provisions and to correct problems NOAA/OCRM and the states have experienced in processing program change requests.

Timetable:

Action	Date	FR Cite
Issue paper distributed	09/12/86	
NPRM	03/21/88	
NPRM Comment Period End	04/22/88	
Final Action	10/02/88	
Final Action Effective	12/02/88	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: None

Government Levels Affected: State

Agency Contact: Mark Stanga, Associate Director, OCRM, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Ave., NW, Room 701, Washington, DC 20235, **202 673-5100**

RIN: 0648-AC02

321. PROPOSED REGULATIONS FOR THE CHANNEL ISLANDS NATIONAL MARINE SANCTUARY

Legal Authority: 16 USC 1431 to 1439

CFR Citation: 15 CFR 935

Legal Deadline: None.

Abstract: These regulations are being revised to update enforcement provisions and permit requirements.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Ave., NW, Suite 714, Washington, DC 20235, **202 673-5126**

RIN: 0648-AC03

322. PROPOSED REGULATIONS FOR THE POINT REYES-FARALLON ISLANDS NATIONAL MARINE SANCTUARY

Legal Authority: 16 USC 1431 to 1439

CFR Citation: 15 CFR 936

Legal Deadline: None.

DOC—NOAA **Proposed Rule Stage**

Abstract: These regulations are being revised to update enforcement provisions and permit requirements.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Ave., NW, Suite 714, Washington, DC 20235, **202 673-5126**

RIN: 0648-AC05

DEPARTMENT OF COMMERCE (DOC)
National Oceanic and Atmospheric Administration (NOAA)

Final Rule Stage

NATIONAL MARINE FISHERIES SERVICE

323. FISHERY CONSERVATION AND MANAGEMENT: CONFIDENTIALITY OF STATISTICS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and Mgmt. Act

CFR Citation: 50 CFR 603

Legal Deadline: None.

Abstract: The regulations provide internal procedures to protect statistics collected from the public under the Magnuson Fishery Conservation and Management Act from disclosure.

Timetable:

Action	Date	FR Cite
NPRM	01/09/78	43 FR 1460
Interim Final Rule	12/07/79	44 FR 237
Interim Final Rule	07/16/87	52 FR 26685
Final Action	06/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared. The Regulatory Flexibility Act does not apply because the regulations affect only internal operations of an agency.

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Mark Holliday, Acting Chief, Fisheries Statistics Division, Department of Commerce, National Oceanic and Atmospheric Administration, Off. of Research and Environmental Informat., NMFS, Washington, DC 20235, **202 673-5335**

RIN: 0648-AA38

324. U.S. GENERAL STANDARDS FOR GRADES OF SHRIMP

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 265A

Legal Deadline: None.

Abstract: The final rule will establish general quality grading standards for all non-breaded forms of fresh or frozen shrimp. These grading standards will provide for the systematic differentiation of the quality of shrimp into four categories -- U.S. Grades A, B, C and Substandard. The proposed standards will be applied to all commercial species of fresh or frozen shrimp in raw or cooked states in all non-breaded market forms. The adoption of grading standards is expected to facilitate trade in shrimp of all commercial species, as consumers will be able to select shrimp on the basis of identified quality. Industry has shown great interest in and support for the standards. Timetable for next action is very tentative. Public comments received indicate a need for further research before the rule is published.

Timetable:

Action	Date	FR Cite
NPRM	05/20/82	47 FR 21840
NPRM Comment Period End	08/18/82	47 FR 21840
Interim Final Rule	12/30/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Program Analyst, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Trade and Industry Services, Inspection Services Division, Washington, DC 20235, **202 673-5875**

RIN: 0648-AA47

325. FOREIGN FISHING - SCIENTIFIC RESEARCH

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conser & Management Act

CFR Citation: 50 CFR 611.14

Legal Deadline: None.

Abstract: The action would revise the scientific research provisions of the foreign fishing regulations. The action is necessary to bring the regulations into compliance with current policy on scientific research and clarify what foreign vessels may be considered scientific research vessels while conducting activities which might otherwise be considered fishing.

Timetable:

Action	Date	FR Cite
NPRM	05/01/84	49 FR 50498
NPRM Comment Period End	06/14/84	49 FR 50498
Final Action	08/02/88	
Final Action Effective	09/01/88	

Small Entity: No

Additional Information: This action is related to RIN 0648-AA40 General and Recreational Foreign Fishing.

Affected Sectors: None

Government Levels Affected: State, Federal

Agency Contact: Alfred J. Bilik, Fishery Management Officer, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine

Fisheries Service, 1825 Connecticut Avenue, NW, Washington, DC 20235, **202 673-5319**

RIN: 0648-AB23

326. REGULATIONS GOVERNING THE TAKING AND IMPORTING OF MARINE MAMMALS; IMPORTATION OF YELLOWFIN TUNA

Significance: Regulatory Program

Legal Authority: 16 USC 1361 et seq Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 216.24

Legal Deadline: None.

Abstract: U.S. tuna purse seine fishermen operating in the eastern tropical Pacific have been subject to certain restrictions relating to the take of marine mammals, whereas other nations fishing in a similar manner that export tuna to the U.S. often do not impose similar constraints on their own industry. Therefore, the Marine Mammal Protection Act of 1972 was amended to require all such nations, prior to being allowed to import tuna, to provide documentary evidence that they have adopted a program governing the incidental taking of marine mammals that is comparable to that of the U.S. and that the average rate of incidental take in the fishery is comparable to the U.S. These regulations will implement this requirement.

Timetable:

Action	Date	FR Cite
ANPRM	11/29/84	49 FR 46921
NPRM	08/13/86	51 FR 28963
NPRM Comment Period End	11/14/86	51 FR 36568
Interim Final Rule	03/00/88	
Final Action	04/00/88	
Final Action Effective	04/00/88	
Begin Review	09/00/88	
End Review	01/00/89	

Small Entity: No

Additional Information: This action will require restrictions on foreign nations that export tuna to the U.S. similar to those imposed on U.S. tuna fishermen. These regulations will have no impact domestically in terms of bringing more U.S. nationals under Federal regulations.

Public Compliance Cost: Initial Cost: $9,825; Yearly Recurring Cost: $9,825; Base Year for Dollar Estimates: 1985

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Kenneth R. Hollingshead, Marine Resource Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources & Habitat, Programs, NMFS, Washington, DC 20235, **202 673-5351**

RIN: 0648-AB46

327. ENDANGERED FISH AND WILDLIFE; APPROACHING HUMPBACK WHALES IN HAWAIIAN WATERS

Legal Authority: 16 USC 1382(a); 16 USC 1540(f)

CFR Citation: 50 CFR 222.31

Legal Deadline: None.

Abstract: This rule will establish as regulation a previously published Notice of Interpretation regarding minimum distances that should be maintained in the presence of humpback whales in Hawaii. Establishing a 100 yard perimeter around any of the whales while in the Hawaiian Exclusive Zone as a regulation is considered necessary given a large increase in vessel traffic and other water use activities in areas where this species historically occurs. In response to comments received in the public record, NOAA is defining two specific sites as cow/calf areas in which an approach closer than 300 yds is prohibited. This addition creates a new subsection to the rule.

Timetable:

Action	Date	FR Cite
NPRM	11/24/86	51 FR 42271
NPRM Comment Period End	12/24/86	51 FR 42271
Interim Final Rule	11/23/87	52 FR 44912
Final Action	04/01/88	
Final Action Effective	05/01/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: E. Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, 300 South Ferry Street, Terminal Island, CA 90731, **213 514-6201**

RIN: 0648-AB79

328. GROUNDFISH OF THE GULF OF ALASKA - AMENDMENT 16 AND GROUNDFISH OF THE BERING SEA AND ALEUTIAN ISLANDS AREA - AMENDMENT 11A

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 672; 50 CFR 675

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: The regulation addresses the revision of the definition of "prohibited species" and requires catcher/processor vessels operating in the Gulf of Alaska or the Bering Sea and Aleutian Islands area to keep records on groundfish production and transfers of groundfish products.

Timetable:

Action	Date	FR Cite
NPRM	12/21/87	52 FR 48303
NPRM Comment Period End	01/30/88	
Final Action	03/07/88	
Final Action Effective	04/06/88	

Small Entity: Yes

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 1668, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AB98

329. U.S. STANDARDS FOR GRADES OF FISH FILLETS

Significance: Agency Priority

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 263A; 50 CFR 263B; 50 CFR 363C; 50 CFR 263D; 50 CFR 263E

Legal Deadline: None.

DOC—NOAA **Final Rule Stage**

Abstract: This revised rule will expand the coverage of established voluntary standards for grades of fish fillets to include a new market form or style of fillet whereby the pin-bones, the bones radiating laterally from the spinal column, are not removed. This style of fillet has become more familiar in the marketplace, resulting in the industry requesting the amendment. Responses to a previous request for comments indicate a national interest in this style of presentation. The amendment will allow this market form, bearing FDA's recommended labeling, to be inspected and reflect the U.S. Grade A mark.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/30/88	

Small Entity: No

Government Levels Affected: State, Federal

Agency Contact: Rita A. Creitz, Program Analyst, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Trade and Industry Services, Inspection Services Division, Washington, DC 20235, **202 673-5875**

RIN: 0648-AC12

330. AMENDMENT TO REGULATION PROVIDING FOR ALLOCATION OF PACIFIC HALIBUT AMONG DOMESTIC FISHERMEN

Legal Authority: North Pacific Halibut Act of 1982

CFR Citation: 50 CFR 301

Legal Deadline: None.

Abstract: The amendment addresses the allocation among domestic fishermen of the U.S. quota of Pacific halibut as determined by the International Pacific Halibut Commission.

Timetable:

Action	Date	FR Cite
Final Action	04/29/88	
Final Action Effective	04/29/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, PO Box 1668, Juneau, AK 99802, **907 568-7221**

RIN: 0648-AC20

331. ● IMPLEMENTATION OF CONDITIONALLY APPROVED MEASURES UNDER AMENDMENT 1 TO THE SPINY AND SLIPPER LOBSTER FMP IN THE GULF OF MEXICO AND SOUTH ATLANTIC - PERMITS AND BAG LIMITS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 640

Legal Deadline: None.

Abstract: This rule will require commercial and tail separation permits and establish a recreational bag limit during the regular season.

Timetable:

Action	Date	FR Cite
NPRM	03/18/87	52 FR 8485
NPRM Comment Period End	04/18/87	52 FR 8485
Final Action	03/30/88	
Final Action Effective	04/29/88	

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, **813 893-3141**

RIN: 0648-AC25

332. ● REGULATORY AMENDMENT TO PROHIBIT LANDINGS OF UNDERSIZE RED SNAPPER IN THE REEF FISH FISHERY OF THE GULF OF MEXICO

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 641

Legal Deadline: None.

Abstract: The regulatory amendment would close a loophole that fishermen are using to land undersized red snapper in the Gulf of Mexico reef fish fishery. Currently, persons lawfully fishing with trawls from domestic vessels are exempt from the minimum size limit for red snapper. The regulatory amendment would only allow retention of trawl-caught red snapper if fishing for species other than red snapper, provided the total weight of red snapper does not exceed five percent of all other species aboard.

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
Final Action	04/15/88	
Final Action Effective	05/16/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd, St. Petersburg, FL 33702, **813 893-3141**

RIN: 0648-AC36

333. ● IMPLEMENTATION OF CONDITIONALLY APPROVED MEASURES UNDER AMENDMENT TO THE SPINY AND SLIPPER LOBSTER FMP IN THE GULF OF MEXICO AND SOUTH ATLANTIC - TRAP REMOVAL

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 640

Legal Deadline: None.

Abstract: This rule will (1) change the two-day recreational season to the first full weekend preceding August 1, and the opening date of the regular season to August 6, (2) establish a daily bag of six lobsters per person during the special two-day recreational season, and (3) provide for a 10-day extension of the April 1-5 trap removal period for individuals with a documented hardship or emergency.

Timetable:

Action	Date	FR Cite
NPRM	03/18/87	52 FR 8485
NPRM Comment Period End	04/18/87	52 FR 8485
Final Action	04/00/88	

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

DOC—NOAA **Final Rule Stage**

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, **813 893-3141**

RIN: 0648-AC37

334. ● INTERJURISDICTIONAL FISHERIES

Legal Authority: 16 USC 4100 et seq; PL 99-659, Title III, Interjurisdictional Fisheries Act of; 1986

CFR Citation: 50 CFR 253

Legal Deadline: None.

Abstract: Provides State agencies guidance in receiving grants under the interjurisdictional Act of 1986. The Act allows the Secretary of Commerce to distribute funds to the States to conduct projects on interjurisdictional species and to enter into agreements with the states for enforcement of state and federal fishery regulations.

Timetable:

Action	Date	FR Cite
NPRM	11/23/87	52 FR 44922
NPRM Comment Period End	12/23/87	52 FR 44922
Final Action	04/00/88	
Final Action Effective	05/00/88	

Small Entity: No

Government Levels Affected: State, Federal

Agency Contact: Austin R. Magill, Acting Chief, Division of Recreational and Interjurisdictional Fisheries, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Ave., NW, Washington, DC 20235, **202 673-5272**

RIN: 0648-AC52

NATIONAL OCEAN SURVEY/OFFICE OF COASTAL RESOURCES MANAGEMENT

335. PROPOSED REGULATIONS FOR THE NATIONAL MARINE SANCTUARY PROGRAM

Legal Authority: 16 USC 1431 to 1434

CFR Citation: 15 CFR 922

Legal Deadline: None.

Abstract: As a result of the Marine Protection, Research and Sanctuaries Act reauthorization signed by the President on October 19, 1984, the regulations are being revised to incorporate modifications from the new legislation regarding the sanctuary designation process and site selection criteria.

Timetable:

Action	Date	FR Cite
NPRM	06/12/86	51 FR 21369
Final Action	04/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Avenue, NW, Suite 714, Washington, DC 20235, **202 673-5126**

RIN: 0648-AA31

336. DRAFT REGULATIONS FOR THE PROPOSED CORDELL BANK NATIONAL MARINE SANCTUARY

Legal Authority: 16 USC 1431 to 1434

CFR Citation: 15 CFR 942

Legal Deadline: None.

Abstract: These regulations will protect the ecological, recreational, and esthetic resources of the waters surrounding Cordell Bank, if the area is designated as a national marine sanctuary.

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Agency Contact: Joseph A. Uravitch, Chief, Marine and Estuarine Management Division, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean and Coastal Resource Mgt., 1825 Connecticut Avenue, NW, Suite 714, Washington, DC 20235, **202 673-5126**

RIN: 0648-AB50

NATIONAL OCEAN SURVEY/OFFICE OF MINERAL ENERGY

337. DEEP SEABED MINING REGULATIONS FOR COMMERCIAL RECOVERY

Significance: Regulatory Program

Legal Authority: 30 USC 1401 et seq Deep Seabed Hard Mineral Resources Act

CFR Citation: 15 CFR 970, (Exploration Regulations); 15 CFR 971

Legal Deadline: None.

Abstract: Under 15 CFR 970, prospective deep seabed miners may apply to NOAA for the exploration license needed to explore the deep seabed for manganese nodules. Under the new regulations (15 CFR 971), prospective miners will be able to apply to NOAA for a permit to commercially recover and process nodules to obtain strategic metals (nickel, copper, cobalt, manganese). These permits would provide security of tenure for applicants with respect to other U.S. citizens and other nations' permittees in accordance with applicable international agreements. Fees for securing and maintaining a permit will be based on the Government's processing costs. These fees would be an inconsequential portion of the cost of a commercial recovery operation. The cost of a commercial recovery operation is expected to exceed one billion dollars. Alternatives to the regulation would require amending the Deep Seabed Hard Mineral Resources Act, which would be considered in the context of the U.S. law of the sea policy.

Timetable:

Action	Date	FR Cite
ANPRM	12/28/82	47 FR 57903
NPRM	07/25/86	51 FR 26794
Public Hearings, 08/26/86, 09/11/86	09/09/86	51 FR 26794
NPRM Comment Period End	11/24/86	
NPRM	09/14/87	52 FR 34748
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Additional Information: A preliminary RIA & RFA have been prepared for the commercial regulations to cover new issues raised by the commercial recovery permit regulations. It is expected that small entities will not be permittees. Rather some small entities are expected to be contractors or subcontractors to permittees. The

DOC—NOAA

Final Rule Stage

preliminary RIA and RFA are available as is the programmatic environmental impact statement and the supplemental environmental assessment. After considering public comments on the proposed major rule, NOAA determined that certain issues were significantly different than the proposed rules. These limited issues are being reproposed for further public comment prior to NOAA's issuing the final regulations.

Affected Sectors: 102 Copper Ores; 106 Ferroalloy Ores, Except Vanadium; 108 Metal Mining Services; 331 Steel Works, Blast Furnaces, and Rolling and Finishing Mills; 333 Primary Smelting and Refining of Nonferrous Metals; 951 Administration of Environmental Quality Programs

Government Levels Affected: Local, State, Federal

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis; See Additional Information

Agency Contact: James P. Lawless, Chief, Oceans Minerals and Energy Division, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Ocean Minerals and Energy, 1825 Connecticut Ave., NW, Suite 710, Washington, DC 20235, **202 673-5121**

RIN: 0648-AA36

DEPARTMENT OF COMMERCE (DOC)

Completed Actions

National Oceanic and Atmospheric Administration (NOAA)

338. MARKING REQUIREMENTS FOR THE IMPORTATION, EXPORTATION, & INTERSTATE TRANSPORTATION OF FISH OR WILDLIFE

Significance: Regulatory Program

Legal Authority: 16 USC 3371 to 3375 Lacey Act Amendments of 1981

CFR Citation: 50 CFR 14.81 to 14.83; 50 CFR 246.1 to 246.3

Legal Deadline: None.

Abstract: These regulations will enable NOAA to monitor interstate and foreign commerce in fish and fishery products, for the purpose of detecting violations of Federal, state and foreign laws. The regulations will conform to current industry practices.

Timetable:

Action	Date	FR Cite
NPRM	07/07/86	51 FR 24559
NPRM Comment Period End	09/05/86	
Final Action	11/27/87	52 FR 45339
Final Action Effective	12/28/87	52 FR 45339

Small Entity: No

Additional Information: The regulations will be issued jointly with the Department of the Interior. Neither an RIA nor an RFA is required.

Affected Sectors: 091 Commercial Fishing; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Steven C. Springer, Special Agent In Charge, Department of Commerce, National Oceanic and Atmospheric Administration, Enforcement Div., NMFS, Washington, DC 20235, **202 673-5299**

RIN: 0648-AA53

339. U.S. STANDARDS FOR GRADES OF FRESH OR FROZEN NORTH AMERICAN FRESHWATER CATFISH AND PRODUCTS MADE THEREFROM

Legal Authority: 7 USC 1621 to 1630 Agricultural Marketing Act of 1946

CFR Citation: 50 CFR 267, (New)

Legal Deadline: None.

Abstract: This final standard will establish a voluntary standards system to identify various products made from North American Freshwater Catfish and to grade these products A, B, C and Substandard. The objective of the standard is to facilitate trade in these products thereby benefiting the consumer. The standard will be used by NMFS in the voluntary program of fishery products inspection and certification. Industry has expressed strong support for these voluntary standards.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/05/84	49 FR 27514
Final Action	10/05/87	52 FR 37155
Final Action Effective	11/04/87	52 FR 37155

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: 027 Animal Specialties; 209 Miscellaneous Food Preparations and Kindred Products

Government Levels Affected: State, Federal

Analysis: See Additional Information

Agency Contact: Rita A. Creitz, Program Analyst, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Trade and Industry Services, Inspection Services Division, Washington, DC 20235, **202 673-5875**

RIN: 0648-AA73

340. AMENDMENT NO. 5 TO THE FISHERY MANAGEMENT PLAN FOR THE SPINY LOBSTER FISHERIES OF THE WESTERN PACIFIC REGION

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 681

Legal Deadline: Statutory. 110 days after the amendment is submitted by the Fishery Management Council.

Abstract: This Amendment will (1) incorporate management measures for Slipper Lobster, (2) require the use of escape vents in Lobster pots, (3) require release of egg-bearing females, (4) revise the daily catch report, (5) revise the permit application form, (6) eliminate the annual processor report, (7) revise the trip processing report, and (8) change the name to the crustacean FMP.

Timetable:

Action	Date	FR Cite
NPRM	07/27/87	52 FR 28028
NPRM Comment Period End	09/04/87	
Final Action	12/15/87	52 FR 47572
Final Action Effective	01/11/88	52 FR 47572

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: E. Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, 300 S. Ferry Street, Terminal Island, CA 90731, **213 514-6196**

RIN: 0648-AB81

341. AMENDMENT 1 TO THE RED DRUM FISHERY MANAGEMENT PLAN FOR THE GULF OF MEXICO

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 604; 50 CFR 653

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: The Amendment (1) divides the Gulf of Mexico EEZ into primary (waters off Louisiana, Mississippi, and Alabama) and secondary (waters off Texas and Florida) management areas; (2) prohibits the harvest or possession of red drum from the secondary areas; and (3) establishes an annual total allowable catch (TAC) in the primary area. Under the TAC, the annual quota for directed commercial fishing is zero, while incidental catch quotas are established for the shrimp and other commercial fisheries. Also, a recreational catch quota is established with an associated daily bag limit. The intended effect of the management program is to protect and rebuild the red drum resource throughout its range through cooperative State/Federal management.

Timetable:

Action	Date	FR Cite
NPRM	06/16/87	52 FR 22822
NPRM Comment Period End	07/23/87	
Final Action	09/16/87	52 FR 34918
Final Action Effective	10/16/87	52 FR 34918

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Regional Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, **813 893-3141**

RIN: 0648-AB91

342. GROUNDFISH OF THE BERING SEA AND ALEUTIAN ISLANDS - AMENDMENT 11

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 675

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: The regulation will address the revision of the definition of "prohibited species and acceptable biological catch" and seasonal apportionment of the harvest of pollock by the joint venture fleet.

Timetable:

Action	Date	FR Cite
NPRM	09/01/87	52 FR 32942
NPRM Comment Period End	10/15/87	
Final Action	12/03/87	52 FR 45966
Final Action Effective	01/04/88	52 FR 45966

Small Entity: Yes

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Flexibility Analysis

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, P.O. Box 1668 F/AKR, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AB96

343. AMENDMENT 2 TO THE AMERICAN LOBSTER FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 649

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: Amendment 2 will increase the minimum carapace length for lobsters, prohibit the possession of V-notched female American lobsters, and establish a uniform national standard prohibiting the possession of undersized V-notched female or egg-bearing lobsters within the U.S. that are caught under the authority of the Magnuson Act.

Timetable:

Action	Date	FR Cite
NPRM	08/03/87	52 FR 28732
NPRM Comment Period End	09/10/87	
Final Action Effective	11/30/87	52 FR 46088
Final Action	12/04/87	52 FR 46088

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 14 Elm Street, Federal Bldg., Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AB97

344. AMENDMENT 8 TO THE FISHERY MANAGEMENT PLAN FOR COMMERCIAL AND RECREATIONAL SALMON FISHERIES OFF THE COASTS OF WASHINGTON, OREGON, AND CALIFORNIA

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 661

Legal Deadline: Statutory. 110 days after the amendment is submitted by the fishery management council.

Abstract: This Amendment is expected to address a variety of subjects including: (1) inclusion of habitat considerations; and (2) inclusion of vessel safety consideration.

Timetable:

Action	Date	FR Cite
Withdrawn -no regulatory changes are proposed as a result of this amendment	02/26/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Rolland A. Schmitten, Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, 7600 Sand Point Way NE, Building 1, Seattle, WA 98115, **206 526-6150**

RIN: 0648-AB99

345. FOREIGN FISHING POUNDAGE AND PERMIT FEES, 1988

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 611.22

Legal Deadline: Statutory, January 1, 1988.

Abstract: This rule will set poundage and permit fees for foreign fishing in 1988.

Timetable:

Action	Date	FR Cite
NPRM	11/04/87	52 FR 42408
NPRM Comment Period End	12/04/87	52 FR 42408
Final Action Effective	01/01/88	
Final Action	01/05/88	53 FR 134

Small Entity: No

Additional Information: An RIA is not required. A regulatory impact review will be prepared.

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Alfred J. Bilik, Fishery Management Officer, Department of Commerce, National Oceanic and Atmospheric Administration, 1825 Connecticut Ave., NW, Washington, DC 20235, **202 673-5315**

RIN: 0648-AC01

346. AMENDMENT 1 TO THE NORTHEAST MULTISPECIES FISHERY MANAGEMENT PLAN

Significance: Regulatory Program

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 651

Legal Deadline: Statutory. 110 days after the plan is submitted by the fishery management council.

Abstract: Amendment 1 will provide additional protection to groundfish resources in the North Atlantic beyond that provided by the FMP. Proposed management measures include increased minimum fish size, expanded minimum mesh requirements, and changes in restricted fishery areas. The amendment is aimed at reducing fishing pressure on ten valuable fish species and rebuilding their stocks (cod, haddock, yellowtail, winter windowpane, witch flounder, pollock, redfish or ocean perch, American plaice, and white bake).

Timetable:

Action	Date	FR Cite
ANPRM	05/27/87	52 FR 20124
NPRM	06/17/87	52 FR 23570
NPRM Comment Period End	07/31/87	52 FR 23570
Final Action	09/14/87	52 FR 35093
Final Action Effective	10/01/87	52 FR 35093

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Analysis: Regulatory Impact Review 06/23/87 (52 FR 23570)

Agency Contact: Richard Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, FNER - NMFS, State Fish Pier, Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AC04

347. PERFORMANCE STANDARDS FOR TUNA SKIPPERS

Legal Authority: 16 USC 1361 to 1407 Marine Mammal Protection Act of 1972

CFR Citation: 50 CFR 216.24

Legal Deadline: None.

Abstract: During 1986 the overall annual quota for allowable incidental mortality of porpoise in the eastern tropical Pacific was reached in October and the U.S. tuna purse seine fleet was prohibited from fishing for tuna associated with porpoise. Industry representatives asserted that the quota was reached because a small fraction of vessel operators had exceptionally high kills. The industry representatives requested NMFS to develop sanctions to use against the certificates held by the offending operators to prevent their actions from penalizing the entire industry.

The NMFS does not now have porpoise mortality standards to serve as the basis for any permit action. The purpose of the proposed rule will be to establish appropriate standards which will improve the U.S. fleet's overall porpoise safety performance and identify individual poor performers for remedial action or, if necessary, elimination from the fishery.

Timetable:

Action	Date	FR Cite
Withdrawn Withdrawn from active consideration at request of tuna industry.	02/26/88	

Small Entity: Undetermined

Agency Contact: Kenneth R. Hollingshead, Marine Resource Management Specialist, Department of Commerce, National Oceanic and Atmospheric Administration, Office of Protected Resources and, Habitat Programs, NMFS, Washington, DC 20235, **202 673-5350**

RIN: 0648-AC07

348. AMENDMENT 1 FOR THE FISHERY MANAGEMENT PLAN FOR THE BOTTOMFISH AND SEAMOUNT GROUNDFISH FISHERIES OF THE WESTERN PACIFIC REGION

Legal Authority: 16 USC 1801 et seq; Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 683

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council.

Abstract: This allows the Council to consider limited entry for bottomfish in the U.S. EEZ surrounding American Samoa and Guam within the "framework" approach of the FMP and extend the due date of the Annual Report for the bottomfish Fisheries of the Western Pacific Region from March 31 to June 30 of each year.

Timetable:

Action	Date	FR Cite
NPRM	07/24/87	52 FR 27838
NPRM Comment Period End	09/02/87	
Final Action	10/14/87	52 FR 38102
Final Action Effective	11/11/87	52 FR 38102

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: E. Charles Fullerton, Director, Southwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/SWR,

300 S. Ferry Street, Terminal Island, California 90731, **213 514-6660**

RIN: 0648-AC11

349. AMENDMENT TO THE REGULATIONS IMPLEMENTING THE ATLANTIC SEA SCALLOP FMP - REVISE THE EXPIRATION DATE OF FISHING PERMITS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and; Management Act

CFR Citation: 50 CFR 650

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council

Abstract: The rule will require permits, which currently remain in effect until the owner or name of a vessel changes, to be renewed annually. The intended effect is to provide consistency with annual permitting procedures recently adopted by the NMFS Northeast region.

Timetable:

Action	Date	FR Cite
NPRM	07/02/87	52 FR 25041
NPRM Comment Period End	08/03/87	
Final Action	12/08/87	52 FR 46485
Final Action Effective	12/31/87	52 FR 46485

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Richard Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, 14 Elm Street, Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AC13

350. AMENDMENT TO REGULATIONS FOR GROUNDFISH OF THE GULF OF ALASKA, BERING SEA AND ALEUTIAN ISLANDS AREA - REPORTING REQUIREMENTS

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 672; 50 CFR 675

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council.

Abstract: The amendment addresses the improvement of reporting of commercial groundfish harvests off Alaska by requiring that domestic fishermen comply with existing State of Alaska reporting on state fish tickets.

Timetable:

Action	Date	FR Cite
NPRM	06/16/87	52 FR 22829
NPRM Comment Period End	07/15/87	
Final Action	12/29/87	52 FR 49021
Final Action Effective	01/28/88	

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, FAKR, P.O. Box 1668, Juneau, AK 99802, **907 586-7221**

RIN: 0648-AC14

351. AMENDMENT 4 TO THE FISHERY MANAGEMENT PLAN FOR THE SHRIMP FISHERY OF THE GULF OF MEXICO

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt Act

CFR Citation: 50 CFR 658

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council

Abstract: The amendment will simplify the annual review process for the Tortugas Sanctuary, extend the Council/Regional Director closure review to February 1, set minimum size limit of 100 whole shrimp per pound for white shrimp, and expand the sea turtle education and headstart program.

Timetable:

Action	Date	FR Cite
Withdrawn	01/06/88	53 FR 00266

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/SER, 9450 Koger Boulevard, St. Petersburg, FL 33702, **813 983-3141**

RIN: 0648-AC17

352. AMENDMENT 3 TO THE PACIFIC COAST GROUNDFISH FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation and; Management Act

CFR Citation: 50 CFR 663

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Pacific Fishery Management Council.

Abstract: Amendment 3 incorporates habitat considerations into the FMP by adding descriptive information and establishing policy. It also would establish formal procedures for temporary adjustments regarding vessel access to the fishery for vessels otherwise prevented from harvesting because of weather or other ocean conditions affecting the safety of vessels.

Timetable:

Action	Date	FR Cite
Withdrawn -no regulatory changes are proposed as a result of this amendment	02/26/88	

Small Entity: Undetermined

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Rolland A. Schmitten, Director, Northwest Region, Department of Commerce, National Oceanic and Atmospheric Administration, National Marine Fisheries Service, F/NWR, 7600 Sand Point Way, Seattle, WA 98115, **206 526-6150**

RIN: 0648-AC18

353. REGULATORY AMENDMENT TO THE FISHERY MANAGEMENT PLAN FOR THE ATLANTIC SWORDFISH FISHERY - EXTENSION OF THE PLAN

Legal Authority: 16 USC 1801 et seq; Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 630

Legal Deadline: Statutory. 110 days after submission by the Fishery Management Council

DOC—NOAA

Completed Actions

Abstract: The rule implementing the Plan has an expiration date of December 31, 1987. Data collection (logbooks) was approved through October 31, 1987. The South Atlantic Council is submitting a regulatory amendment to extend the Plan and data collection. Vital data on the swordfish fishery is still needed for the stock assessment and management decisions.

Timetable:

Action	Date	FR Cite
Final Action	09/30/87	52 FR 36578
Final Action Effective	09/30/87	52 FR 36578

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Craig O'Connor, Acting Director, Southeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, 9450 Koger Blvd., St. Petersburg, FL 33702, **813 983-3141**

RIN: 0648-AC21

354. ● REGULATORY AMENDMENT TO THE FMP FOR GROUNDFISH OF THE GULF OF ALASKA GROUNDFISH, OTHER THAN SABLEFISH

Legal Authority: 16 USC 1801 et seq Magnuson Fishery Conservation & Mgmt. Act

CFR Citation: 50 CFR 672

Legal Deadline: None.

Abstract: Current regulations restrict the use of pot gear for fishing for all species of groundfish. The action would relieve a burdensome restriction by allowing pot gear to be used for groundfish, other than sablefish, a species allocated to hook-and-line and trawl fishermen in the Gulf of Alaska.

Timetable:

Action	Date	FR Cite
NPRM	01/11/88	53 FR 00627
NPRM Comment Period End	01/26/88	53 FR 00627
Final Action Effective	02/26/88	
Final Action	03/02/88	53 FR 6649

Small Entity: No

Affected Sectors: 091 Commercial Fishing

Government Levels Affected: Federal

Agency Contact: Robert W. McVey, Director, Alaska Region, Department of Commerce, National Oceanic and Atmospheric Administration, P O Box 1668, F/AKR, Juneau, Alaska 99802, **907 586-7221**

RIN: 0648-AC35

355. REGULATORY AMENDMENT REVISING THE FINAL REGULATIONS IMPLEMENTING THE AMERICAN LOBSTER FISHERY MANAGEMENT PLAN

Legal Authority: 16 USC 1801 et seq; Magnuson Fishery Conservation and Management Act

CFR Citation: 50 CFR 649

Legal Deadline: Statutory. 110 days after the Amendment is submitted by the Fishery Management Council.

Abstract: This action revises (1) the expiration date of fishing permits and (2) numbering system used to identify lobster gear. The intended effects are to provide consistency with annual permitting procedures recently adopted in the Northeast Region, and to relieve Federal Fishery Permit holders from the burden of renumbering lobster gear when their Federal Fishery Permit Number changes.

Timetable:

Action	Date	FR Cite
NPRM	07/22/87	52 FR 27564
NPRM Comment Period End	08/06/87	52 FR 27564
Final Action	12/04/87	52 FR 46088
Final Action Effective	12/31/87	52 FR 46088

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Richard B. Roe, Director, Northeast Region, Department of Commerce, National Oceanic and Atmospheric Administration, F/NER, 14 Elm Street, Federal Bldg., Gloucester, MA 01930, **617 281-3600**

RIN: 0648-AC09

DEPARTMENT OF COMMERCE (DOC)

National Telecommunications and Information Administration (NTIA)

Completed Actions

356. PUBLIC TELECOMMUNICATIONS FACILITIES PROGRAM: REPORT AND ORDER (FINAL RULES), FUNDING PRIORITIES AND POLICY STATEMENT

Legal Authority: 47 USC 390 to 394; 47 USC 397 to 399b

CFR Citation: 15 CFR 2301

Legal Deadline: None.

Abstract: NTIA has administered the Public Telecommunications Facilities Program (PTFP) for two years under an interim revision of rules. These final rules are designed to reduce applicant burdens and simplify applications requirements. Deletions from prior rules include: local public notice and submission of site leases with initial applications. Grant recipients within the past ten years need not submit full eligibility documentation. Equipment inventories need only include the type(s) of equipment requested. NTIA seeks information on applicants' non-Federal financial support and capital replacement policies, and encourages applicants with the ability to increase their share of project costs. NTIA states its policy to prefer applicants requesting 50% or less PTFP funding for broadcast equipment replacements.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/18/84	49 FR 36600
NPRM	12/04/86	51 FR 43804
NPRM Comment Period End	01/05/87	
Final Action	08/20/87	52 FR 31496
Final Action Effective	10/01/87	52 FR 31496

Small Entity: Undetermined

Government Levels Affected: Local, State

Agency Contact: John P. Fernandez, Attorney-Adviser, Department of Commerce, National Telecommunications and Information Administration, 14th & Constitution

DOC—NTIA **Completed Actions**

Avenue NW, Suite 4717, Washington, DC 20230, **202 377-1816**

RIN: 0660-AA01

DEPARTMENT OF COMMERCE (DOC)

Prerule Stage

Office of Productivity, Technology and Innovation (OPTI)

357. ADMINISTRATION OF A UNIFORM PATENT POLICY WITH RESPECT TO DOMESTIC RIGHTS IN INVENTIONS MADE BY GOVERNMENT EMPLOYEES

Significance: Agency Priority

Legal Authority: EO 10096; EO 10930; 35 USC 207 to 208; 15 USC 3701 et seq

CFR Citation: 37 CFR 100

Legal Deadline: None.

Abstract: PL 99-502 amended the Stevenson-Wydler Innovation Act of 1980 by establishing a number of procedures to encourage the development of technologies by laboratories owned or operated by the Federal government, to facilitate the transfer of such technologies to the public, and to promote cooperation between these laboratories and the private sector.

Executive Order 10096 would be amended with regard to the government's rights to ownership of inventions created in laboratories owned or operated by the Federal government. A revised version of the executive order might be prepared and regulations would be developed to implement the amendments effected by P.L. 99-502.

This action will not increase Federal costs. In the short run it will encourage private sector collaboration to assist work done in Federal laboratories by appropriated funds, and in the long run increased commercialization of patents and inventions will increase tax revenues.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Yes

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Joseph P. Allen, Acting Director, Federal Technology, Management Policy Division, Department of Commerce, Office of Productivity, Technology and Innovation, Room H 4837, Washington, DC 20230, **202 377-0659**

RIN: 0692-AA05

DEPARTMENT OF COMMERCE (DOC)

Proposed Rule Stage

Office of Productivity, Technology and Innovation (OPTI)

358. LICENSING OF GOVERNMENT-OWNED INVENTIONS

Legal Authority: 35 USC 208

CFR Citation: 37 CFR 404

Legal Deadline: None.

Abstract: This action will revise 37 CFR 404 to simplify the process by which US industry can obtain license to patented inventions owned by the Government. P.L. 99-502 is expected to increase industry interest in licensing inventions from Federal laboratories. The existing regulation was written by GSA on the basis of 1980 legislation. It may be possible to remove some of the difficulties that potential licensees must overcome.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: All

Government Levels Affected: Federal

Agency Contact: Joseph P. Allen, Acting Director, Federal Technology, Management Policy Division, Department of Commerce, Office of Productivity, Technology and Innovation, Room H4837, Washington, DC 20230, **202 377-0659**

RIN: 0692-AA04

DEPARTMENT OF COMMERCE (DOC)

Proposed Rule Stage

Patent and Trademark Office (PTO)

359. REQUESTS FOR IDENTIFIABLE RECORDS

Legal Authority: 35 USC 6

CFR Citation: 37 CFR 1.15

Legal Deadline: None.

Abstract: The existing regulations govern requests for records not disclosed to the public as part of PTO's informational activities. The regulations need to be revised to eliminate obsolete provisions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	07/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: John W. Dewhirst, Department of Commerce, Patent and Trademark Office, Ofc. of the Solicitor, Washington, DC 20231, **703 557-4035**

RIN: 0651-AA04

360. DEPOSIT OF BIOLOGICAL MATERIALS FOR PATENT PURPOSES

Significance: Regulatory Program

Legal Authority: 35 USC 6

CFR Citation: 37 CFR 1.71

Legal Deadline: None.

Abstract: PTO will propose amendment of its rules of practice in patent cases to govern the deposit of biological materials for patent purposes.

Timetable:

Action	Date	FR Cite
ANPRM	09/09/87	52 FR 34080
ANPRM Comment Period End	11/30/87	
NPRM	06/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Michael K. Kirk, Assistant Commissioner for External Affairs, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, **703 557-3065**

RIN: 0651-AA13

361. TRADEMARK APPLICATIONS PURSUANT TO 15 U.S.C. 1126

Significance: Regulatory Program

Legal Authority: 15 USC 1123; Crocker National Bank v. Canadian Imperial Bank of Commerce; 223 USPQ 909 (TTAB 1984); In re International Barrier Corp., 231 USPQ 310 (TTAB 1986); In re ETA Systems, Inc., 2 USPQ 2d 1367 (TTAB 1987)

CFR Citation: 37 CFR 2.21; 37 CFR 2.33; 37 CFR 2.39; 37 CFR 2.56, 37 CFR 2.57; 37 CFR 2.58

Legal Deadline: None.

Abstract: PTO plans to propose amendment of its rules of practice in trademark cases to revise the use and specimen requirements in trademark applications filed pursuant to Section 44 of the Trademark Act, 15 USC 1126. The revision would conform the use and specimen requirements with the decisions of the Trademark Trial and Appeal Board in Crocker National Bank v. Canadian Imperial Bank of Commerce, 223 USPQ 909 (1984), in re International Barrier Corp., 231 USPQ 310 (1986) and in re ETA Systems, Inc., 2 USPQ 2d 1367 (1987).

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

Agency Contact: Ms. Carlisle Walters, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, **703 557-3061**

RIN: 0651-AA23

362. DUTY OF DISCLOSURE - INFORMATION DISCLOSURE STATEMENT

Significance: Agency Priority

Legal Authority: 35 USC 6

CFR Citation: 37 CFR 1.56; 37 CFR 1.97; 37 CFR 1.98; 37 CFR 1.99

Legal Deadline: None.

Abstract: 37 CFR 1.56 and 1.97-1.99, which relate to the duty of patent applicants and owners to disclose information material to the examination of patent applications or to reexaminations, will be amended to specify more clearly the requirements to be met in making disclosures.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: R. Franklin Burnett, Special Assistant, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, **703 557-3054**

RIN: 0651-AA27

363. REQUESTS FOR PRESIDENTIAL PROCLAMATIONS UNDER THE SEMICONDUCTOR CHIP PROTECTION ACT

Significance: Regulatory Program

Legal Authority: 35 USC 6; 17 USC 901; EO 12504

CFR Citation: 37 CFR 150.1; 37 CFR 150.2; 37 CFR 150.3; 37 CFR 150.4; 37 CFR 150.5; 37 CFR 150.6

Legal Deadline: None.

Abstract: PTO proposes to amend its rules of practice to provide procedures implementing the provision in the Semiconductor Chip Protection Act of 1984 for the issuance of Presidential Proclamations to protect semiconductor chip products against unauthorized duplication.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Michael K. Kirk, Assistant Commissioner for External Affairs, Department of Commerce, Patent and Trademark Office, Commissioner of Patents and Trademarks, Box 4, Washington, DC 20231, **703 557-3065**

RIN: 0651-AA29

364. ● REVISION OF PATENT FEES

Significance: Agency Priority

Legal Authority: 35 USC 6; 35 USC 41; 35 USC 376

CFR Citation: 37 CFR 1.16; 37 CFR 1.17; 37 CFR 1.18; 37 CFR 1.19; 37 CFR 1.20; 37 CFR 1.21; 37 CFR 1.24; 37 CFR 1.26; 37 CFR 1.297; 37 CFR 1.445; 37 CFR 1.482

Legal Deadline: None.

Abstract: PTO plans to propose amendments of its rules of practice in patent cases to adjust patent fees effective October 1, 1988, to reflect the fluctuations in the Consumer Price Index during the previous three years.

DOC—PTO **Proposed Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Frances Michalkewicz, Department of Commerce, Patent and Trademark Office, Commissioner of Patents and Trademarks, Washington, DC 20231, **703 557-1610**

RIN: 0651-AA30

365. ● PRACTICE BEFORE THE PATENT AND TRADEMARK OFFICE

Significance: Agency Priority

Legal Authority: 35 USC 6; 35 USC 31; 35 USC 32; 5 USC 500; 15 USC 1123

CFR Citation: 37 CFR 10.5; 37 CFR 10.6; 37 CFR 10.23

Legal Deadline: None.

Abstract: PTO proposes to amend its rules governing the admission of officers and employees of the United States to the register of attorneys and agents authorized to practice before the PTO in patent cases, and the practice of former PTO employees before the Office. The amendment would eliminate a restriction excluding federal employees from registration which has been held invalid on judicial review. Provisions affected by the elimination of that restriction would also be amended.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Nancy C. Slutter, Assistant Solicitor, Department of Commerce, Patent and Trademark Office, Commissioner of Patents and Trademarks, Washington, DC 20231, **703 557-4035**

RIN: 0651-AA31

366. ● MISCELLANEOUS CHANGES IN PATENT PRACTICE

Significance: Agency Priority

Legal Authority: 35 USC 6; 15 USC 1113; 15 USC 1123

CFR Citation: 37 CFR 1.4; 37 CFR 1.5; 37 CFR 1.53; 37 CFR 1.56; 37 CFR 1.81; 37 CFR 1.84; 37 CFR 1.85; 37 CFR 1.152; 37 CFR 1.378; 37 CFR 1.421; 37 CFR 1.480

Legal Deadline: None.

Abstract: PTO proposes to amend its regulations to make miscellaneous changes in patent practice.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Louis O. Maassel, Editor, MPEP, Department of Commerce, Patent and Trademark Office, Commissioner of Patents and Trademarks, Washington, DC 20231, **703 557-3070**

RIN: 0651-AA32

DEPARTMENT OF COMMERCE (DOC)
Patent and Trademark Office (PTO)

Final Rule Stage

367. VARIETY DENOMINATION REQUIREMENTS FOR PLANT PATENT APPLICATIONS

Legal Authority: 35 USC 41; 35 USC 6

CFR Citation: 37 CFR 1.17; 37 CFR 1.72; 37 CFR 1.168

Legal Deadline: None.

Abstract: PTO will propose amendment of its rules of practice in patent cases to implement the International Convention for the Protection of New Varieties of Plants. The International Convention requires registration of a plant variety name at the time a patent on a plant variety is issued. Compliance with the registration requirements of the Convention would be determined in the process of examining plant patent applications.

Timetable:

Action	Date	FR Cite
NPRM	08/16/85	50 FR 33062
NPRM Comment Period End	10/31/85	
Notice	12/27/85	50 FR 52963
NPRM	11/02/87	52 FR 42016
Final Action	06/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Michael K. Kirk, Assistant Commissioner for External Affairs, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, **703 557-3065**

RIN: 0651-AA12

368. TRADEMARK AUTOMATED SEARCH SYSTEM FEES

Legal Authority: 15 USC 1113; 15 USC 1123; PL 96-517; PL 97-247

CFR Citation: 37 CFR 2.6

Legal Deadline: None.

Abstract: PTO proposes to amend its rules to establish user fees for members of the public desiring to conduct trademark searches of the computerized data bases in the PTO's automated trademark search system.

Timetable:

Action	Date	FR Cite
NPRM	08/07/84	49 FR 31460
NPRM Comment Period End	09/05/84	
NPRM Comment Period Extended to	09/25/84	49 FR 35527
Final Action	04/00/88	
Final Action Effective	06/00/88	

Small Entity: No

Additional Information: Neither an RIA nor an RFA is required or will be prepared.

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Analysis: See Additional Information

DOC—PTO

Final Rule Stage

Agency Contact: Bradford R. Huther, Asst. Commissioner for Finance & Planning, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, **703 557-1572**

RIN: 0651-AA18

369. MISCELLANEOUS AMENDMENTS OF PATENT RULES

Legal Authority: 35 USC 6; 35 USC 135

CFR Citation: 37 CFR 1.14; 37 CFR 1.131; 37 CFR 1.192; 37 CFR 1.194; 37 CFR 1.196; 37 CFR 1.604; 37 CFR 1.607; 37 CFR 1.612; 37 CFR 1.637; 37 CFR 1.658; 37 CFR 1.662; 37 CFR 5.3

Legal Deadline: None.

Abstract: PTO plans to amend its rules of practice to clarify the procedure in patent interference cases, to make ex parte practice in patent cases consistent with the procedure in patent interference cases, and to expedite the disposition of appeals in ex parte cases.

Timetable:

Action	Date	FR Cite
NPRM	09/30/87	52 FR 36736
NPRM Comment Period End	12/01/87	
Final Action	04/00/88	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Saul I. Serota, Department of Commerce, Patent and Trademark Office, Washington, DC 20231, **703 557-4072**

RIN: 0651-AA25

DEPARTMENT OF COMMERCE (DOC)

Prerule Stage

United States Travel and Tourism Administration (USTTA)

370. TRAVEL PROMOTION FEE

Significance: Regulatory Program

Legal Authority: Not yet enacted

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: USTTA has primary federal responsibility for stimulating travel to the United States by residents of foreign countries. Promotion and facilitation services are currently offered without charge to those who derive a direct benefit from the government's activities. A travel promotion fee would recover the costs of these services. The Department of Commerce will submit draft legislation which would impose a fee on airlines and passenger ship lines which travel to the United States and directly benefit from USTTA promotional activities overseas. Airlines and passenger ship lines would be required to pay a fee for each passenger who arrives in the United States. Upon enactment of the legislation, USTTA will issue implementing regulations.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Jerry Manolatos, Director, Office of Management and Administration, Department of Commerce, United States Travel and Tourism Administration, Room 1524, Washington, DC 20230, **202 377-3812**

RIN: 0644-AA00

[FR Doc. 88-5079 Filed 04-22-88; 8:45 am]

BILLING CODE 3510-BW-T

Federal Register

Monday
April 25, 1988

Part V

Department of Defense

Semiannual Regulatory Agenda

DEPARTMENT OF DEFENSE (DOD)

DEPARTMENT OF DEFENSE

Office of the Secretary

32 CFR Chs. I, V, VI, and VII

33 CFR Ch. II

36 CFR Ch. III

Improving Government Regulations; Semiannual Agenda of Regulations

AGENCY: Office of the Secretary, DoD.

ACTION: Publication of the consolidated semiannual agenda of DoD regulatory documents.

SUMMARY: The Department of Defense is publishing this consolidated semiannual agenda of regulatory documents for public information and comments under E.O. 12291, "Federal Regulation." This agenda incorporates the objective and criteria, when applicable, of the regulatory reform program under E.O. 12291, and other regulatory programs. It contains DoD issuances initiated by DoD Components that may have economic and environmental impact on state, local, public or private interests under the criteria of E.O. 12291. Although most DoD issuances listed in the agenda are of negligible public impact, their nature may be of public interest and, therefore, are published to provide notice of rulemaking and an opportunity for public participation in the internal DoD rulemaking process.

This agenda updates the report published on October 26, 1987, and includes regulations expected to be issued and under review over the next 12 months. The next agenda is scheduled to be published in October 1988. In addition to this agenda, DoD Components also publish rulemaking notices pertaining to their specific statutory administration requirements as required.

FOR FURTHER INFORMATION CONTACT: For information concerning the overall DoD regulatory improvement program and for general semiannual agenda information, contact Ms. Pearl Rascoe-Harrison, telephone 202-746-0933 or write to Directorate for Information Operations and Reports, Washington Headquarters Services, 1215 Jefferson Davis Highway, Suite 1204, Arlington, Virginia 22202-4302.

For questions of a legal nature concerning the agenda and its statutory requirements or obligations, contact the Office of the General Counsel, DoD, Washington, DC 20301, or call 202-697-2714.

For specific agenda items, contact the appropriate individual indicated in each DoD Component report.

SUPPLEMENTARY INFORMATION: This consolidated agenda is composed of the regulatory status reports from the Office of the Secretary of Defense and the Departments of the Army, Navy, and Air Force. Included also in this agenda is the regulatory report from the U.S. Army Corps of Engineers, whose civil works functions fall under the reporting requirements of E.O. 12291. Their agenda will reflect these requirements, with follow-on reporting actions taken, as necessary.

DoD issuances range from DoD Directives (reflecting departmental policy) to implementing instructions and regulations (largely internal and used to implement Directives). The OSD agenda section contains the primary Directives under which DoD Components promulgate their implementing regulations.

To ease identification and to clarify the differences among the variety of issuances reported, they are identified by their DoD internal numbering system, which denotes Component level of authority and type of issuance in addition to the required CFR number.

In addition, this agenda, although published under the reporting requirements of E.O. 12291, will continue to be the DoD single source reporting vehicle which will identify issuances that are currently applicable under the various regulatory reform programs in progress. Therefore, when applicable, DoD Components will identify those rules which come under the criteria of the:

a. Regulatory Flexibility Act;

b. Paperwork Reduction Act; and

c. GATT International Trade Agreement.

These DoD issuances which are directly applicable under these statutes will be identified in the agenda and their action status indicated. Generally, the reports in this agenda will contain three sections: (1) Current and projected rulemaking; (2) review of existing regulations; and (3) completed actions.

Although not a regulatory agency, the Department of Defense will continue to participate in regulatory initiatives designed to reduce the economic costs and unnecessary environmental burdens upon the public. Comments and recommendations are invited on the rules reported and should be addressed to the DoD Component representatives identified in each section.

Although sensitive to the needs of the public and regulatory reform, the Department of Defense reserves the right to exercise the exemptions and flexibility permitted in its rulemaking process in order to proceed with its overall defense-oriented mission.

Note: The publishing of this agenda does not waive the applicability of the military affairs exemption in title 5, section 553 and section 1 of E.O. 12291.

D. O. Cooke,

Deputy Assistant Secretary of Defense (Administration).

AGENCY: Office of the Secretary, DoD.

ACTION: This agenda updates the report published on October 26, 1987, and includes regulations expected to be issued and under review over the next 12 months.

SUMMARY: The regulatory material listed below is in 4 parts: (1) Prerule stage; (2) proposed rule stage; (3) final rule stage; and (4) completed actions.

FOR FURTHER INFORMATION CONTACT: The Agency contact names and telephone numbers appear after each agenda entry. For other information on the agenda, contact Mrs. Patricia H. Means, Directives Division, Correspondence and Directives Directorate, Washington Headquarters Services, telephone 202-697-4111.

SUPPLEMENTARY INFORMATION:

E.O. 12291: None of the regulatory documents listed below is a "major rule" and no major rules are presently under development.

Regulatory Flexibility Action, section 610: The Office of the Secretary of Defense has screened its existing regulatory documents and has concluded that none of its regulatory documents cause significant impact on a substantial number of small entities.

DOD

Paperwork Reduction Act. Pub. L. 96-511: None of the DoD regulatory documents listed in the agenda require information collection reports affecting the public sector under the criteria of Pub. L. 96-511.

GATT Agreement: None of the DoD regulatory documents listed in this agenda impact upon foreign trade under the GATT Agreement.

The OSD agenda follows.

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
371	Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Implementation of Section 504 of Pub. L. 93-112, the Rehabilitation Act of 1973 (DoD 6010.8-R)	0790-AA71
372	Commercial Activities Program; Procedures (DOD Instruction 4100.33)	0790-AA73
373	Implementation of the Program Fraud Civil Remedies Act (DoD Directive 5505.xx)	0790-AA82
374	Department of Defense (DoD) Program Fraud Civil Remedies Regulation (DoD Directive 5505.xx)	0790-AA83
375	Defense Industrial Personnel Security Clearance Review Program (DoD Directive 5220.6)	0790-AA84
376	Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Modification of Payment Limitation for Multiple Surgical Procedures (DoD 6010.8-R)	0790-AA89

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
377	Presentation of DoD-Sponsored Scientific and Technical Papers at Meetings (DoD Instruction 5230.27)	0790-AA59
378	Coordination of Benefits (DoD Instruction 6010.15)	0790-AA68
379	Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Implementation of a CHAMPUS DRG-Based Payment System (DoD 6010.8-R)	0790-AA80
380	Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Active Duty Dependents Dental Program (DoD 6010.8-R)	0790-AA85
381	Shelter for the Homeless Program; Proposed Implementation (DoD Instruction 4165.65)	0790-AA86
382	Provision of Free Public Education for Eligible Dependent Children (DoD Directive 1342.16)	0790-AA87
383	Function of the Department of Defense and Its Major Components (DoD Directive 5100.1)	0790-AA90
384	DoD Metrication Program (DoD Directive 4120.18)	0790-AA91
385	Voluntary Military Pay Allotments (DoD Directive 7330.1)	0790-AA92
386	Suspension and Debarment of Nonappropriated Fund Contractors (DoD Directive 4105.66)	0790-AA93
387	UnderSecretary of Defense For Research and Engineering (DoD Directive 5129.1)	0790-AA94
388	Defense Investigative Service (DIS) (DoD Directive 5105.42)	0790-AA95
389	Civilian Health and Medical Program of the Uniformed Services (CHAMPUS); Demonstration Program (DoD 6010.8-R)	0790-AA96
390	Defense Hotline Program (DoD Directive 7050.1)	0790-AA97
391	Defense Nuclear Agency (DNA) (DoD Directive 5105.31)	0790-AA98
392	Offshore Military Activities Program (DoD Directive 3100.5)	0790-AA99
393	Sale of Government-Furnished Equipment or Material and Services to U.S. Companies (DoD Directive 4175.1)	0790-AB00
394	Uniform Reserve, Training and Retirement Categories (DoD Directive 1215.6)	0790-AB01
395	Under Secretary of Defense (Acquisition)(DoD Directive 5134.1)	0790-AB02
396	Voluntary Private Health Insurance Conversion Program (DoD Directive 6000.3)	0790-AB03
397	American Forces Information Service (AFIS) (DoD Directive 5122.10)	0790-AB04

Department of the Army—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
398	The Army General Counsel's Honors Programs	0702-AA00
399	Airfield Certification and Use of Army Airfields by Other than US Department of Defense Aircraft	0702-AA02

DOD

Department of the Army—Completed Actions

Sequence Number	Title	Regulation Identifier Number
400	Regulations Affecting Military Reservations; Firearms and Weapons	0702-AA16

U.S. Army Corps of Engineers—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
401	Regulatory Programs of the Corps of Engineers, Part 325, Appendix D--Endangered Species Counterpart Regulations	0710-AA17
402	Regulatory Program of the Corps of Engineers, Nationwide Permits	0710-AA20

U.S. Army Corps of Engineers—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
403	Regulatory Programs of the Corps of Engineers Part 325, App. C, Historic Properties	0710-AA12

U.S. Army Corps of Engineers—Completed Actions

Sequence Number	Title	Regulation Identifier Number
404	Environmental Quality, Procedures for Implementing the National Environmental Policy Act (NEPA)	0710-AA11

Department of the Navy—Completed Actions

Sequence Number	Title	Regulation Identifier Number
405	Rules Governing Public Access; Kahoolawe Island and Kaulo Under Cognizance of Commander Naval Base, Pearl Harbor, HI	0703-AA27
406	Nonnaval Medical and Dental Care	0703-AA28
407	Medical and Dental Care for Eligible Persons at Navy Medical Department Facilities	0703-AA29

Department of the Air Force—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
408	Air Force Supplement to the Federal Acquisition Regulation (FAR)	0701-AA14
409	Environmental Impact Analysis Process (ANGR 19-02)	0701-AA22

DOD

Department of the Air Force—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
410	Public Affairs Policies and Procedures (AFR 190-1)	0701-AA18
411	Claims and Tort Litigation (AFR 112-1)	0701-AA19
412	Delivery of Air Force Personnel to U.S. Civilian Authorities for Trial (AFR 111-11)	0701-AA20
413	Personal Financial Responsibility (AFR 35-18)	0701-AA23
414	Leasing USAF Aircraft and Related Equipment to Nongovernment Organizations	0701-AA26

Department of the Air Force—Completed Actions

Sequence Number	Title	Regulation Identifier Number
415	Issuing Certificates in Lieu of Lost or Destroyed Certificates of Separation (AFR 35-96)	0701-AA21
416	Air Force Visual Information Systems (AFR 700-32)	0701-AA25

DEPARTMENT OF DEFENSE (DOD)

Final Rule Stage

Office of the Secretary (OS)

371. CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); IMPLEMENTATION OF SECTION 504 OF PUB. L. 93-112, THE REHABILITATION ACT OF 1973 (DOD 6010.8-R)

Legal Authority: 10 USC 1079; 10 USC 1086; 5 USC 301; 29 USC 794

CFR Citation: 32 CFR 199

Legal Deadline: None.

Abstract: The purpose of this rule is to revise the DoD Regulation 6010.8-R (32 CFR Part 199) to meet the intent of section 504 of the Rehabilitation Act of 1973, as amended.

Timetable:

Action	Date	FR Cite
NPRM	10/31/86	51 FR 39757
NPRM Comment Period End	12/01/86	51 FR 39757
Final Action	12/31/88	
Final Action Effective	12/31/88	

Small Entity: No

Agency Contact: T. Shahid, Department of Defense, Office of the Secretary, **303 361-3587**

RIN: 0790-AA71

372. COMMERCIAL ACTIVITIES PROGRAM; PROCEDURES (DOD INSTRUCTION 4100.33)

Legal Authority: 5 USC 301; 5 USC 552; PL 93-400

CFR Citation: 32 CFR 169; 32 CFR 169a; 32 CFR 171

Legal Deadline: None.

Abstract: This part establishes DoD policies to implement OMB Circular No. A-76, which are currently included in 32 CFR Part 169. It establishes procedures and criteria for use by the Department of Defense to determine whether DoD commercial activities should be performed by DoD personnel in-house or by contract with commercial sources. 32 CFR Part 169, "Commercial Activities Program" and 32 CFR Part 169a, "Commercial Activities Program Procedures" are proposed to be removed in their entirety.

Timetable:

Action	Date	FR Cite
NPRM	12/03/86	51 FR 43619
NPRM Comment Period End	01/02/87	51 FR 43620
Final Action	12/31/88	
Final Action Effective	12/31/88	

Small Entity: No

Agency Contact: D. Hansen, Department of Defense, Office of the Secretary, **202 325-0537**

RIN: 0790-AA73

373. IMPLEMENTATION OF THE PROGRAM FRAUD CIVIL REMEDIES ACT (DOD DIRECTIVE 5505.XX)

Legal Authority: 31 USC 3807; PL 99-509

CFR Citation: 32 CFR 276

Legal Deadline: None.

Abstract: This part implements Program Fraud Civil Remedies Act by establishing an administrative process within the Departments of the Army, Navy, and Air Force for the adjudication of fraudulent claims of less than $150,000 or false statements.

Timetable:

Action	Date	FR Cite
NPRM	07/16/87	52 FR 26692
NPRM Comment Period End	08/17/87	52 FR 26692
Final Action	12/31/88	
Final Action Effective	12/31/88	

Small Entity: No

Agency Contact: E. Shapiro, Department of Defense, Office of the Secretary, **202 697-2714**

RIN: 0790-AA82

DOD—OS

Final Rule Stage

374. DEPARTMENT OF DEFENSE (DOD) PROGRAM FRAUD CIVIL REMEDIES REGULATION (DOD DIRECTIVE 5505.XX)

Legal Authority: 31 USC 3807; PL 99-509

CFR Citation: 32 CFR 277

Legal Deadline: None.

Abstract: This part establishes administrative procedures for imposing civil penalties and assessments against persons who make, submit, or present, or cause to be made, submitted, or presented, false, fictitious or fraudulent claims or written statements to authorities or to their agents. It also specifies the hearing and appeal rights of persons subject to allegations of liability for such penalties and assessments.

Timetable:

Action	Date	FR Cite
NPRM	07/16/87	52 FR 26693
NPRM Comment Period End	08/17/87	52 FR 26693
Final Action	12/31/88	
Final Action Effective	12/31/88	

Small Entity: No

Agency Contact: E. Shapiro, Department of Defense, Office of the Secretary, **202 697-2714**

RIN: 0790-AA83

375. DEFENSE INDUSTRIAL PERSONNEL SECURITY CLEARANCE REVIEW PROGRAM (DOD DIRECTIVE 5220.6)

Legal Authority: 5 USC 504; EO 10865

CFR Citation: 32 CFR 155

Legal Deadline: None.

Abstract: This part is being revised and reissued to establish a standard for determining petitions for reimbursement for loss of earnings, incorporate the revised DoD Adjudication Policies for security clearance determinations under this rule, and revise procedures for cases not requiring a hearing, and procedures for considering issues raised on appeal.

Timetable:

Action	Date	FR Cite
NPRM	05/06/87	52 FR 16864
NPRM Comment Period End	06/05/87	52 FR 16864
Final Action	12/31/88	
Final Action Effective	12/31/88	

Small Entity: No

Agency Contact: J. Brown, Department of Defense, Office of the Secretary, **202 696-4599**

RIN: 0790-AA84

376. CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); MODIFICATION OF PAYMENT LIMITATION FOR MULTIPLE SURGICAL PROCEDURES (DOD 6010.8-R)

Legal Authority: 10 USC 1079; 10 USC 1086; 5 USC 301

CFR Citation: 32 CFR 199

Legal Deadline: None.

Abstract: This proposed amendment revises the comprehensive CHAMPUS regulation pertaining to payment for multiple surgical procedures performed during the same operative session. This proposed amendment allows payment for second and subsequent surgical procedures at fifty percent of the CHAMPUS-determined allowable charge, whether or not the second and subsequent procedures are related i.e., performed through the same surgical opening to the first procedure.

Timetable:

Action	Date	FR Cite
NPRM	03/11/87	52 FR 7453
NPRM Comment Period End	04/10/87	52 FR 7453
Final Action	12/31/88	
Final Action Effective	12/31/88	

Small Entity: No

Agency Contact: S. Isaacson, Department of Defense, Office of the Secretary, **303 362-4005**

RIN: 0790-AA89

DEPARTMENT OF DEFENSE (DOD)
Office of the Secretary (OS)

Completed Actions

377. PRESENTATION OF DOD-SPONSORED SCIENTIFIC AND TECHNICAL PAPERS AT MEETINGS (DOD INSTRUCTION 5230.27)

Legal Authority: 10 USC 130

CFR Citation: 32 CFR 249

Legal Deadline: None.

Abstract: This part provides policy and procedural guidance for considering national security in the dissemination of DoD-sponsored scientific and technical information at meetings, whether such meetings are conducted by the U.S. Government or private organizations.

Timetable:

Action	Date	FR Cite
NPRM	02/12/86	51 FR 5210
NPRM Comment Period End	03/14/86	51 FR 5210
Final Action Effective	10/06/87	52 FR 41707
Final Action	10/30/87	52 FR 41707

Small Entity: No

Agency Contact: F. Sobieszcyk, Department of Defense, Office of the Secretary, **202 694-0205**

RIN: 0790-AA59

378. COORDINATION OF BENEFITS (DOD INSTRUCTION 6010.15)

Legal Authority: PL 99-272; 10 USC Chapter 55

CFR Citation: 32 CFR 220

Legal Deadline: None.

Abstract: This part establishes Department of Defense policies under PL 99-272. It also assigns responsibility for implementing the authority for collection by the United States of inpatient hospital costs incurred by retirees and dependents.

Timetable:

Action	Date	FR Cite
NPRM	10/08/86	51 FR 36023
NPRM Comment Period End	11/07/86	51 FR 36023
Final Action	09/25/87	52 FR 36028
Final Action Effective	10/01/87	52 FR 36028

Small Entity: No

Agency Contact: J. Maddy, Department of Defense, Office of the Secretary, **202 694-3242**

RIN: 0790-AA68

379. CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); IMPLEMENTATION OF A CHAMPUS DRG-BASED PAYMENT SYSTEM (DOD 6010.8-R)

Legal Authority: 10 USC 1079; 10 USC 1086; 5 USC 301

CFR Citation: 32 CFR 199

Legal Deadline: None.

Abstract: This final rule amends the comprehensive CHAMPUS regulations, DoD 6010.8-R [32 CFR Part 199], pertaining to payment for inpatient hospital services and implements a DRG-based payment system which is modeled on the Medicare Prospective Payment System. It also revises the cost-sharing requirements for beneficiaries other than dependents of active duty members.

Timetable:

Action	Date	FR Cite
NPRM	06/03/87	52 FR 20731
NPRM Comment Period End	07/06/87	52 FR 20731
Final Action	09/01/87	52 FR 32992
Final Action Effective	10/01/87	52 FR 32992

Small Entity: No

Agency Contact: S. Isaacson, Department of Defense, Office of the Secretary, **303 361-4005**

RIN: 0790-AA80

380. CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); ACTIVE DUTY DEPENDENTS DENTAL PROGRAM (DOD 6010.8-R)

Legal Authority: 10 USC 1076a; 10 USC 1079; 10 USC 1086; 5 USC 301

CFR Citation: 32 CFR 199

Legal Deadline: None.

Abstract: This final rule amends Part 199 by adding a new section to implement Chapter 55, Title 10, Section 1076a, USC, which authorizes the Active Duty Dependents Dental Plan. It also defines the benefits and eligibility requirements, provides for insurance or prepayment contracting for benefit administration and payment, provides for Government and Uniformed Services member sharing in the cost of premiums for the insurance or prepayment contract, defines authorized providers, provides for benefit communications and implementation, establishes alternative delivery systems criteria and requirements, and provides an appeals procedure.

Timetable:

Action	Date	FR Cite
NPRM	05/29/87	52 FR 20096
NPRM Comment Period End	07/13/87	52 FR 20096
Final Action	01/26/88	53 FR 2018
Final Action Effective	08/01/88	53 FR 2018

Small Entity: No

Agency Contact: J. Rhea, Department of Defense, Office of the Secretary, **303 361-3278**

RIN: 0790-AA85

381. SHELTER FOR THE HOMELESS PROGRAM; PROPOSED IMPLEMENTATION (DOD INSTRUCTION 4165.65)

Legal Authority: 10 USC 2546

CFR Citation: 32 CFR 226

Legal Deadline: None.

Abstract: This final rule provides specific guidance to the Heads of Department of Defense Components and Installation Commanders as to the actions they may take to provide shelter and incidental services to persons without adequate shelter.

Timetable:

Action	Date	FR Cite
NPRM	05/11/87	52 FR 17605
NPRM Comment Period End	06/10/87	52 FR 17605
Final Action Effective	10/30/87	52 FR 42636
Final Action	11/06/87	52 FR 42636

Small Entity: No

Agency Contact: S. Kleiman, Department of Defense, Office of the Secretary, **202 697-7475**

RIN: 0790-AA86

382. PROVISION OF FREE PUBLIC EDUCATION FOR ELIGIBLE DEPENDENT CHILDREN (DOD DIRECTIVE 1342.16)

Legal Authority: 20 USC 241

CFR Citation: 32 CFR 68

Legal Deadline: None.

Abstract: This final rule implements PL 81-874, as amended, and Section 505(c) of PL 97-35. Section 6 authorizes the establishment of "arrangements" for the education of certain federally-connected children when prescribed conditions are met.

Timetable:

Action	Date	FR Cite
NPRM	05/22/87	52 FR 19361
NPRM Comment Period End	06/22/87	52 FR 19361
Final Action Effective	10/16/87	52 FR 44389
Final Action	11/19/87	52 FR 44389

Small Entity: No

Agency Contact: H. Navarez, Department of Defense, Office of the Secretary, **202 697-0481**

RIN: 0790-AA87

383. ● FUNCTION OF THE DEPARTMENT OF DEFENSE AND ITS MAJOR COMPONENTS (DOD DIRECTIVE 5100.1)

Legal Authority: 50 USC 401; 10 USC 125

CFR Citation: 32 CFR 368

Legal Deadline: None.

Abstract: This part revises 32 CFR Part 368 to incorporate changes within the Department of Defense mandated by the Goldwater Nichols Department of Defense Reorganization Act of 1986 and other changes recommended by the President's Blue Ribbon Commission on Defense Management.

Timetable:

Action	Date	FR Cite
Final Action Effective	04/03/87	52 FR 35417
Final Action	09/21/87	52 FR 35417

Small Entity: No

Agency Contact: R. Furtner, Department of Defense, Office of the Secretary, **202 695-4281**

RIN: 0790-AA90

384. ● DOD METRICATION PROGRAM (DOD DIRECTIVE 4120.18)

Legal Authority: 15 USC 205a to k; PL 94-168

CFR Citation: 32 CFR 209

Legal Deadline: None.

Abstract: This rule revises 32 CFR Part 209, requires that the nonuse of the metric system in new designs be specifically approved, and directs Department of Defense Components to prepare needed metric specifications.

Timetable:

Action	Date	FR Cite
Final Action Effective	09/16/87	52 FR 47390
Final Action	12/14/87	52 FR 47389

Small Entity: No

Agency Contact: T. Mansperger, Department of Defense, Office of the Secretary, **202 695-7915**

RIN: 0790-AA91

385. ● VOLUNTARY MILITARY PAY ALLOTMENTS (DOD DIRECTIVE 7330.1)

Legal Authority: 37 USC 13

CFR Citation: 32 CFR 59

Legal Deadline: None.

Abstract: This rule updates guidance on voluntary military pay allotments from the pay allowances of active duty and retired service members.

Timetable:

Action	Date	FR Cite
Final Action Effective	09/03/87	52 FR 34215
Final Action	09/10/87	52 FR 34215

Small Entity: No

Agency Contact: J. Jasinski, Department of Defense, Office of the Secretary, **202 697-0536**

RIN: 0790-AA92

386. ● SUSPENSION AND DEBARMENT OF NONAPPROPRIATED FUND CONTRACTORS (DOD DIRECTIVE 4105.66)

Legal Authority: 5 USC 301

CFR Citation: 32 CFR 165

Legal Deadline: None.

Abstract: This rule removes Part 165 in its entirety.

Timetable:

Action	Date	FR Cite
Withdrawn	09/14/87	52 FR 34639

Small Entity: No

Additional Information: 32 CFR Part 165 is no longer valid because it does not support current Department of Defense policy emphasizing central monitoring and coordination of contract fraud investigators and remedies.

Agency Contact: C. Moelk, Department of Defense, Office of the Secretary, **202 697-7197**

RIN: 0790-AA93

387. ● UNDERSECRETARY OF DEFENSE FOR RESEARCH AND ENGINEERING (DOD DIRECTIVE 5129.1)

Legal Authority: 10 USC Chapter 4

CFR Citation: 32 CFR 351

Legal Deadline: None.

Abstract: This rule removes Part 351 in its entirety.

Timetable:

Action	Date	FR Cite
Withdrawn	10/06/87	52 FR 37290

Small Entity: No

Additional Information: 32 CFR Part 351 is removed and replaced by 32 CFR Part 382 because of a reorganization.

Agency Contact: H. Becker, Department of Defense, Office of the Secretary, **202 697-0709**

RIN: 0790-AA94

388. ● DEFENSE INVESTIGATIVE SERVICE (DIS) (DOD DIRECTIVE 5105.42)

Legal Authority: 10 USC Chapter 4

CFR Citation: 32 CFR 361

Legal Deadline: None.

Abstract: This part revises 32 CFR Part 361 and prescribes the organization and management, functions, responsibilities, relationships, and authorities of the Defense Investigative Service.

Timetable:

Action	Date	FR Cite
Final Action Effective	06/14/87	52 FR 41993
Final Action	11/02/87	52 FR 41993

Small Entity: No

Agency Contact: W. Bell, Department of Defense, Office of the Secretary, **202 697-3969**

RIN: 0790-AA95

389. ● CIVILIAN HEALTH AND MEDICAL PROGRAM OF THE UNIFORMED SERVICES (CHAMPUS); DEMONSTRATION PROGRAM (DOD 6010.8-R)

Legal Authority: 10 USC 1079; 10 USC 1086; 5 USC 301

CFR Citation: 32 CFR 199

Legal Deadline: None.

Abstract: This part is intended to expedite the administrative processing associated with initiating health care demonstration projects.

Timetable:

Action	Date	FR Cite
Final Action	10/19/87	52 FR 38753
Final Action Effective	10/19/87	52 FR 38753

Small Entity: No

Agency Contact: D. Fant, Department of Defense, Office of the Secretary, **202 697-8975**

RIN: 0790-AA96

390. ● DEFENSE HOTLINE PROGRAM (DOD DIRECTIVE 7050.1)

Legal Authority: 5 USC 301; 5 USC 552

CFR Citation: 32 CFR 98

Legal Deadline: None.

Abstract: This part provides the authority for establishment of the Defense Hotline, clarifies terminology, prescribes operating procedures, assigns responsibilities and requirements of the Inspector General, DoD, and the DoD Components in implementing the programs, and establishes standards for conducting and reporting the results of the examination of Hotline complaints.

Timetable:

Action	Date	FR Cite
Final Action Effective	03/02/87	52 FR 44883
Final Action	11/23/87	52 FR 44883

Small Entity: No

Agency Contact: B. Simon, Department of Defense, Office of the Secretary, **202 694-9068**

RIN: 0790-AA97

---

391. ● DEFENSE NUCLEAR AGENCY (DNA) (DOD DIRECTIVE 5105.31)

Legal Authority: 10 USC Chapter 4

CFR Citation: 32 CFR 381

Legal Deadline: None.

Abstract: This part is issued to update the responsibilities, functions, relationships, and authority of the Defense Nuclear Agency.

Timetable:

Action	Date	FR Cite
Final Action Effective	03/18/87	52 FR 36405
Final Action	09/29/87	52 FR 36405

Small Entity: No

Agency Contact: R. Furtner, Department of Defense, Office of the Secretary, **202 695-4281**

RIN: 0790-AA98

---

392. ● OFFSHORE MILITARY ACTIVITIES PROGRAM (DOD DIRECTIVE 3100.5)

Legal Authority: 5 USC 301

CFR Citation: 32 CFR 252

Legal Deadline: None.

Abstract: This part reissues 32 CFR Part 252 to update policies and procedures for the use of offshore areas by the Department of Defense and shall serve as the basis for a comprehensive Offshore Military Activities Program.

Timetable:

Action	Date	FR Cite
Final Action Effective	03/16/87	52 FR 39222
Final Action	10/21/87	52 FR 39222

Small Entity: No

Agency Contact: C. Ramsey, Department of Defense, Office of the Secretary, **202 695-7820**

RIN: 0790-AA99

---

393. ● SALE OF GOVERNMENT-FURNISHED EQUIPMENT OR MATERIAL AND SERVICES TO U.S. COMPANIES (DOD DIRECTIVE 4175.1)

Legal Authority: PL 98-525; PL 97-392; 10 USC 2208(i); 22 USC 2770; 96 Stat 1962

CFR Citation: 32 CFR 251

Legal Deadline: None.

Abstract: This part is revised to comply with the authority provided by Public Law 98-525 which liberalized some of the provisions of the original part that pertains to certain Army working capital funded arsenals.

Timetable:

Action	Date	FR Cite
Final Action Effective	02/18/87	52 FR 36030
Final Action	09/25/87	52 FR 36030

Small Entity: No

Agency Contact: R. Wise, Department of Defense, Office of the Secretary, **202 697-8108**

RIN: 0790-AB00

---

394. ● UNIFORM RESERVE, TRAINING AND RETIREMENT CATEGORIES (DOD DIRECTIVE 1215.6)

Legal Authority: 80 Stat 379; 5 USC 301

CFR Citation: 32 CFR 102

Legal Deadline: None.

Abstract: This rule revises 32 CFR Part 102 and establishes new policies and procedures consistent with recent changes in law and development of revised Defense Department policy on the roles and missions of the Reserve Components.

Timetable:

Action	Date	FR Cite
Final Action Effective	09/22/87	52 FR 48998
Final Action	12/29/87	52 FR 48998

Small Entity: No

Agency Contact: D. Smith, Department of Defense, Office of the Secretary, **202 695-7306**

RIN: 0790-AB01

---

395. ● UNDER SECRETARY OF DEFENSE (ACQUISITION)(DOD DIRECTIVE 5134.1)

Legal Authority: 10 USC 133

CFR Citation: 32 CFR 382

Legal Deadline: None.

Abstract: This part assigns responsibilities, functions, relationships, and authority to the Under Secretary of Defense for Acquisition because of an agency reorganization.

Timetable:

Action	Date	FR Cite
Final Action Effective	02/10/87	52 FR 37290
Final Action	10/06/87	52 FR 37290

Small Entity: No

Agency Contact: H. Becker, Department of Defense, Office of the Secretary, **202 697-0709**

RIN: 0790-AB02

---

396. ● VOLUNTARY PRIVATE HEALTH INSURANCE CONVERSION PROGRAM (DOD DIRECTIVE 6000.3)

Legal Authority: 80 Stat 379; 5 USC 301

CFR Citation: 32 CFR 104

Legal Deadline: None.

Abstract: This part reissues Part 104 to update policy, prescribe procedures, and assign responsibilities on voluntary health insurance conversion program.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/05/88	52 FR 1343
Final Action	01/19/88	52 FR 1343

Small Entity: No

Agency Contact: C. Galaty, Department of Defense, Office of the Secretary, **202 694-4685**

RIN: 0790-AB03

---

397. ● AMERICAN FORCES INFORMATION SERVICE (AFIS) (DOD DIRECTIVE 5122.10)

Legal Authority: 10 USC 191

CFR Citation: 32 CFR 372

Legal Deadline: None.

Abstract: This part updates the mission, functions, authorities, and relationships of the American Forces Information Service, provides authority for the internal information program.

DOD—OS **Completed Actions**

and reestablishes the Armed Forces Information Council.

Timetable:

Action	Date	FR Cite
Final Action Effective	07/23/87	52 FR 36402
Final Action	09/29/87	52 FR 36402

Small Entity: No

Agency Contact: H. Becker, Department of Defense, Office of the Secretary, **202 697-0709**

RIN: 0790-AB04

DEPARTMENT OF DEFENSE (DOD)
Department of the Army (DOA)

AGENCY: Department of the Army, DoD.

ACTION: Semiannual agenda of regulatory information under review or development by the Department of the Army which updates the report published on October 26, 1987, and includes regulations expected to be issued and under review over the next 12 months.

SUMMARY: The regulations contained in this agenda do not meet the criteria of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*); does not have priority status; and is not a major rule under the standards of E.O. 12291. The regulation "Airfield Certification and Use of Army Airfields by other than US Department of Defense Aircraft" contains OMB approval reporting requirements as specified under "The Paperwork Reduction Act," of the regulations contained in this agenda. None comes under the GATT International Trade Agreement.

FOR FURTHER INFORMATION CONTACT: Where a contact official is indicated, please contact the specific individual. For general information, contact Mr. John O. Roach, telephone 202-325-6255 or write to HQDA, SFIS-APP, Room 1010, Hoffman I, Alexandria, Virginia 22331-0302.

DEPARTMENT OF DEFENSE (DOD)
Department of the Army (DOA)

Prerule Stage

398. THE ARMY GENERAL COUNSEL'S HONORS PROGRAMS

Legal Authority: 10 USC 302; 10 USC 3005

CFR Citation: 32 CFR 585

Legal Deadline: None.

Abstract: Army General Counsel's Honors Program. To recruit highly qualified attorneys to fill vacancies in the Army General Counsel's Office. Comment period completed. The document explains the methods of application and the requirements and procedures for the appointment to that office.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - None.

International Trade Impact - None.

Agency Contact: Mr. John Pavlick, Department of Defense, Department of the Army, Office of the Army General Counsel, **202 695-0562**

RIN: 0702-AA00

399. AIRFIELD CERTIFICATION AND USE OF ARMY AIRFIELDS BY OTHER THAN US DEPARTMENT OF DEFENSE AIRCRAFT

Legal Authority: PL 85-726; PL 97-248; PL 91-258

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: Prescribes responsibilities and procedures with regard to use of US Army airfields by other than DoD.

Timetable:

Action	Date	FR Cite
End Review	04/00/88	

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - None.

International Trade Impact - None.

Agency Contact: Mr. Robert C. Cole, Department of Defense, Department of the Army, US Army Air Traffic Control Activity, Aeronautical Service Office, **703 272-7796**

RIN: 0702-AA02

DEPARTMENT OF DEFENSE (DOD)
Department of the Army (DOA)

Completed Actions

400. REGULATIONS AFFECTING MILITARY RESERVATIONS; FIREARMS AND WEAPONS

Legal Authority: 10 USC 3012; 15 USC 1601; 18 USC 1382; 31 USC 72; 40 USC 258a; 41 USC 14; 50 USC 797

CFR Citation: 32 CFR 552

Legal Deadline: None.

Abstract: This regulation establishes the criteria for possessing, carrying, concealing, and transporting firearms and/or other deadly or dangerous weapons on the Fort Stewart/Hunter Army Airfield installation. This regulation provides guidance on prohibited items and the requirements for possessing, use, and storage under certain conditions for anyone (military or civilian) employed or visiting, or traveling through on the above installation.

Timetable:

Action	Date	FR Cite
NPRM	12/16/86	51 FR 4497
NPRM Comment Period End	02/16/87	
Final Action	01/22/88	53 FR 1752
Final Action Effective	01/22/88	

Small Entity: Not Applicable

Government Levels Affected: Local, State, Federal

Agency Contact: Cpt Richard Luebke, Principal Attorney, Department of Defense, Department of the Army, Commander, 24th Infantry Div (Mech) & Ft. Stewart, ATT: AFZP-JAA, Ft. Stewart, GA 31314, **912 767-2953**

RIN: 0702-AA16

DEPARTMENT OF DEFENSE (DOD)
U.S. Army Corps of Engineers (COE)

Proposed Rule Stage

401. REGULATORY PROGRAMS OF THE CORPS OF ENGINEERS, PART 325, APPENDIX D--ENDANGERED SPECIES COUNTERPART REGULATIONS

Legal Authority: 33 USC 401; 33 USC 403; 33 USC 1344; 33 USC 1413

CFR Citation: 33 CFR 325, Appendix D

Legal Deadline: None.

Abstract: Procedures for the protection of endangered species in the regulatory program of the Corps of Engineers. Because of the increased emphasis being placed on endangered species by the Federal and state resource agencies, the Corps identified a need to provide more definitive guidance on implementing the Endangered Species Act (ESA) in its regulatory program. The Corps is now developing counterpart regulations with the Department of Interior. The regulations will basically bring together various guidance used in the past by both the Corps and DOI. The regulations will include guidance on how the ESA Amendments impact applicants for Federal permits.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	
Final Action	09/00/88	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Sam Collinson, Chief, Regulation Section, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: CECW-OR, **202 272-0199**

RIN: 0710-AA17

402. REGULATORY PROGRAM OF THE CORPS OF ENGINEERS, NATIONWIDE PERMITS

Significance: Regulatory Program

Legal Authority: 33 USC 401; 33 USC 403; 33 USC 1344; 33 USC 1413

CFR Citation: 33 CFR 330

Legal Deadline: None.

Abstract: The Corps intends to propose revisions to 33 CFR 330. The intent of the proposed revisions will be to simplify and clarify the nationwide permit program of the Corps. The nationwide permit program is designed to authorize projects that have minimal impacts with little or no paperwork or delay. Section 330 of the regulation has become so complex that this goal is no longer being met.

Timetable:

Action	Date	FR Cite
NPRM	05/16/88	
Final Action	11/07/88	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Bernie Goode, Chief, Regulatory Branch, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, CECW-OR, **202 272-0199**

RIN: 0710-AA20

DEPARTMENT OF DEFENSE (DOD)
U.S. Army Corps of Engineers (COE)

Final Rule Stage

403. REGULATORY PROGRAMS OF THE CORPS OF ENGINEERS PART 325, APP. C, HISTORIC PROPERTIES

Legal Authority: 33 USC 401; 33 USC 1344; 33 USC 1413

CFR Citation: 33 CFR 325, Appendix C

Legal Deadline: None.

Abstract: Procedure for protection of historic properties and compliance with Sections 106 and 110(f) of the National Historic Preservation Act.

Timetable:

Action	Date	FR Cite
NPRM	05/04/84	49 FR 19036
NPRM Comment Period End	06/04/84	49 FR 19036
Final Action	04/00/88	

DOD—COE **Final Rule Stage**

Action	Date	FR Cite
Final Action Effective	04/00/88	

Small Entity: No

Additional Information: Paperwork Reduction Act Impact - The paperwork, reports, studies, etc., required of government at all levels, business and citizens will be reduced by the revised procedures.

Small Business Impact - By streamlining the procedures for obtaining a Corps permit, the regulatory burden on small businesses will be reduced.

GATT Impact - None.

Affected Sectors: None

Government Levels Affected: Local, State, Federal

Agency Contact: Sam Collinson, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: CECW-OR, **202 272-0199**

RIN: 0710-AA12

DEPARTMENT OF DEFENSE (DOD)
U.S. Army Corps of Engineers (COE)

Completed Actions

404. ENVIRONMENTAL QUALITY, PROCEDURES FOR IMPLEMENTING THE NATIONAL ENVIRONMENTAL POLICY ACT (NEPA)

Significance: Regulatory Program

Legal Authority: 42 USC 4321

CFR Citation: 33 CFR 230

Legal Deadline: None.

Abstract: Revisions will streamline Corps NEPA procedures consistent with improved management techniques and reduce unnecessary regulatory burdens on applicants who seek Department of the Army permits.

Timetable:

Action	Date	FR Cite
NPRM	01/11/84	49 FR 1387
Final Action	02/03/88	53 FR 3120

Small Entity: No

Additional Information: Additional agency contact: Ms. Janet O'Neill (202) 272-0201

Paperwork Reduction Act Impact - None.

GATT Impact - None.

Agency Contact: Mr. Richard L. Makinen, Department of Defense, U.S. Army Corps of Engineers, Washington, DC 20314-1000, ATTN: CECW-RE, **202 272-0166**

RIN: 0710-AA11

DEPARTMENT OF DEFENSE (DOD)
Department of the Navy (NAVY)

AGENCY: Department of the Navy, DoD.

ACTION: This agenda updates the report published on October 26, 1987, and includes regulations expected to be issued and under review over the next 12 months.

SUMMARY: None of the regulations contained in this agenda meets the criteria of the Regulatory Flexibility Act (Pub. L. 96-354), has priority status, is a major rule under E.O. 12291, or contains reporting requirements under "The Paperwork Reduction Act." Further, none of the regulations comes under the GATT International Trade Agreement.

FOR FURTHER INFORMATION CONTACT: Where a contact official is indicated, please contact the specified individual. For general information, contact Ms. Alcinda P. Wenberg, telephone 202-697-7216 or write to Department of the Navy, Information Resources Management, IRM/C, Washington, DC 20350-1000.

DEPARTMENT OF DEFENSE (DOD)
Department of the Navy (NAVY)

Completed Actions

405. ● RULES GOVERNING PUBLIC ACCESS; KAHOOLAWE ISLAND AND KAULO UNDER COGNIZANCE OF COMMANDER NAVAL BASE, PEARL HARBOR, HI

Legal Authority: 50 USC 797; 5 USC 301; 10 USC 6011; 32 CFR 700.702; 32 CFR 700.714; 32 CFR 1949-1953 Comp. p 930

CFR Citation: 32 CFR 763

Legal Deadline: None.

Abstract: To reflect safety regulations for the island of Kahoolawe.

Timetable:

Action	Date	FR Cite
Final Action	11/30/87	52 FR 45454
Final Action Effective	11/30/87	

Small Entity: No

Agency Contact: Staff Judge Advocate, Department of Defense, Department of the Navy, Commander Naval Base, Pearl Harbor, HI 96860-5020, **808 471-0284**

RIN: 0703-AA27

406. ● NONNAVAL MEDICAL AND DENTAL CARE

Legal Authority: 5 USC 301; 10 USC 1071 to 1085; 10 USC 5031; 10 USC 6148; 10 USC 6201 to 6203; 10 USC 8140; 32 CFR 700.1202

CFR Citation: 32 CFR 732

Legal Deadline: None.

Abstract: To describe and publish policies and procedures for obtaining inpatient and outpatient maternity, medical, and dental care from nonnaval sources worldwide for active duty Navy and Marine Corps members and

reservists: outpatient care in the United States for active duty naval members of North Atlantic Treaty Organization (NATO) nations other than Canada; and inpatient and outpatient care for Canadian Navy and Marine Corps personnel who receive care in the United States on or after 3 November 1986.

Timetable:

Action	Date	FR Cite
Final Action	08/27/87	52 FR 32296
Final Action Effective	08/27/87	

Small Entity: No

Agency Contact: Herbert L. Pelham, Department of Defense, Department of the Navy, Naval Medical Command, Washington, DC 20372-5120, **202 653-1179**

RIN: 0703-AA28

407. ● MEDICAL AND DENTAL CARE FOR ELIGIBLE PERSONS AT NAVY MEDICAL DEPARTMENT FACILITIES

Legal Authority: 5 USC 301 and 8101; 10 USC 1071 to 1095; 10 USC 1201 to 1221; 10 USC 2104; 10 USC 2107; 10 USC 2109; 10 USC 2110; 10 USC 5031; 10 USC 5537; 10 USC 6011; 10 USC 6201 to 6203; 22 USC 1158; 22 USC 2357; 22 USC 2504; 22 USC 2505

CFR Citation: 32 CFR 728

Legal Deadline: None.

Abstract: To describe and publish the policies and procedures for providing medical and dental care to eligible persons at Navy Medical Department facilities.

Timetable:

Action	Date	FR Cite
Final Action	09/04/87	52 FR 33718
Final Action Effective	09/04/87	

Small Entity: No

Agency Contact: Herbert L. Pelham, Department of Defense, Department of the Navy, Naval Medical Command, Washington, DC 20372-5120, **202 653-1179**

RIN: 0703-AA29

DEPARTMENT OF DEFENSE (DOD)
Department of the Air Force (AF)

AGENCY: Department of the Air Force, DoD.

ACTION: This agenda updates the report published on October 26, 1987, and includes regulations expected to be issued and under review over the next 12 months.

SUMMARY: The regulations listed on the agenda are existing or proposed regulations under internal review for revision or development and only apply to those regulations affecting the public. The Department of the Air Force has no "major rules" under development or review as defined by E.O. 12291. Also, it has determined that the relevant provisions of the Regulatory Flexibility Act (Pub. L. 96-354) do not apply to these rules. These rules do not contain reporting or recordkeeping requirements under the criteria of "The Paperwork Reduction Act." These rules do not have an impact on international trade and, therefore, the provisions of the GATT International Trade Agreement do not apply.

FOR FURTHER INFORMATION CONTACT: Where a contact official is indicated, please contact the specified individual. For general information, contact Ms. Patsy J. Conner, telephone 202-694-3527 or write to Department of the Air Force, SAF/AADAQD, Pentagon, Washington, DC 20330-1000.

DEPARTMENT OF DEFENSE (DOD)
Department of the Air Force (AF)

Prerule Stage

408. AIR FORCE SUPPLEMENT TO THE FEDERAL ACQUISITION REGULATION (FAR)

Legal Authority: PL 93-400; PL 96-83

CFR Citation: 48 CFR (New)

Legal Deadline: None.

Abstract: Air Force FAR Supplement establishes for the Air Force uniform policy and procedures implementing and supplementing the FAR, the DOD FAR Supplement, and other DOD publications concerning contracting.

Timetable:

Action	Date	FR Cite
48 CFR Ch 53, AFLC FARS; Surplus Material Acquisition	10/30/86	51 FR 39676
48 CFR 5315, AF FARS; Price Negotiation	03/04/87	52 FR 6590
48 CFR Ch 53, AFSC FARS; Contracting by Negotiation	09/14/87	52 FR 34692
End Review	06/00/88	

Small Entity: No

Agency Contact: Col. Halberstadt, Special Assistant for FAR, Department of Defense, Department of the Air Force, SAF/AQCF, **202 695-3858**

RIN: 0701-AA14

409. ENVIRONMENTAL IMPACT ANALYSIS PROCESS (ANGR 19-02)

Legal Authority: 10 USC 8013

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: Identifies Air National Guard's policies and procedures for the Environmental Impact Analysis Process (EIAP).

Timetable:

Action	Date	FR Cite
End Review	06/00/88	

Small Entity: No

DOD—AF

Prerule Stage

Agency Contact: Mr. Householder, Environmental Engineer, Department of Defense, Department of the Air Force, ANGSC/DEV, Andrews AFB, MD 20331-6008, **301 981-4048**

RIN: 0701-AA22

DEPARTMENT OF DEFENSE (DOD)
Department of the Air Force (AF)

Proposed Rule Stage

410. PUBLIC AFFAIRS POLICIES AND PROCEDURES (AFR 190-1)

Legal Authority: 10 USC 8013

CFR Citation: 32 CFR 837

Legal Deadline: None.

Abstract: Describes Air Force Public Affairs program and how public affairs resources are to be managed to effectively reach public affairs goals.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Lt Col Hessenflow, Department of Defense, Department of the Air Force, HQ USAF (SAF/PAR), Washington, DC 20330, **202 697-4100**

RIN: 0701-AA18

411. CLAIMS AND TORT LITIGATION (AFR 112-1)

Legal Authority: 10 USC 8013

CFR Citation: 32 CFR 842

Legal Deadline: None.

Abstract: Establishes standard policies and procedures to administratively process claims and tort litigation involving the Air Force.

Timetable:

Action	Date	FR Cite
Begin Review	02/28/86	
End Review	01/31/88	
NPRM	04/00/88	

Small Entity: No

Agency Contact: Lt Col Kilroy, Department of Defense, Department of the Air Force, HQ USAF/JACC, Bldg. 5683, Bolling AFB, DC 20332-6128, **202 767-1575**

RIN: 0701-AA19

412. DELIVERY OF AIR FORCE PERSONNEL TO U.S. CIVILIAN AUTHORITIES FOR TRIAL (AFR 111-11)

Legal Authority: 10 USC 8013; 10 USC 814

CFR Citation: 32 CFR 884

Legal Deadline: None.

Abstract: Regulation sets forth the authority, policy and procedures for delivery of Air Force personnel to United States civil authorities for trial.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Major James, Department of Defense, Department of the Air Force, HQ USAF/JAJM, Bldg 5683, Bolling AFB, DC 20332-6128, **202 767-1539**

RIN: 0701-AA20

413. PERSONAL FINANCIAL RESPONSIBILITY (AFR 35-18)

Legal Authority: 10 USC 8013

CFR Citation: 32 CFR 818

Legal Deadline: None.

Abstract: Establishes Air Force policy governing delinquent financial obligations and sets forth procedures for processing any claims of this nature. It is designed to ensure that Air Force members pay their just financial obligations in a proper and timely manner.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Mr. Taylor, Department of Defense, Department of the Air Force, HQ AFMPC/DPMASC2, Randolph AFB, TX 78150-6001, **512 652-3578**

RIN: 0701-AA23

414. ● LEASING USAF AIRCRAFT AND RELATED EQUIPMENT TO NONGOVERNMENT ORGANIZATIONS

Legal Authority: 10 USC 2667

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This regulation outlines USAF policies and procedures for the provision of USAF aircraft and related equipment to nongovernment organizations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Mr. Eric Kattner, Procurement Analyst, Department of Defense, Department of the Air Force, SAF/AQCM, Washington, DC 20330-1000, **202 695-4982**

RIN: 0701-AA26

DEPARTMENT OF DEFENSE (DOD)
Department of the Air Force (AF)

Completed Actions

415. ISSUING CERTIFICATES IN LIEU OF LOST OR DESTROYED CERTIFICATES OF SEPARATION (AFR 35-96)

Legal Authority: 10 USC 8013; 10 USC 1041

CFR Citation: 32 CFR 887

Legal Deadline: None.

Abstract: Regulation tells who may apply for a certificate in lieu of a lost or destroyed certificate of separation and where and how to apply. Revision includes examples on how to prepare certificates to ensure the three agencies authorized to issue the certificates follow the same format.

Timetable:

Action	Date	FR Cite
NPRM	09/24/87	52 FR 35927
NPRM Comment Period End	10/26/87	52 FR 35927
Final Action	01/14/88	53 FR 876
Final Action Effective	02/16/88	53 FR 876

Small Entity: No

Agency Contact: Mr. Garcia, Military Personnel Management Specialist, Department of Defense, Department of the Air Force, HQ AFMPC/DPMDOP, Randolph AFB, TX 78150-6001, **512 652-2089**

RIN: 0701-AA21

416. AIR FORCE VISUAL INFORMATION SYSTEMS (AFR 700-32)

Legal Authority: 10 USC 8013

CFR Citation: 32 CFR 811; 32 CFR 811a

Legal Deadline: None.

Abstract: Establishes policy for the management of the Air Force visual information documentation program. Establishes policy on the release, dissemination and sale of Air Force visual information materials.

Timetable:

Action	Date	FR Cite
NPRM	10/08/87	52 FR 37631
NPRM Comment Period End	11/09/87	52 FR 37631
Final Action	12/24/87	52 FR 48675
Final Action Effective	01/25/88	52 FR 48675

Small Entity: No

Agency Contact: Maj. Cultice, Department of Defense, Department of the Air Force, HQ USAF/SCV, Washington, DC 20330, **202 695-9610**

RIN: 0701-AA25

[FR Doc. 88-5080 Filed 04-22-88; 8:45 am]

BILLING CODE 3810-01-T

federal register

Monday
April 25, 1988

Part VI

Department of Education

Semiannual Regulatory Agenda

DEPARTMENT OF EDUCATION (ED)

DEPARTMENT OF EDUCATION

Office of the Secretary

34 CFR Subtitles A and B

Unified Agenda of Federal Regulations

AGENCY: Department of Education.

ACTION: Publication of the semiannual agenda of Federal regulations.

SUMMARY: The Secretary of Education publishes a Semiannual Agenda of Federal Regulations as required by Office of Management and Budget (OMB) Bulletin 88-1 issued under the authority of section 6(b) of Executive Order 12291 (Federal Regulations). The purpose of the agenda is to encourage more effective public participation in the regulatory process by giving the public early information about pending regulatory activities.

FOR FURTHER INFORMATION CONTACT: Questions or comments related to specific regulations listed in this agenda should be directed to the contact person listed for that set of regulations. Questions or comments on the overall agenda should be directed to A. Neal Shedd, Director, Division of Regulations Management, Office of the General Counsel, Department of Education, Room 2131, FOB-6, 400 Maryland Avenue, SW., Washington, DC 20202. Telephone: (202) 732-2887.

SUPPLEMENTARY INFORMATION: Executive Order 12291, dated February 17, 1981, and the Regulatory Flexibility Act, Pub. L. 96-354, enacted September 19, 1980, require the Department of Education to publish, in October and April of each year, (1) an agenda of regulations that the Department expects to issue, and (2) currently effective regulations that are under review. The agenda includes both notices of proposed rulemaking (NPRMs) currently being drafted and pending final regulations.

Under the authority of Executive Order 12291, the Director of OMB has issued OMB Bulletin No. 88-1, dated October 7, 1987, prescribing the content and structure of the Unified Agenda of Federal Regulations. The Unified Agenda will be issued semiannually and will cover the succeeding 12 months from the date of publication.

For each set of regulations listed, the Agenda provides the title of the document, the type of document, a citation of any rulemaking or other action taken since publication of the most recent Agenda, and planned dates of future rulemaking. In addition, the Agenda provides the following information:

- An abstract, which includes a description of the problem to be addressed, any principal alternatives being considered, and potential costs and benefits of the action.
- An indication of whether the planned action is likely to have a significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act (5 U.S.C. 601(b)).
- A reference to where a reader can find the current regulations in the Code of Federal Regulations.
- A citation of legal authority.
- The name, address, and telephone number of the contact person at the Department from whom a reader can obtain additional information regarding the planned action.
- An indication if the action is priority and the criteria used in determining the priority status.

If the "Abstract" section of an entry refers readers to the preamble, it means that amendments to those particular regulations would be designed (1) to effect regulatory relief, including reducing paperwork and compliance burdens, improving cost effectiveness and, to the extent possible, vesting greater discretion in State and local agencies, and (2) if necessary, to clarify and simplify requirements governing that program.

This publication in the **Federal Register** does not impose any binding obligation on the Department with regard to any specific item on the agenda. Regulatory action in addition to the items listed is not precluded. Dates of future regulatory action are subject to revision in subsequent agendas.

Dated: February 19, 1988.

Charles E. M. Kolb,

Acting General Counsel.

Departmental Management—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
417	U.S. Exchange Visitor Program - Request for Waiver of the Two- year Foreign Residence Requirement	1880-AA29

Departmental Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
418	Disposal and Utilization of Surplus Real Property For Educational Purposes	1880-AA27
419	Education Department General Administrative Regulations -- Amendments II	1880-AA24

ED

Departmental Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
420	Debt Collection; Interest on Outstanding Debts	1880-AA03
421	Debt Collection	1880-AA09
422	Audit Requirements for State and Local Governments	1880-AA26
423	Debarment and Suspension (Nonprocurement)	1880-AA25
424	Family Educational Rights and Privacy Act	1880-AA08
425	Education Department Acquisition Regulation (EDAR)	1880-AA16

Departmental Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
426	Education Department General Administrative Regulations -- Definitions That Apply to Department Regulations	1880-AA31
427	Uniform Administrative Requirements for Grants to State and Local Governments	1880-AA15

Office of Bilingual Education and Minority Languages Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
428	Transition Program for Refugee Children	1885-AA10

Office for Civil Rights—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
429	Nondiscrimination on the Basis of Handicap in Federally Conducted Programs	1870-AA08
430	Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting from Federal Financial Assistance	1870-AA06

Office for Civil Rights—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
431	Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance	1870-AA05

Office of Educational Research and Improvement—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
432	Partnerships in Education for Mathematics, Science, and Engineering	1850-AA15
433	Star Schools Program	1850-AA32
434	College Library Resources Program	1850-AA21
435	National Assessment of Educational Progress	1850-AA31

ED

Office of Educational Research and Improvement—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
436	Educational Research Grant Program	1850-AA23
437	Regional Educational Laboratories and Research and Development Centers Program: General Provisions; Regional Educational Laboratories; and Research and Development Centers	1850-AA28
438	Library Career Training Program	1850-AA24
439	Strengthening Research Library Resources Program	1850-AA22
440	College Library Technology and Cooperation Grants	1850-AA26
441	Territorial Teacher Training Assistance Program	1850-AA10

Office of Educational Research and Improvement—Completed Actions

Sequence Number	Title	Regulation Identifier Number
442	Library Research and Demonstration Program	1850-AA25

Office of Elementary and Secondary Education—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
443	Assist. for LEAs in Areas Affected by Fed. Acts. and Arrangements for Ed. of Children Where LEAs Cannot Provide Suitable Free Pub. Ed.--Heavily Impacted District; Avg. Daily Attendance/Membership	1810-AA20

Office of Elementary and Secondary Education—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
444	Indian Education Act - Formula Grants to LEAs and Tribal Schools Amendments (Certification of Eligibility)	1810-AA28
445	Indian Education: Formula Grants to LEAs and Tribal Schools; Indian-Controlled Schools Enrichment; Indian Fellowship Program (Amendments)	1810-AA36

Office of Elementary and Secondary Education—Completed Actions

Sequence Number	Title	Regulation Identifier Number
446	Follow Through Program	1810-AA25
447	Assistance for LEAs in Areas Affected by Federal Activities and Arrangements for Ed. of Children Where LEAs Cannot Provide Suitable Free Public Ed.--Sec. 2, Fed. Acquisition/Real Property	1810-AA22

Office of Planning and Budget and Evaluation—Completed Actions

Sequence Number	Title	Regulation Identifier Number
448	Availability of Information to the Public Pursuant to Public Law 90-23	1875-AA03
449	Release of Adverse Information to News Media - Official Seal	1875-AA04
450	Privacy Act Regulations	1875-AA02

ED

Office of Postsecondary Education—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
451	Eligibility of Foreign Postsecondary Educational Institutions Under the Guaranteed Student Loan Program	1840-AB20
452	Training Program for Special Program Staff and Leadership Personnel	1840-AB01
453	Talent Search Program	1840-AB12
454	Educational Opportunity Centers Program	1840-AB13
455	Paul Douglas Teacher Scholarship Program and Guaranteed Student Loan and PLUS Programs	1840-AB03
456	Robert C. Byrd Honors Scholarship Program	1840-AB06
457	Foreign Language and Area Studies Fellowships Program, Part II	1840-AA66
458	Student Assistance General Provisions - Verification 1989-90	1840-AB07
459	Student Assistance General Provisions - Subparts A,B and G	1840-AB18
460	Student Assistance General Provisions - Subparts B and C	1840-AB19
461	Guaranteed Student Loan/Supplemental Loans for Students Program - Default Reduction	1840-AB21
462	Summer Intensive Language Institutes	1840-AA68
463	Perkins Loan Program, College Work-Study, and Supplemental Educational Opportunity Grant Programs (Campus-Based Programs)	1840-AB22
464	Disclosure of Foreign Gifts	1840-AA75
465	Guaranteed Student Loan/PLUS/Supplemental Loan/Consolidation Loan Programs	1840-AA96

Office of Postsecondary Education—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
466	Secretary's Procedures and Criteria for Recognition of Accrediting Agencies	1840-AA57
467	Drug Prevention Programs in Higher Education	1840-AB11
468	National Resource Centers Program for Foreign Language and Area Studies or Foreign Language and International Studies	1840-AA65
469	Student Assistance General Provisions - Subpart A	1840-AB23
470	Language Resource Centers Program	1840-AA67
471	Foreign Periodicals Program	1840-AA69
472	Income Contingent Loan Program - Due Diligence	1840-AB04
473	Treatment of Territories and Territorial Student Assistance	1840-AA74

Office of Postsecondary Education—Completed Actions

Sequence Number	Title	Regulation Identifier Number
474	Institutional Eligibility Under the Higher Education Act of 1965, as amended	1840-AA32
475	Secretary's Recognition Procedures for National Accrediting Bodies and Agencies	1840-AB15
476	Federal-State Relationship Agreements	1840-AB09
477	Financial Assistance for Construction, Reconstruction, or Renovation of Higher Education Facilities	1840-AB10
478	Minority Science Improvement Program	1840-AA89
479	Paul Douglas Teacher Scholarships -- Interest Rates	1840-AB02
480	Paul Douglas Teacher Scholarship Program	1840-AB14
481	National Resource Centers Program for Foreign Language and Area Studies or Foreign Language and International Studies	1840-AA64
482	Student Assistance General Provisions - Subparts A, B, C	1840-AA79
483	Perkins Loan Program (formerly the National Direct Student Loan Program) Subpart C - Due Diligence	1840-AA02
484	Perkins Loan Program, College Work-Study, and Supplemental Educational Opportunity Grant Programs (Campus-based programs)	1840-AA03
485	Pell Grant Program	1840-AA97
486	State Student Incentive Grant Program	1840-AA59

ED

Office of Special Education and Rehabilitative Services—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
487	The State Vocational Rehabilitation Services Program - Deregulation	1820-AA47

Office of Special Education and Rehabilitative Services—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
488	Services for Deaf-Blind Children and Youth Program	1820-AA53
489	Training Personnel for the Education of the Handicapped - Parent Training and Information Centers; Special Projects; and General	1820-AA68
490	Rehabilitation Services Administration General Deregulation Review	1820-AA45
491	The State Independent Living Rehabilitation Services Program	1820-AA37
492	Centers for Independent Living - Standards and Evaluation Indicators	1820-AA81
493	Vocational Rehabilitation Services to Individuals with Severe Handicaps/Special Projects and Demonstrations for Providing Supported Employment Serv. to Indiv. with Severe Handicaps	1820-AA76
494	Projects with Industry - Standards and Evaluation Indicators	1820-AA82

Office of Special Education and Rehabilitative Services—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
495	Assistance to States for Education of Handicapped Children	1820-AA71
496	Preschool Grants for Handicapped Children's Program	1820-AA48
497	Grants for Infants and Toddlers with Handicaps	1820-AA49
498	Handicapped Special Studies Program	1820-AA72
499	Captioned Films Loan Service for the Deaf Program and Educational Media Loan Service for the Handicapped Program	1820-AA61
500	Field Initiated Research	1820-AA80
501	NIDRR - Research Training and Career Development Program	1820-AA77
502	The State Vocational Rehabilitation Services Program	1820-AA40
503	Miscellaneous Technical Amendments to the Rehabilitation Services Regulations	1820-AA39
504	Independent Living Services for Older Blind Individuals	1820-AA41

Office of Special Education and Rehabilitative Services—Completed Actions

Sequence Number	Title	Regulation Identifier Number
505	Removal of Architectural Barriers to the Handicapped Program	1820-AA51
506	Regional Resource and Federal Centers Program	1820-AA52
507	Training Programs for Teachers of Handicapped Children in Areas with a Shortage	1820-AA75
508	Research in Education of the Handicapped Program	1820-AA69
509	Technology, Educational Media, and Materials for the Handicapped	1820-AA63
510	Handicapped Research: Research Fellowship Program	1820-AA66

Office of Intergovernmental and Interagency Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
511	Intergovernmental Review of Department of Education Programs and Activities -- List of Programs	1860-AA00

ED

Office of the General Counsel—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
512	Equal Access to Justice	1801-AA01
513	Due Process Regulations	1801-AA02

Office of the General Counsel—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
514	Program Fraud Civil Remedies	1801-AA05

Office of the General Counsel—Completed Actions

Sequence Number	Title	Regulation Identifier Number
515	Inventions and Patents -- General	1801-AA04

DEPARTMENT OF EDUCATION (ED)
Departmental Management (EDMAN)

Prerule Stage

417. U.S. EXCHANGE VISITOR PROGRAM - REQUEST FOR WAIVER OF THE TWO- YEAR FOREIGN RESIDENCE REQUIREMENT

Legal Authority: 8 USC 1182(e); 22 USC 2451

CFR Citation: 34 CFR 50

Legal Deadline: None.

Abstract: See Preamble.

Timetable:

Action	Date	FR Cite
Begin Review	05/00/88	
End Review	07/00/88	

Small Entity: Undetermined

Agency Contact: Kathleen Hunter, Special Assistant to the Director, Interagency Operations, Department of Education, Departmental Management, Intergovernmental and Interagency Affairs, 400 Maryland Ave., SW (Rm. 3023, FOB-6), Washington, DC 20202, **202 472-5812**

RIN: 1880-AA29

DEPARTMENT OF EDUCATION (ED)
Departmental Management (EDMAN)

Proposed Rule Stage

418. DISPOSAL AND UTILIZATION OF SURPLUS REAL PROPERTY FOR EDUCATIONAL PURPOSES

Legal Authority: 40 USC 484

CFR Citation: 34 CFR 12

Legal Deadline: None.

Abstract: See Preamble.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	10/00/88	

Small Entity: No

Agency Contact: David B. Hakola, Staff Assistant, Administrator for Management Services, Department of Education, Departmental Management, 400 Maryland Ave., SW (Rm. 1175, FOB-6, Washington, DC 20202, **202 245-0306**

RIN: 1880-AA27

419. EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS -- AMENDMENTS II

Legal Authority: 20 USC 1221e-3(a)(1)

CFR Citation: 34 CFR 75; 34 CFR 76

Legal Deadline: None.

Abstract: See Preamble. The Department is considering miscellaneous amendments to update and improve the regulations in 34 CFR Parts 75 and 76 of the Education

ED—EDMAN **Proposed Rule Stage**

Department General Administrative Regulations (EDGAR).

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	11/00/88	

Small Entity: Undetermined

Agency Contact: Hazel Fiers, Office of Management, Department of Education, Departmental Management, 400 Maryland Ave., SW (Rm. 3021, FOB-6), Washington, DC 20202, **202 472-5123**

RIN: 1880-AA24

DEPARTMENT OF EDUCATION (ED)
Departmental Management (EDMAN)

Final Rule Stage

420. DEBT COLLECTION; INTEREST ON OUTSTANDING DEBTS

Legal Authority: 20 USC 1221e-3(a)(1); 20 USC 3474(a); 31 USC 3717

CFR Citation: 34 CFR 030

Legal Deadline: None.

Abstract: These regulations would establish Departmental policies for assessing interest on outstanding debts and implementing the interest assessment provisions of the Debt Collection Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	07/11/84	49 FR 28264
NPRM Comment Period End	08/27/84	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Frank Stidman, Director, Financial Assistance, Department of Education, Departmental Management, 400 Maryland Ave., SW (Rm. 3109, FOB-6), Washington, DC 20202, **202 245-2964**

RIN: 1880-AA03

421. DEBT COLLECTION

Significance: Regulatory Program

Legal Authority: 31 USC 3701 to 3720a

CFR Citation: 34 CFR 030

Legal Deadline: None.

Abstract: These proposed regulations would implement requirements of the Debt Collection Act of 1982, the Federal Claims Collection Standards, and OMB Circular A-50 regarding establishment of a debt collection program. The proposed regulations would improve management and accountability of Federal funds and are designed to establish an efficient, equitable, and effective program for the collection of debts owed to the Department of Education.

Timetable:

Action	Date	FR Cite
NPRM	02/19/88	53 FR 5136
Final Action	09/00/88	

Small Entity: No

Agency Contact: James Neilson, Special Assistant, Department of Education, Departmental Management, 400 Maryland Ave, SW, (Rm. 3034 FOB-6), Washington, DC 20202, **202 472-6032**

RIN: 1880-AA09

422. AUDIT REQUIREMENTS FOR STATE AND LOCAL GOVERNMENTS

Legal Authority: 5 USC 301; 31 USC 7505(a)

CFR Citation: 34 CFR 74

Legal Deadline: None.

Abstract: These regulations would implement the Single Audit Act of 1984 and the Office of Management and Budget Circular No. A-128.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/13/85	50 FR 37356
Final Action Effective	10/28/85	
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Guido Piacesi, Auditor, Office of the Inspector General, Department of Education, Departmental Management, 400 Maryland Ave., SW (Rm. 4200, Switzer), Washington, DC 20202, **202 245-0271**

RIN: 1880-AA26

423. DEBARMENT AND SUSPENSION (NONPROCUREMENT)

Legal Authority: EO 12549; 20 USC 1221e-3(a)(1)

CFR Citation: 34 CFR 85

Legal Deadline: None.

Abstract: These regulations would contain criteria and minimum due process procedures for suspension and debarment of ED assistance recipients.

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Mary Jane Kane, Office of Management, Department of Education, Departmental Management, 400 Maryland Ave., SW (Rm. 3637, ROB-3), Washington, DC 20202, **202 732-7400**

RIN: 1880-AA25

424. FAMILY EDUCATIONAL RIGHTS AND PRIVACY ACT

Significance: Regulatory Program

Legal Authority: 20 USC 1232g

CFR Citation: 34 CFR 099

Legal Deadline: None.

Abstract: See Preamble.

Timetable:

Action	Date	FR Cite
NPRM	06/10/87	52 FR 2250
Final Action	05/00/88	

Small Entity: No

Agency Contact: Ellen Campbell, Student and Family Education Rights, and Privacy Office, Department of Education, Departmental Management, 400 Maryland Ave., SW, (Rm. 3021, FOB-6), Washington, DC 20202, **202 732-2057**

RIN: 1880-AA08

425. EDUCATION DEPARTMENT ACQUISITION REGULATION (EDAR)

Legal Authority: 5 USC 301; 40 USC 486(c)

CFR Citation: 48 CFR Chapter 34

Legal Deadline: None.

ED—EDMAN **Final Rule Stage**

Abstract: These regulations implement the Federal Acquisition Regulation within the Department of Education, and include additional policies, procedures, solicitation provisions, and contract clauses.

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	

Small Entity: No

Agency Contact: Richard Galloway, Chief, Acquisition Policy Branch, Department of Education, Departmental Management, 400 Maryland Ave, SW, (Rm. 3519, ROB-3), Washington, DC 20202, **202 732-2525**

RIN: 1880-AA16

DEPARTMENT OF EDUCATION (ED)
Departmental Management (EDMAN)

Completed Actions

426. EDUCATION DEPARTMENT GENERAL ADMINISTRATIVE REGULATIONS -- DEFINITIONS THAT APPLY TO DEPARTMENT REGULATIONS

CFR Citation: 34 CFR 077

Completed:

Reason	Date	FR Cite
End Review	12/16/87	

Small Entity: Not Applicable

Agency Contact: Hazel Fiers 202 472-5123

RIN: 1880-AA31

427. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS TO STATE AND LOCAL GOVERNMENTS

CFR Citation: 34 CFR 80; 34 CFR 74

Completed:

Reason	Date	FR Cite
Final Action	03/11/88	53 FR 8070
Final Action Effective	10/01/88	

Small Entity: Undetermined

Agency Contact: Hazel Fiers 202 472-5123

RIN: 1880-AA15

DEPARTMENT OF EDUCATION (ED)
Office of Bilingual Education and Minority Languages Affairs (BEMLA)

Final Rule Stage

428. TRANSITION PROGRAM FOR REFUGEE CHILDREN

Significance: Regulatory Program

Legal Authority: 8 USC 1522(d)

CFR Citation: 34 CFR 538

Legal Deadline: None.

Abstract: See Preamble

Timetable:

Action	Date	FR Cite
NPRM	02/26/88	53 FR 5956
Final Action	08/00/88	

Small Entity: Undetermined

Agency Contact: Fayetta McAlear, Acting Executive Officer, Department of Education, Office of Bilingual Education and Minority Languages Affairs, 400 Maryland Ave, SW (Rm. 421 Rptrs. Bldg.), Washington, DC 20202, **202 732-5070**

RIN: 1885-AA10

DEPARTMENT OF EDUCATION (ED)
Office for Civil Rights (OCR)

Proposed Rule Stage

429. NONDISCRIMINATION ON THE BASIS OF HANDICAP IN FEDERALLY CONDUCTED PROGRAMS

Legal Authority: 29 USC 794

CFR Citation: 34 CFR 105

Legal Deadline: None.

Abstract: This regulation would specify the applicability of Sec. 504 of the Rehabilitation Act of 1973 to the federally conducted pro- grams of the Department of Education. Sec. 504 prohibits discrimination on the basis of an individual's handicap.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	53 FR 10808
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: Hazel Fiers, Special Advisor, Management, Department of Education, Office for Civil Rights, Department of Education, 400 Md. Ave., SW, Rm. 3021, FOB-6, Washington, D.C. 20202, **202 732-2057**

RIN: 1870-AA08

430. NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES RECEIVING OR BENEFITING FROM FEDERAL FINANCIAL ASSISTANCE

Legal Authority: 20 USC 1681; 20 USC 1682

CFR Citation: 34 CFR 106

Legal Deadline: None.

Abstract: These proposed regulations would amend the fringe benefits provision of the regulations implementing Title IX of the Education Amendments of 1972. The regulations would require employers offering employees a fringe benefit plan to have both equal pay-in and equal pay-out provisions, regardless of the sex of the employee.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Terence J. Pell, Acting Deputy Assistant Secretary, for Policy, Department of Education, Office for

ED—OCR **Proposed Rule Stage**

Civil Rights, 400 Maryland Ave, SW, Rm 5050, Switzer Bldg., Washington, DC 20202, **202 732-1635**

RIN: 1870-AA06

DEPARTMENT OF EDUCATION (ED)
Office for Civil Rights (OCR)

Final Rule Stage

431. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Legal Authority: 42 USC 6101 et seq

CFR Citation: 34 CFR 110

Legal Deadline: None.

Abstract: These agency-specific final regulations would provide appropriate investigative, conciliation, and enforcement procedures consistent with the general Age Discrimination Act regulations issued by DHEW, now the Department of Health and Human Services.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Terence J. Pell, Acting Deputy Assistant Secretary, for Policy, Department of Education, Office for Civil Rights, 400 Maryland Ave, SW, Room 5050, Switzer Bldg., Washington, DC 20202, **202 732-1635**

RIN: 1870-AA05

DEPARTMENT OF EDUCATION (ED)
Office of Educational Research and Improvement (OERI)

Proposed Rule Stage

432. PARTNERSHIPS IN EDUCATION FOR MATHEMATICS, SCIENCE, AND ENGINEERING

Legal Authority: PL 99-159

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: These proposed regulations would implement certain provisions in the Education for Economic Security Act, as amended by the National Science, Engineering, and Mathematics Authorization Act of 1986 (P.L. 99-159).

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Patricia Alexander, Senior Associate, Department of Education, Office of Educational Research and Improvement, 400 Maryland Avenue, SW, Room 4132, FOB-6, Washington, DC 20202, **202 732-3566**

RIN: 1850-AA15

433. ● STAR SCHOOLS PROGRAM

Legal Authority: PL 100-202

CFR Citation: 34 CFR 000

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Permanent Continuing Appropriations Act for Fiscal Year 1988.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	08/00/88	

Small Entity: Undetermined

Agency Contact: Gordon McAndrew, Senior Associate, PIP Networks Division, Department of Education, Office of Educational Research and Improvement, 400 Md. Ave., SW, Rm. 502H, Capitol Place Bldg., Washington, DC 20202, **202 357-6126**

RIN: 1850-AA32

434. COLLEGE LIBRARY RESOURCES PROGRAM

Legal Authority: 20 USC 1021 to 1047

CFR Citation: 34 CFR 773

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of Title II of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Louise V. Sutherland, Administrative Librarian, Department of Education, Office of Educational Research and Improvement, 400 Maryland Ave., SW - Rm 402, Capitol Place Bldg. Washington, DC 20202, **202 357-6315**

RIN: 1850-AA21

435. NATIONAL ASSESSMENT OF EDUCATIONAL PROGRESS

Legal Authority: PL 99-498

CFR Citation: 34 CFR 796

Legal Deadline: None.

Abstract: These proposed regulations would implement certain provisions of Sec. 405 of the General Education Provisions Act, as amended by Title XIV of the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Maureen Treacy, Education Program Analyst, Department of Education, Office of Educational Research and Improv., 400 Md. Ave., SW, Rm. 517, Cap. Pl. Bldg., Washington, D.C. 20202, **202 357-6734**

RIN: 1850-AA31

DEPARTMENT OF EDUCATION (ED)

Final Rule Stage

Office of Educational Research and Improvement (OERI)

436. EDUCATIONAL RESEARCH GRANT PROGRAM

Legal Authority: 20 USC 1221e

CFR Citation: 34 CFR 700

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of section 405 of the General Education Provisions Act, as amended by Title XIV of the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	03/18/88	53 FR 9088
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: Lawrence Bussey, Senior Management Analyst, Department of Education, Office of Educational Research and Improvement, 400 Md. Ave., SW, (Rm. 610 - Cap. Pl. Bldg.), Washington, DC 20202, **202 357-6239**

RIN: 1850-AA23

437. REGIONAL EDUCATIONAL LABORATORIES AND RESEARCH AND DEVELOPMENT CENTERS PROGRAM: GENERAL PROVISIONS; REGIONAL EDUCATIONAL LABORATORIES; AND RESEARCH AND DEVELOPMENT CENTERS

Legal Authority: 20 USC 1221e

CFR Citation: 34 CFR 706; 34 CFR 707; 34 CFR 708

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of section 405 of the General Education Provisions Act, as amended by Title XIV of the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	03/22/88	53 FR 9408
Final Action	11/00/88	

Small Entity: Undetermined

Agency Contact: Lawrence Bussey, Senior Management Analyst, Department of Education, Office of Educational Research and Improvement, 400 Md. Ave., SW, Rm. 610 Cap. Pl. Bldg., Washington, DC 20202, **202 357-6239**

RIN: 1850-AA28

438. LIBRARY CAREER TRAINING PROGRAM

Legal Authority: 20 USC 1021 to 1047

CFR Citation: 34 CFR 776

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of Title II of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	12/14/87	52 FR 47538
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Louise V. Sutherland, Administrative Librarian, Department of Education, Office of Educational Research and Improvement, 400 Md. Ave., SW - Rm 402Cap. Pl. Bldg., Washington, DC 20202, **202 357-6315**

RIN: 1850-AA24

439. STRENGTHENING RESEARCH LIBRARY RESOURCES PROGRAM

Legal Authority: 20 USC 1021 to 1047

CFR Citation: 34 CFR 778

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of Title II of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	10/14/87	52 FR 38192
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Louise V. Sutherland, Administrative Librarian, Department of Education, Office of Educational Research and Improvement, 400 Maryland Ave., SW - Rm 402, Capitol Place Bldg. - Washington, DC 20202, **202 357-6315**

RIN: 1850-AA22

440. COLLEGE LIBRARY TECHNOLOGY AND COOPERATION GRANTS

Legal Authority: 20 USC 1021 to 1047

CFR Citation: 34 CFR 779

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of Title II of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	03/21/88	53 FR 9246
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Louise V. Sutherland, Administrative Librarian, Department of Education, Office of Educational Research and Improvement, 400 Md. Ave., SW, Rm. 402 Cap. Pl. Bldg., Washington, DC 20202, **202 357-6315**

RIN: 1850-AA26

441. TERRITORIAL TEACHER TRAINING ASSISTANCE PROGRAM

Legal Authority: PL 95-561

CFR Citation: 34 CFR 790

Legal Deadline: None.

Abstract: These regulations amend 34 CFR 790.2 (Eligible Parties) to promote increased participation in the Territorial Teacher Training Program on the part of the institutions of higher education in each respective territory.

Timetable:

Action	Date	FR Cite
NPRM	12/10/87	52 FR 46785
Final Action	05/00/88	

Small Entity: No

Agency Contact: Haroldie Spriggs, Project Officer, Programs for the Improvement of Practices, Department of Education, Office of Educational Research and Improvement, 400 Maryland Ave., SW, Rm. 508, Capitol Place Bldg., Washington, DC 20202, **202 357-6149**

RIN: 1850-AA10

DEPARTMENT OF EDUCATION (ED)

Completed Actions

Office of Educational Research and Improvement (OERI)

442. LIBRARY RESEARCH AND DEMONSTRATION PROGRAM

CFR Citation: 34 CFR 777

Completed:

Reason	Date	FR Cite
Final Action	02/03/88	53 FR 3020
Final Action Effective	03/23/88	

Small Entity: Undetermined

Agency Contact: Louise V. Sutherland 202 357-6315

RIN: 1850-AA25

DEPARTMENT OF EDUCATION (ED)

Proposed Rule Stage

Office of Elementary and Secondary Education (OESE)

443. ASSIST. FOR LEAS IN AREAS AFFECTED BY FED. ACTS. AND ARRANGEMENTS FOR ED. OF CHILDREN WHERE LEAS CANNOT PROVIDE SUITABLE FREE PUB. ED.--HEAVILY IMPACTED DISTRICT; AVG. DAILY ATTENDANCE/MEMBERSHIP

Legal Authority: 20 USC 236; 20 USC 238; 20 USC 240; 20 USC 242; 20 USC 244

CFR Citation: 34 CFR 222

Legal Deadline: None.

Abstract: These proposed regulations would implement section 3(d)(2)(B) of the Impact Aid law, P.L. 81-874, which authorizes supplemental payments enabling LEAs that are heavily impacted by federally connected children to provide a level of education that is equivalent to that maintained in comparable school districts. These regulations would also establish definitions and procedures for calculating payments for LEAs in States that do not collect average daily attendance data. These regulations would also establish standards for determining when an SEA can apply as an LEA.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: W. Stanley Kruger, Acting Director, Division of Impact Aid, Department of Education, Office of Elementary and Secondary Education, 400 Maryland Ave., SW, Room 2117, Washington, DC 20202, 202 732-3637

RIN: 1810-AA20

DEPARTMENT OF EDUCATION (ED)

Final Rule Stage

Office of Elementary and Secondary Education (OESE)

444. INDIAN EDUCATION ACT - FORMULA GRANTS TO LEAS AND TRIBAL SCHOOLS AMENDMENTS (CERTIFICATION OF ELIGIBILITY)

Legal Authority: 20 USC 241aa to 241h; 20 USC 1221h(a)

CFR Citation: 34 CFR 251

Legal Deadline: None.

Abstract: These amendments would amend the regulations to govern the eligibility of children to be counted as "Indian" or "Alaska Native" under the formula grants program of the Indian Education Act, Title IV-A of P.L. 92-318. These regulations would clarify what documentation is necessary to establish that eligibility and what effect failure to collect and maintain that documentation has on the grantee.

Timetable:

Action	Date	FR Cite
NPRM	10/05/87	52 FR 37260
Final Action	05/00/88	

Small Entity: No

Agency Contact: Ervin Keith, Acting Deputy Director, Indian Education Programs, Department of Education, Office of Elementary and Secondary Education, Department of Education, 400 Maryland Ave., SW (Rm. 2177, FOB-6), Washington, DC 20202, 202 732-1887

RIN: 1810-AA28

445. INDIAN EDUCATION: FORMULA GRANTS TO LEAS AND TRIBAL SCHOOLS; INDIAN-CONTROLLED SCHOOLS ENRICHMENT; INDIAN FELLOWSHIP PROGRAM (AMENDMENTS)

Legal Authority: 20 USC 241aa to 241ff; 20 USC 3385b

CFR Citation: 34 CFR 251; 34 CFR 253; 34 CFR 263

Legal Deadline: None.

Abstract: These technical amendments would implement Section 4133 of the Drug-Free Schools and Communities Act of 1986, Subtitle B of Title IV of PL 99-570.

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	

Small Entity: No

Agency Contact: Ervin Keith, Deputy Director, Department of Education, Office of Elementary and Secondary Education, Office of Elementary and Secondary Ed., 400 Maryland Ave, SW, (Room 2177), Washington, DC 20202, 202 732-1887

RIN: 1810-AA36

DEPARTMENT OF EDUCATION (ED)

Office of Elementary and Secondary Education (OESE)

Completed Actions

446. FOLLOW THROUGH PROGRAM

CFR Citation: 34 CFR 215

Completed:

Reason	Date	FR Cite
Final Action	10/19/87	53 FR 38852
Final Action Effective	12/03/87	

Small Entity: No

Agency Contact: James M. Spillane 202 732-4694

RIN: 1810-AA25

447. ASSISTANCE FOR LEAS IN AREAS AFFECTED BY FEDERAL ACTIVITIES AND ARRANGEMENTS FOR ED. OF CHILDREN WHERE LEAS CANNOT PROVIDE SUITABLE FREE PUBLIC ED.--SEC. 2, FED. ACQUISITION/REAL PROPERTY

CFR Citation: 34 CFR 222

Completed:

Reason	Date	FR Cite
Final Action	02/24/88	53 FR 5552
Final Action Effective	04/20/88	

Small Entity: No

Agency Contact: W. Stanley Kruger 202 732-3637

RIN: 1810-AA22

DEPARTMENT OF EDUCATION (ED)

Office of Planning and Budget and Evaluation (OPBE)

Completed Actions

448. AVAILABILITY OF INFORMATION TO THE PUBLIC PURSUANT TO PUBLIC LAW 90-23

CFR Citation: 34 CFR 5

Completed:

Reason	Date	FR Cite
End Review	12/16/87	

Small Entity: Undetermined

Agency Contact: Alexia Roberts 202 732-4568

RIN: 1875-AA03

449. RELEASE OF ADVERSE INFORMATION TO NEWS MEDIA - OFFICIAL SEAL

CFR Citation: 34 CFR 17; 34 CFR 3

Completed:

Reason	Date	FR Cite
Final Action	02/17/88	53 FR 4619
Final Action Effective	02/17/88	

Small Entity: Undetermined

Agency Contact: Mahlon Anderson 202 732-4564

RIN: 1875-AA04

450. PRIVACY ACT REGULATIONS

CFR Citation: 34 CFR 5b

Completed:

Reason	Date	FR Cite
End Review	12/16/87	

Small Entity: Undetermined

Agency Contact: Chiquitta Thomas 202 732-4313

RIN: 1875-AA02

DEPARTMENT OF EDUCATION (ED)

Office of Postsecondary Education (OPE)

Proposed Rule Stage

451. ● ELIGIBILITY OF FOREIGN POSTSECONDARY EDUCATIONAL INSTITUTIONS UNDER THE GUARANTEED STUDENT LOAN PROGRAM

Legal Authority: 20 USC 1071 to 1087-2

CFR Citation: 34 CFR 601

Legal Deadline: None.

Abstract: These regulations would establish procedures and criteria the Secretary would use to determine the eligibility of institutions located outside the United States for participation in student loan programs authorized under Titles IV, Part B of the Higher Education Act of 1965, as amended.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Virginia Re, Division of Eligibility, and Certification, Department of Education, Office of Postsecondary Education, 400 Maryland Avenue, SW, Room 3030 - ROB-3, Washington,DC 20202, **202 732-4906**

RIN: 1840-AB20

452. TRAINING PROGRAM FOR SPECIAL PROGRAM STAFF AND LEADERSHIP PERSONNEL

Legal Authority: PL 99-498

CFR Citation: 34 CFR 642

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: Daniel Davis, Director, Division of Student Services, Department of Education, Office of Postsecondary Education, 400 Maryland Ave., SW, (Rm. 3012 ROB-3), Washington, DC 20202, **202 732-4922**

RIN: 1840-AB01

ED—OPE

Proposed Rule Stage

453. TALENT SEARCH PROGRAM

Legal Authority: 20 USC 1070d-1

CFR Citation: 34 CFR 643

Legal Deadline: None.

Abstract: These proposed regulations would revise the criteria that the Secretary would use to evaluate applications for funds under this program.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	08/00/88	

Small Entity: No

Agency Contact: Daniel Davis, Director, Division of Student Services, Department of Education, Office of Postsecondary Education, 400 Maryland Ave., S.W., (Rm. 3012 - ROB-3), Washington, DC 20202, 202 732-4922

RIN: 1840-AB12

454. EDUCATIONAL OPPORTUNITY CENTERS PROGRAM

Legal Authority: 20 USC 1070d; 20 USC 1070d-1c

CFR Citation: 34 CFR 644

Legal Deadline: None.

Abstract: These proposed regulations would revise the criteria that the Secretary would use to evaluate applications for funds under this program.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	08/00/88	

Small Entity: No

Agency Contact: Daniel Davis, Director, Division of Student Services, Department of Education, Office of Postsecondary Education, 400 Maryland Ave., S.W., (Rm. 3012 - ROB-3), Washington, DC 20202, 202 732-4922

RIN: 1840-AB13

455. PAUL DOUGLAS TEACHER SCHOLARSHIP PROGRAM AND GUARANTEED STUDENT LOAN AND PLUS PROGRAMS

Legal Authority: 20 USC 1111b

CFR Citation: 34 CFR 653; 34 CFR 682

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Higher Education Act of 1965, as amended by the Higher Education Technical Amendments Act of 1987 (PL 100-50).

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	09/00/88	

Small Entity: No

Agency Contact: Pamela Moran, Chief, Policy Section, Guaranteed Student Loan Branch, Department of Education, Office of Postsecondary Education, 400 Md. Ave., S.W. (Rm. 4310 - ROB-3), Washington, DC 20202, 202 732-4242

RIN: 1840-AB03

456. ROBERT C. BYRD HONORS SCHOLARSHIP PROGRAM

Legal Authority: 20 USC 1070d-31 to 1070d-41

CFR Citation: 34 CFR 654

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: Neil C. Nelson, Chief, State Student Incentive, Grant Program, Department of Education, Office of Postsecondary Education, 400 Md. Ave., (Rm. 4018, ROB-3), Washington, D.C. 20202, 202 732-4507

RIN: 1840-AB06

457. FOREIGN LANGUAGE AND AREA STUDIES FELLOWSHIPS PROGRAM, PART II

Legal Authority: PL 99-498

CFR Citation: 34 CFR 657

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: Joseph Belmonte, Acting Deputy Director, Center for International Education, Department of Education, Office of Postsecondary Education, 400 Maryland Ave., SW, (Rm. 3054 ROB-3), Washington, DC 20202W, (Rm. 3054 ROB-3), 202 732-3304

RIN: 1840-AA66

458. STUDENT ASSISTANCE GENERAL PROVISIONS - VERIFICATION 1989-90

Legal Authority: 20 USC 1085; 20 USC 1088; 20 USC 1091; 20 USC 1094; 20 USC 1141

CFR Citation: 34 CFR 668

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498), Tax Reform Act of 1986, and the Compact of Free Association.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: Lorraine Kennedy, Student Verification Branch, Division of Policy and Program Development, Department of Education, Office of Postsecondary Education, 400 Maryland Ave., S.W., (Room 4613 - ROB-3), Washington, DC 20202, 202 245-2724

RIN: 1840-AB07

459. ● STUDENT ASSISTANCE GENERAL PROVISIONS - SUBPARTS A,B AND G

Legal Authority: 20 USC 1085; 20 USC 1088; 20 USC 1091; 20 USC 1092; 20 USC 1094; 20 USC 1141

CFR Citation: 34 CFR 668

Legal Deadline: None.

Abstract: These regulations would be designed to help achieve better accountability in the student financial aid programs.

ED—OPE

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: John DeCleene, Policy Director, Pell Program, Department of Education, Office of Postsecondary Education, 400 Maryland Avenue, SW, Room 4318, ROB-3, Washington, DC 20202, **202 732-4888**

RIN: 1840-AB18

---

460. ● STUDENT ASSISTANCE GENERAL PROVISIONS - SUBPARTS B AND C

Legal Authority: 20 USC 1085; 20 USC 1088; 20 USC 1091; 20 USC 1092; 20 USC 1094; 20 USC 1141

CFR Citation: 34 CFR 668

Legal Deadline: None.

Abstract: These regulations would amend the provisions related to selective service requirements and make other miscellaneous changes in the student assistance general provisions.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: Fred Sellers, Chief, Policy Section, Pell Grant Program, Department of Education, Office of Postsecondary Education, 400 Maryland Avenue, SW, Room 4318 - ROB-3, Washington, DC 20202, **202 732-4888**

RIN: 1840-AB19

---

461. ● GUARANTEED STUDENT LOAN/SUPPLEMENTAL LOANS FOR STUDENTS PROGRAM - DEFAULT REDUCTION

Significance: Regulatory Program

Legal Authority: 20 USC 1071 to 1087-2

CFR Citation: 34 CFR 668; 34 CFR 682

Legal Deadline: None.

Abstract: These regulations would establish procedures to increase institutional responsibilities in the administration of these programs, as well as provide procedures that the Secretary would use to implement the Default Reduction Initiative Program.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	08/00/88	

Small Entity: Undetermined

Agency Contact: Pamela Moran, Chief, Policy Section, Guaranteed Student Loan Branch, Department of Education, Office of Postsecondary Education, 400 Maryland Avenue, SW, Room 4310 - ROB-3, Washington, DC 20202, **202 732-4242**

RIN: 1840-AB21

---

462. SUMMER INTENSIVE LANGUAGE INSTITUTES

Legal Authority: 20 USC 1124a

CFR Citation: 34 CFR 670

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Joseph Belmonte, Acting Deputy Director, Center for International Education, Department of Education, Office of Postsecondary Education, 400 Maryland Ave., SW, (Rm. 3054 ROB-3), Washington, DC 20202, **202 732-3304**

RIN: 1840-AA68

---

463. ● PERKINS LOAN PROGRAM, COLLEGE WORK-STUDY, AND SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANT PROGRAMS (CAMPUS-BASED PROGRAMS)

Legal Authority: 20 USC 1087aa to 1087hh

CFR Citation: 34 CFR 674; 34 CFR 675; 34 CFR 676

Legal Deadline: None.

Abstract: These proposed regulations would further implement provisions of the Higher Education Amendments of 1986. The regulations would also propose procedures that would make the Supplemental Educational Opportunity Grant Program consistent with the Pell Grant program with respect to collection of outstanding overpayments.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	11/00/88	

Small Entity: Undetermined

Agency Contact: Margaret Henry, Chief, Policy Section, Campus & State Grant Branch, Department of Education, Office of Postsecondary Education, 400 Maryland Avenue, SW, Room 4018 - ROB-3, Washington, DC 20202, **202 732-4490**

RIN: 1840-AB22

---

464. DISCLOSURE OF FOREIGN GIFTS

Legal Authority: PL 99-498

CFR Citation: 34 CFR 680

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986, (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
Final Action	11/00/88	

Small Entity: Undetermined

Agency Contact: Joan E. Duval, Division of Eligibility and Certification, Department of Education, Office of Postsecondary Education, 400 Maryland Ave., SW, (Rm. 3030 ROB-3), Washington, DC 20202, **202 245-9703**

RIN: 1840-AA75

---

465. GUARANTEED STUDENT LOAN/PLUS/SUPPLEMENTAL LOAN/CONSOLIDATION LOAN PROGRAMS

Legal Authority: 20 USC 1071 et seq

CFR Citation: 34 CFR 682; 34 CFR 683

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	10/00/88	

ED—OPE **Proposed Rule Stage**

Small Entity: Undetermined

Agency Contact: Pamela Moran, Chief, Policy Section, Guaranteed Student Loan Branch, Department of Education, Office of Postsecondary Education, 400 Maryland Ave., SW, (Rm. 4310 ROB-3), Washington, DC 20202, **202 732-4242**

RIN: 1840-AA96

DEPARTMENT OF EDUCATION (ED)
Office of Postsecondary Education (OPE)

Final Rule Stage

466. SECRETARY'S PROCEDURES AND CRITERIA FOR RECOGNITION OF ACCREDITING AGENCIES

Significance: Regulatory Program

Legal Authority: 20 USC 1058; 20 USC 1061; 20 USC 1085; 20 USC 1088; 20 USC 1141; 20 USC 1401

CFR Citation: 34 CFR 602; 34 CFR 603

Legal Deadline: None.

Abstract: An accrediting body must conform to certain criteria to be recognized by the Secretary. A work group of the National Advisory Committee on Accreditation and Institutional Eligibility reviewed the criteria and recommended changes to the Secretary for improvement. These regulations would implement these changes.

Timetable:

Action	Date	FR Cite
NPRM	09/08/87	52 FR 33908
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: James B. Williams, Special Assistant to the Deputy Assistant, Secretary for Higher Education Programs, Department of Education, Office of Postsecondary Education, 400 Maryland Ave (Room 3082 ROB-3), Washington, DC 20202, **202 245-9758**

RIN: 1840-AA57

467. DRUG PREVENTION PROGRAMS IN HIGHER EDUCATION

Legal Authority: PL 99-570

CFR Citation: 34 CFR 630

Legal Deadline: None.

Abstract: These regulations would establish procedures and criteria for selection of recipients for awards under this program.

Timetable:

Action	Date	FR Cite
NPRM	03/07/88	53 FR 7312
Final Action	07/00/88	

Small Entity: No

Agency Contact: Ronald Bucknam, Fund for the Improvement of Postsecondary, Education, Department of Education, Office of Postsecondary Education, 400 Md. Ave., S.W., (Room 3100 - ROB-3), Washington, DC 20202, **202 245-8100**

RIN: 1840-AB11

468. NATIONAL RESOURCE CENTERS PROGRAM FOR FOREIGN LANGUAGE AND AREA STUDIES OR FOREIGN LANGUAGE AND INTERNATIONAL STUDIES

Legal Authority: PL 99-498

CFR Citation: 34 CFR 657

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	10/02/87	52 FR 37068
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Joseph Belmonte, Acting Deputy Director, Center for International Education, Department of Education, Office of Postsecondary Education, 400 Maryland Ave., SW, (Rm. 3054 ROB-3), Washington, DC 20202, **202 732-3304**

RIN: 1840-AA65

469. ● STUDENT ASSISTANCE GENERAL PROVISIONS - SUBPART A

Legal Authority: 20 USC 1085; 20 USC 1088; 20 USC 1091; 20 USC 1092; 20 USC 1094; 20 USC 1141

CFR Citation: 34 CFR 668

Legal Deadline: Statutory, June 1, 1988.

Abstract: These regulations would propose modifications to the statutorily mandated need analysis methodologies (Pell Grant Family Contribution Schedule and Title IV, Part F).

Timetable:

Action	Date	FR Cite
NPRM	02/29/88	53 FR 6108
Final Action	06/01/88	

Small Entity: Undetermined

Agency Contact: Fred Sellers, Chief, Policy Section, Pell Grant Program, Department of Education, Office of Postsecondary Education, 400 Maryland Avenue, SW, Room 4318 - ROB-3, Washington, DC 20202, **202 732-4888**

RIN: 1840-AB23

470. LANGUAGE RESOURCE CENTERS PROGRAM

Legal Authority: 20 USC 1123

CFR Citation: 34 CFR 669

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	02/02/88	53 FR 2918
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: Joseph Belmonte, Acting Deputy Director, Center for International Education, Department of Education, Office of Postsecondary Education, 400 Maryland Ave., SW, (Rm. 3045 ROB-3), Washington, DC 20202, **202 732-3304**

RIN: 1840-AA67

471. FOREIGN PERIODICALS PROGRAM

Legal Authority: 20 USC 1125a

CFR Citation: 34 CFR 671

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the

ED—OPE

Final Rule Stage

Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986 (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	12/29/87	52 FR 49122
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Joseph Belmonte, Acting Deputy Director, Center for International Education, Department of Education, Office of Postsecondary Education, 400 Maryland Ave., SW, (Rm. 3054 ROB-3), Washington, DC 20202, 202 732-3304

RIN: 1840-AA69

472. INCOME CONTINGENT LOAN PROGRAM - DUE DILIGENCE

Legal Authority: 20 USC 1087a to 1087e

CFR Citation: 34 CFR 673

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Higher Education Act of 1965, as amended by the Higher Education Amendments Act of 1986 (99-498).

Timetable:

Action	Date	FR Cite
NPRM	11/25/87	52 FR 45576
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Carney McCullough, Division of Policy and Program, Development, Department of Education, Office of Postsecondary Education, 400 Md. Ave.,SW, (Rm. 4318, ROB-3), Washington, DC 20202, 202 732-4888

RIN: 1840-AB04

473. TREATMENT OF TERRITORIES AND TERRITORIAL STUDENT ASSISTANCE

Legal Authority: 20 USC 1144a

CFR Citation: 34 CFR 696

Legal Deadline: None.

Abstract: These regulations would implement certain provisions of the Higher Education Act of 1965, as amended by the Higher Education Amendments of 1986, (PL 99-498).

Timetable:

Action	Date	FR Cite
NPRM	10/23/87	52 FR 39896
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: Leo Paszkiewicz, Office of Policy Development, Department of Education, Office of Postsecondary Education, 400 Maryland Ave., SW, (Rm. 4060 ROB-3), Washington, DC 20202, 202 732-3551

RIN: 1840-AA74

DEPARTMENT OF EDUCATION (ED)

Office of Postsecondary Education (OPE)

Completed Actions

474. INSTITUTIONAL ELIGIBILITY UNDER THE HIGHER EDUCATION ACT OF 1965, AS AMENDED

Significance: Regulatory Program

CFR Citation: 34 CFR 600

Completed:

Reason	Date	FR Cite
Final Action	04/05/88	53 FR 11208
Final Action Effective	05/20/88	

Small Entity: Undetermined

Agency Contact: Joan E. Duval 202 732-4906

RIN: 1840-AA32

475. SECRETARY'S RECOGNITION PROCEDURES FOR NATIONAL ACCREDITING BODIES AND AGENCIES

CFR Citation: 34 CFR 603

Completed:

Reason	Date	FR Cite
End Review	12/16/87	

Small Entity: Undetermined

Agency Contact: James B. Williams 202 245-9758

RIN: 1840-AB15

476. FEDERAL-STATE RELATIONSHIP AGREEMENTS

CFR Citation: 34 CFR 604

Completed:

Reason	Date	FR Cite
End Review	12/16/87	

Small Entity: No

Agency Contact: Leo Pasckiewicz 202 732-3551

RIN: 1840-AB09

477. FINANCIAL ASSISTANCE FOR CONSTRUCTION, RECONSTRUCTION, OR RENOVATION OF HIGHER EDUCATION FACILITIES

CFR Citation: 34 CFR 617

Completed:

Reason	Date	FR Cite
End Review	12/16/87	

Small Entity: Undetermined

Agency Contact: Leo Pasckiewicz 202 732-3551

RIN: 1840-AB10

478. MINORITY SCIENCE IMPROVEMENT PROGRAM

CFR Citation: 34 CFR 637

Completed:

Reason	Date	FR Cite
Final Action	11/12/87	52 FR 43544
Final Action Effective	02/03/88	

Small Entity: Undetermined

Agency Contact: Charles Griffith 202 732-4389

RIN: 1840-AA89

479. PAUL DOUGLAS TEACHER SCHOLARSHIPS -- INTEREST RATES

CFR Citation: 34 CFR 653

Completed:

Reason	Date	FR Cite
Withdrawn	03/14/88	53 FR 8397

Small Entity: Undetermined

ED—OPE **Completed Actions**

Agency Contact: Neil C. Nelson 202 732-4507

RIN: 1840-AB02

480. PAUL DOUGLAS TEACHER SCHOLARSHIP PROGRAM

CFR Citation: 34 CFR 653

Completed:

Reason	Date	FR Cite
Final Action	11/25/87	52 FR 45284
Final Action Effective	02/03/88	

Small Entity: Undetermined

Agency Contact: Neil C. Nelson 202 732-4507

RIN: 1840-AB14

481. NATIONAL RESOURCE CENTERS PROGRAM FOR FOREIGN LANGUAGE AND AREA STUDIES OR FOREIGN LANGUAGE AND INTERNATIONAL STUDIES

CFR Citation: 34 CFR 656

Completed:

Reason	Date	FR Cite
Final Action	04/01/88	53 FR 10820
Final Action Effective	06/15/88	

Small Entity: Undetermined

Agency Contact: Joseph Belmonte 202 732-3304

RIN: 1840-AA64

482. STUDENT ASSISTANCE GENERAL PROVISIONS - SUBPARTS A, B, C

CFR Citation: 34 CFR 668

Completed:

Reason	Date	FR Cite
Final Action	12/01/87	52 FR 45712
Final Action Effective	02/03/88	

Small Entity: Undetermined

Agency Contact: Fred Sellers 202 732-4888

RIN: 1840-AA79

483. PERKINS LOAN PROGRAM (FORMERLY THE NATIONAL DIRECT STUDENT LOAN PROGRAM) SUBPART C - DUE DILIGENCE

Significance: Regulatory Program

CFR Citation: 34 CFR 674

Completed:

Reason	Date	FR Cite
Final Action	11/30/87	52 FR 45552
Final Action Effective	02/03/88	

Small Entity: No

Agency Contact: Margaret Henry 202 732-4490

RIN: 1840-AA02

484. PERKINS LOAN PROGRAM, COLLEGE WORK-STUDY, AND SUPPLEMENTAL EDUCATIONAL OPPORTUNITY GRANT PROGRAMS (CAMPUS-BASED PROGRAMS)

CFR Citation: 34 CFR 674; 34 CFR 675; 34 CFR 676

Completed:

Reason	Date	FR Cite
Final Action	12/01/87	52 FR 45738
Final Action Effective	02/03/88	

Small Entity: No

Agency Contact: Margaret Henry 202 732-4490

RIN: 1840-AA03

485. PELL GRANT PROGRAM

CFR Citation: 34 CFR 690

Completed:

Reason	Date	FR Cite
Final Action	10/14/87	52 FR 38206
Final Action Effective	12/09/87	

Small Entity: Undetermined

Agency Contact: Fred Sellers 202 732-4888

RIN: 1840-AA97

486. STATE STUDENT INCENTIVE GRANT PROGRAM

CFR Citation: 34 CFR 692

Completed:

Reason	Date	FR Cite
Final Action	11/27/87	52 FR 45432
Final Action Effective	02/03/88	

Small Entity: Undetermined

Agency Contact: Neil C. Nelson 202 732-4507

RIN: 1840-AA59

DEPARTMENT OF EDUCATION (ED)

Prerule Stage

Office of Special Education and Rehabilitative Services (OSERS)

487. THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM - DEREGULATION

Legal Authority: 29 USC 701 to 731

CFR Citation: 34 CFR 361

Legal Deadline: None.

Abstract: See Preamble

Timetable:

Action	Date	FR Cite
Begin Review	01/26/88	
End Review	05/00/88	

Small Entity: Undetermined

Agency Contact: Albert Rotundo, Director, Planning and Policy Staff, Department of Education, Office of Special Education and Rehabilitative Services, Rehabilitation Services Administration, Room 3220, Switzer Building, Washington, DC 20202, 202 732-1299

RIN: 1820-AA47

DEPARTMENT OF EDUCATION (ED)

Proposed Rule Stage

Office of Special Education and Rehabilitative Services (OSERS)

488. SERVICES FOR DEAF-BLIND CHILDREN AND YOUTH PROGRAM

Legal Authority: 20 USC 1422

CFR Citation: 34 CFR 307

Legal Deadline: None.

Abstract: These regulations are needed to implement certain provisions of the Education of the Handicapped Act Amendments of 1986, PL 99-457.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	08/00/88	

Small Entity: Undetermined

Agency Contact: Paul Thompson, Acting Division Director, Division of Educational Services, Department of Education, Office of Special Education and Rehabilitative Services, Department of Education, 400 Md. Ave., (Rm. 4605 - Switzer Bldg.), Washington, DC 20202, 202 732-1161

RIN: 1820-AA53

489. TRAINING PERSONNEL FOR THE EDUCATION OF THE HANDICAPPED - PARENT TRAINING AND INFORMATION CENTERS; SPECIAL PROJECTS; AND GENERAL

Legal Authority: 20 USC 1431; 20 USC 1434

CFR Citation: 34 CFR 316; 34 CFR 318

Legal Deadline: None.

Abstract: These regulations are needed to clarify certain provisions of the Education of the Handicapped Act Amendments of 1986, PL 99-457.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	08/00/88	

Small Entity: No

Agency Contact: Angele Thomas, Acting Division Director, Division of Personnel Preparation, Department of Education, Office of Special Education and Rehabilitative Services, 400 Md. Ave., SW, (Rm. 3904 - Switzer Bldg), Washington, DC 20202, 202 732-1100

RIN: 1820-AA68

490. REHABILITATION SERVICES ADMINISTRATION GENERAL DEREGULATION REVIEW

Legal Authority: 29 USC 701 et seq

CFR Citation: 34 CFR 362; 34 CFR 366; 34 CFR 369; 34 CFR 371; 34 CFR 372; 34 CFR 374; 34 CFR 375; 34 CFR 378; 34 CFR 379; 34 CFR 385; 34 CFR 386; 34 CFR 387; 34 CFR 388; 34 CFR 389; 34 CFR 390; ...

Legal Deadline: None.

Abstract: See Preamble

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Additional Information: ADDITIONAL CFR CITATION: 34 CFR 395.

Agency Contact: Albert Rotundo, Director, Planning and Policy Staff, Department of Education, Office of Special Education and Rehabilitative Services, Rehabilitation Services Administration, Room 3220, Switzer Building, Washington, DC 20202, 202 732-1299

RIN: 1820-AA45

491. THE STATE INDEPENDENT LIVING REHABILITATION SERVICES PROGRAM

Legal Authority: 29 USC 796 to 796d

CFR Citation: 34 CFR 365

Legal Deadline: None.

Abstract: See Preamble

Timetable:

Action	Date	FR Cite
Notice of intent	05/00/88	
NPRM	09/00/88	
Final Action	01/00/89	

Small Entity: Undetermined

Agency Contact: Francis Corrigan, Deputy Commissioner, Department of Education, Office of Special Education and Rehabilitative Services, Rehabilitation Services Administration, (Rm. 3030, Switzer Building), Washington, DC 20202, 202 732-1287

RIN: 1820-AA37

492. ● CENTERS FOR INDEPENDENT LIVING - STANDARDS AND EVALUATION INDICATORS

Legal Authority: PL 99-506

CFR Citation: 34 CFR 366

Legal Deadline: None.

Abstract: These proposed regulations would implement the changes to the Rehabilitation Act of 1973, as amended by the Rehabilitation Act Amendments of 1986.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Albert Rotundo, Director, Planning and Policy Staff, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Avenue, SW, Room 3220 - Switzer Bldg., Washington, DC 20202, 202 732-1299

RIN: 1820-AA81

493. VOCATIONAL REHABILITATION SERVICES TO INDIVIDUALS WITH SEVERE HANDICAPS/SPECIAL PROJECTS AND DEMONSTRATIONS FOR PROVIDING SUPPORTED EMPLOYMENT SERV. TO INDIV. WITH SEVERE HANDICAPS

Legal Authority: 20 USC 777a(a)(1) and 777a(d)

CFR Citation: 34 CFR 373; 34 CFR 380

Legal Deadline: None.

Abstract: These regulations would implement certain changes to the Rehabilitation Act of 1973, made by the Rehabilitation Act Amendments of 1986. (PL 99-506)

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	08/00/88	

Small Entity: Undetermined

Agency Contact: Albert Rotundo, Director, Planning and Policy Staff, Department of Education, Office of Special Education and Rehabilitative Services, Department of Education, Room 3220, Switzer Bldg., Washington, DC 20202, 202 732-1299

RIN: 1820-AA76

494. ● PROJECTS WITH INDUSTRY - STANDARDS AND EVALUATION INDICATORS

Legal Authority: PL 99-506

CFR Citation: 34 CFR 379

Legal Deadline: None.

Abstract: These proposed regulations would implement the changes to the

ED—OSERS **Proposed Rule Stage**

Rehabilitation Act of 1973, as amended by the Rehabilitation Act Amendments of 1986.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Albert Rotundo, Director, Planning and Policy Staff, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Avenue, SW, Room 3220 - Switzer Bldg., Washington, DC 20202, 202 732-1299

RIN: 1820-AA82

DEPARTMENT OF EDUCATION (ED) — Final Rule Stage

Office of Special Education and Rehabilitative Services (OSERS)

495. ASSISTANCE TO STATES FOR EDUCATION OF HANDICAPPED CHILDREN

Legal Authority: 20 USC 1401; 20 USC 1412; 20 USC 1413

CFR Citation: 34 CFR 300

Legal Deadline: None.

Abstract: These regulations are needed to implement certain provisions of the Education of the Handicapped Act Amendments of 1986, PL 99-457.

Timetable:

Action	Date	FR Cite
NPRM	03/14/88	53 FR 8390
Final Action	08/00/88	

Small Entity: No

Agency Contact: Paul Chassy, Acting Branch Chief, Program Administrative Branch, Department of Education, Office of Special Education and Rehabilitative Services, 400 Md. Ave., SW, (Rm. 3613 - Switzer Bldg), Washington, DC 20202, 202 732-1079

RIN: 1820-AA71

496. PRESCHOOL GRANTS FOR HANDICAPPED CHILDREN'S PROGRAM

Legal Authority: 20 USC 1419

CFR Citation: 34 CFR 301

Legal Deadline: None.

Abstract: These regulations are needed to implement certain provisions of the Education of the Handicapped Act Amendments of 1986, PL 99-457.

Timetable:

Action	Date	FR Cite
NPRM	11/18/87	52 FR 44346
Final Action	06/00/88	

Small Entity: No

Agency Contact: Nancy Treusch, Educational Program Specialist, Division of Educational Services, Department of Education, Office of Special Education and Rehabilitative Services, Department of Education, 400 Md. Ave., SW, Switzer Bldg. (Rm. 4094), Washington, DC 20202, 202 732-1097

RIN: 1820-AA48

497. GRANTS FOR INFANTS AND TODDLERS WITH HANDICAPS

Legal Authority: 20 USC 1471 to 1485

CFR Citation: 34 CFR 303

Legal Deadline: None.

Abstract: These regulations are needed to implement certain provisions of Education of the Handicapped Act Amendments of 1986, PL 99-457.

Timetable:

Action	Date	FR Cite
NPRM	11/18/87	52 FR 44352
Final Action	06/00/88	

Small Entity: No

Agency Contact: Thomas B. Irvin, Deputy Director, Division of Program Analysis and Planning, Department of Education, Office of Special Education and Rehabilitative Services, Department of Education, 400 Md. Ave., SW, (Rm. 3092 - Switzer Bldg.), Washington, DC 20202, 202 732-1012

RIN: 1820-AA49

498. HANDICAPPED SPECIAL STUDIES PROGRAM

Legal Authority: 20 USC 1418

CFR Citation: 34 CFR 327

Legal Deadline: None.

Abstract: These regulations are needed to implement certain provisions of the Education of the Handicapped Act Amendments of 1986, PL 99-457.

Timetable:

Action	Date	FR Cite
NPRM	02/12/88	53 FR 4185
Final Action	08/00/88	

Small Entity: No

Agency Contact: Linda Glidewell, Educational Program Specialist, Division of Innovation and Development, Department of Education, Office of Special Education and Rehabilitative Services, 400 Md. Ave., SW, (Rm. 3094 - Switzer Bldg), Washington, DC 20202, 202 732-1099

RIN: 1820-AA72

499. CAPTIONED FILMS LOAN SERVICE FOR THE DEAF PROGRAM AND EDUCATIONAL MEDIA LOAN SERVICE FOR THE HANDICAPPED PROGRAM

Legal Authority: PL 99-457

CFR Citation: 34 CFR 330; 34 CFR 331

Legal Deadline: None.

Abstract: See preamble. These regulations are also needed to implement certain provisions the Education of the Handicapped Act Amendments of 1986, PL 99-457.

Timetable:

Action	Date	FR Cite
NPRM	03/15/88	53 FR 8608
Final Action	08/00/88	

Small Entity: Undetermined

Agency Contact: Malcolm J. Norwood, Branch Chief, Division of Educational Services, Department of Education, Office of Special Education and Rehabilitative Services, Department of Education, 400 Md. Ave., SW, (Rm. 3511 - Switzer Bldg.), Washington, DC 20202, 202 732-1172

RIN: 1820-AA61

ED—OSERS

Final Rule Stage

500. FIELD INITIATED RESEARCH

Legal Authority: 29 USC 760 to 762

CFR Citation: 34 CFR 350; 34 CFR 357

Legal Deadline: None.

Abstract: These regulations are needed to redefine the scope of the program and to revise the selection criteria.

Timetable:

Action	Date	FR Cite
NPRM	03/03/88	53 FR 6958
Final Action	07/00/88	

Small Entity: Undetermined

Agency Contact: Betty Jo Berland, Planning and Evaluation Officer, Department of Education, Office of Special Education and Rehabilitative Services, 400 Maryland Ave., S.W., Rm. 3070 - Switzer Bldg., Washington, DC 20202, **202 732-1139**

RIN: 1820-AA80

501. NIDRR - RESEARCH TRAINING AND CAREER DEVELOPMENT PROGRAM

Legal Authority: 29 USC 760 to 762

CFR Citation: 34 CFR 360

Legal Deadline: None.

Abstract: These regulations are needed to implement certain provisions of the Rehabilitation Amendments of 1986, P.L. 99-506.

Timetable:

Action	Date	FR Cite
NPRM	02/09/88	53 FR 3832
Final Action	07/00/88	

Small Entity: Undetermined

Agency Contact: Betty Jo Berland, Planning and Evaluation Officer, Department of Education, Office of Special Education and Rehabilitative Services, Department of Education, 400 Md. Ave., S.W., (Rm. 3070 Switzer), Washington, D.C. 20202, **202 732-1139**

RIN: 1820-AA77

502. THE STATE VOCATIONAL REHABILITATION SERVICES PROGRAM

Legal Authority: 29 USC 701 to 731

CFR Citation: 34 CFR 361

Legal Deadline: None.

Abstract: These regulations would implement certain changes to the Rehabilitation Act of 1973, made by the Rehabilitation Act Amendments of 1986. (PL 99-506)

Timetable:

Action	Date	FR Cite
NPRM	11/18/87	52 FR 44366
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Albert Rotundo, Director, Planning and Policy Staff, Department of Education, Office of Special Education and Rehabilitative Services, Rehabilitation Services Administration, Room 3220, Switzer Building, Washington, DC 20202, **202 732-1299**

RIN: 1820-AA40

503. MISCELLANEOUS TECHNICAL AMENDMENTS TO THE REHABILITATION SERVICES REGULATIONS

Legal Authority: 29 USC 711(c); 29 USC 796(e); 29 USC 732; 29 USC 774; 29 USC 777b; 29 USC 777j; 29 USC 795g

CFR Citation: 34 CFR 366; 34 CFR 369; 34 CFR 370; 34 CFR 375; 34 CFR 378; 34 CFR 379; 34 CFR 385; 34 CFR 387; 34 CFR 388; 34 CFR 389; 34 CFR 390

Legal Deadline: None.

Abstract: These regulations would implement certain changes to the Rehabilitation Act of 1973, made by the Rehabilitation Act Amendments of 1986. (PL 99-506)

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Albert Rotundo, Director, Planning and Policy Staff, Department of Education, Office of Special Education and Rehabilitative Services, Rehabilitation Services Administration, Room 3220, Switzer Building, Washington, DC 20202, **202 732-1299**

RIN: 1820-AA39

504. INDEPENDENT LIVING SERVICES FOR OLDER BLIND INDIVIDUALS

Legal Authority: 29 USC 796j

CFR Citation: 34 CFR 367

Legal Deadline: None.

Abstract: These regulations would implement certain changes to the Rehabilitation Act of 1973, made by the Rehabilitation Act Amendments of 1986. (PL 99-506)

Timetable:

Action	Date	FR Cite
NPRM	01/29/88	53 FR 2702
Final Action	08/00/88	

Small Entity: Undetermined

Agency Contact: Albert Rotundo, Director, Planning and Policy Staff, Department of Education, Office of Special Education and Rehabilitative Services, Rehabilitation Services Administration, Room 3220, Switzer Building, Washington, DC 20202, **202 732-1299**

RIN: 1820-AA41

DEPARTMENT OF EDUCATION (ED)

Office of Special Education and Rehabilitative Services (OSERS)

Completed Actions

505. REMOVAL OF ARCHITECTURAL BARRIERS TO THE HANDICAPPED PROGRAM

CFR Citation: 34 CFR 304

Completed:

Reason	Date	FR Cite
Final Action	03/03/88	53 FR 6944
Final Action Effective	04/20/88	

Small Entity: No

Agency Contact: Sandra Brotman 202 732-1031

RIN: 1820-AA51

506. REGIONAL RESOURCE AND FEDERAL CENTERS PROGRAM

CFR Citation: 34 CFR 305

ED—OSERS

Completed Actions

Completed:

Reason	Date	FR Cite
Final Action	02/05/88	53 FR 3524
Final Action Effective	03/23/88	

Small Entity: Undetermined

Agency Contact: Jeffrey Champagne 202 732-1056

RIN: 1820-AA52

507. TRAINING PROGRAMS FOR TEACHERS OF HANDICAPPED CHILDREN IN AREAS WITH A SHORTAGE

CFR Citation: 34 CFR 322

Completed:

Reason	Date	FR Cite
Final Action	02/17/88	53 FR 4619
Final Action Effective	02/17/88	

Small Entity: Undetermined

Agency Contact: Angele Thomas 202 732-1100

RIN: 1820-AA75

508. RESEARCH IN EDUCATION OF THE HANDICAPPED PROGRAM

CFR Citation: 34 CFR 324

Completed:

Reason	Date	FR Cite
Final Action	11/12/87	52 FR 43832
Final Action Effective	02/03/88	

Small Entity: Undetermined

Agency Contact: Linda Glidewell 202 732-1099

RIN: 1820-AA69

509. TECHNOLOGY, EDUCATIONAL MEDIA, AND MATERIALS FOR THE HANDICAPPED

CFR Citation: 34 CFR 333

Completed:

Reason	Date	FR Cite
Final Action	03/03/88	53 FR 6952
Final Action Effective	04/20/88	

Small Entity: Undetermined

Agency Contact: Linda Glidewell 202 732-1099

RIN: 1820-AA63

510. HANDICAPPED RESEARCH: RESEARCH FELLOWSHIP PROGRAM

CFR Citation: 34 CFR 356

Completed:

Reason	Date	FR Cite
Withdrawn	01/07/88	

Small Entity: Undetermined

Agency Contact: Betty Jo Berland 202 732-1139

RIN: 1820-AA66

DEPARTMENT OF EDUCATION (ED)

Office of Intergovernmental and Interagency Affairs (EDSI)

Proposed Rule Stage

511. INTERGOVERNMENTAL REVIEW OF DEPARTMENT OF EDUCATION PROGRAMS AND ACTIVITIES -- LIST OF PROGRAMS

Legal Authority: EO 12372; 31 USC 6506; 42 USC 3334

CFR Citation: 34 CFR 79

Legal Deadline: None.

Abstract: This regulatory action would propose those ED programs to be included and those ED programs to be excluded under EO 12372 and ED's implementing regulations in 34 CFR Part 79. The public will be given an opportunity to comment on the listing.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	07/00/88	

Small Entity: No

Agency Contact: Leroy Walser, Executive Director, Federal Interagency Committee on Education, Department of Education, Office of Intergovernmental and Interagency Affairs, Room 503 Rpters. Bldg., Washington, DC 20202, 202 732-3669

RIN: 1860-AA00

DEPARTMENT OF EDUCATION (ED)

Office of the General Counsel (EDOGC)

Proposed Rule Stage

512. EQUAL ACCESS TO JUSTICE

Legal Authority: 5 USC 504

CFR Citation: 34 CFR 21

Legal Deadline: None.

Abstract: These regulations would amend the procedures for the award of fees and other expenses to applicants who prevail in adversary adjudications before the Department of Education. The current regulations must be amended to reflect recent amendments to the Equal Access to Justice Act made by P.L. 99-80.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	11/00/88	

Small Entity: Undetermined

Agency Contact: JoAnne Frey, General Attorney, Office of the General Counsel, Department of Education, Office of the General Counsel, 400 Maryland Ave., SW, Room 4122, Washington, DC 20202, 202 732-2690

RIN: 1801-AA01

513. DUE PROCESS REGULATIONS

Legal Authority: 20 USC 1234; 20 USC 3872; 20 USC 1411 to 1420

CFR Citation: 34 CFR 78; 34 CFR 204; 34 CFR 300

Legal Deadline: None.

Abstract: The Department plans to revise and consolidate due process regulations governing notice and hearings.

ED—EDOGC

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Sarah Kemble, Attorney, Office of the General Counsel, Department of Education, Office of the General Counsel, 400 Maryland Avenue, SW, Room 4121, FOB-6, Washington, DC 20202, **202 732-2730**

RIN: 1801-AA02

DEPARTMENT OF EDUCATION (ED)
Office of the General Counsel (EDOGC)

Final Rule Stage

514. PROGRAM FRAUD CIVIL REMEDIES

Legal Authority: 31 USC 3801 to 3812

CFR Citation: 34 CFR 33

Legal Deadline: None.

Abstract: These regulations would implement the Program Fraud Civil Remedies Act of 1986.

Timetable:

Action	Date	FR Cite
NPRM	07/22/87	52 FR 27650
NPRM Comment Period End	08/21/87	
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Sarah L. Kemble, Attorney, Department of Education, Office of the General Counsel, Office of the General Counsel, 400 Md. Ave., SW, Rm. 4121, FOB-6, Washington, D.C. 20202, **202 732-2730**

RIN: 1801-AA05

DEPARTMENT OF EDUCATION (ED)
Office of the General Counsel (EDOGC)

Completed Actions

515. INVENTIONS AND PATENTS -- GENERAL

CFR Citation: 34 CFR 6

Completed:

Reason	Date	FR Cite
End Review	12/16/87	

Small Entity: Undetermined

Agency Contact: Richard Galloway 202 732-2525

RIN: 1801-AA04

[FR Doc. 88-5081 Filed 04-22-88; 8:45 am]

BILLING CODE 4000-01-T

federal register

Monday
April 25, 1988

Part VII

Department of Energy

Semiannual Regulatory Agenda

DEPARTMENT OF ENERGY (DOE)

DEPARTMENT OF ENERGY

10 CFR Chs. II, III, and X

41 CFR Chs. 9 and 109

48 CFR Ch. 9

Regulatory Agenda

AGENCY: Department of Energy.

ACTION: April 1988 regulatory agenda.

SUMMARY: In furtherance of this Administration's commitment to make government more responsive to the citizens of the United States and to assist in fulfilling the President's mandate to lessen regulatory burdens, the Department of Energy (DOE) is publishing this agenda of regulatory activities that DOE has in progress, as well as proposed rulemakings that DOE foreseeably may issue in the next year. This agenda provides the Administration with an effective tool for monitoring and controlling the promulgation of regulations. It includes (1) all rules expected to be issued as proposed or final rules before April 1989, (2) all rules being reviewed within the Department to determine whether to propose modifications through rulemaking, and (3) all rulemakings and rule reviews for which action has been completed since the October 1987 Regulatory Agenda. In addition, the agenda meets requirements under the Regulatory Flexibility Act for information on any rulemakings which are "likely to have a significant economic impact on a substantial number of small entities." The agenda may not include all routine regulations or those that relate to internal agency management.

FOR FURTHER INFORMATION CONTACT:

General: For further information on the agenda in general, contact: Robert E. Morey, Department of Energy, Room 6B-128, Forrestal Building, 1000 Independence Avenue, SW., Washington, DC 20585, (202) 586-9507.

Specific: For further information about any particular item on the agenda, contact the individual listed under that item.

SUPPLEMENTARY INFORMATION:

Under Executive Order 12291, 46 FR 13193, February 19, 1981, each covered agency publishes, in April and October of each year, an agenda of all rulemakings in progress or expected to be commenced within the next year, and currently effective rules that are under agency review. The Executive Order authorizes the Office of Management and Budget (OMB) to set forth standards and procedures for the preparation of these agendas. The April 1988 Regulatory Agenda has been prepared in accordance with OMB Bulletin No. 88-1.

There are important reasons for preparing this agenda. It is vital in this Administration's efforts to reduce the burdens of existing and future regulations, to increase agency accountability for regulatory actions, to provide for Presidential oversight of the regulatory process, to minimize duplication and conflict of regulations, and to insure well-reasoned regulations. This Administration has made considerable progress in these efforts.

Executive Order 12291 provides that the regulatory agenda may be incorporated with the "regulatory flexibility agenda" required under the Regulatory Flexibility Act, 5 U.S.C. 602 *et seq.* The regulatory flexibility agenda must contain: (1) A brief description of the subject area and a summary of the nature of any rule which the agency expects to propose or promulgate which is "likely to have a significant economic impact on a substantial number of small entities;" (2) the objectives and legal basis for the issuance of the rule and an approximate schedule for completing action on any rule for which the agency has issued a general notice of proposed rulemaking; and (3) the name and telephone number of an agency official knowledgeable about each rule. The regulatory flexibility agenda required under 5 U.S.C. 602(a) is incorporated in today's notice.

Entries appended to this notice reflect the status of regulatory activities as of approximately February 15, 1988. Regulatory activities have been divided among categories according to their next stage: Prerulemaking action, proposed rule, final rule, or completed action.

Regulations designated as "significant" are those which are also included in the Regulatory Program of the United States Government, prepared pursuant to Executive Order 12498, 50 FR 1036, January 8, 1985. Significant regulations also include those which, while not of Government-wide interest or importance, nevertheless are priorities of the Department.

Each item contains the following information: (1) DOE office or administration (that is, the DOE organizational unit responsible for the regulation); (2) RIN number (that is, the Regulation Identifier Number assigned by OMB/OIRA); (3) title; (4) significance; (5) agency contact (that is, the name, title, address and telephone number of a person who is knowledgeable about the regulation); (6) effects on small businesses and other entities (that is, whether the action is likely to have a significant economic impact on a substantial number of "small entities" as defined by the Regulatory Flexibility Act); (7) CFR citation (that is, the section of the Code of Federal Regulations that will be affected); (8) legal authority (that is, a citation to the section of the United States Code (U.S.C.), Public Law (P.L.) or the Executive Order (E.O.) that authorizes the regulatory action); (9) abstract (that is, a description of the problem the regulation will address, the regulatory approach under consideration, the alternatives being considered for addressing the problem, and the potential costs and benefits of the action); (10) legal deadline (that is, the statutory or judicial deadline, if any); and (11) timetable (that is, the dates, and citations if applicable, for all past stages and at least the next stage of the rulemaking). In addition, each item regarding completed actions (that is, regulations completed or withdrawn and reviews completed since the preceding agenda) states the date, and citation if appropriate.

A draft of this agenda has been transmitted to the Chief Counsel for Advocacy of the Small Business Administration for comment, if any, to fulfill the requirements of 5 U.S.C. 602(b).

DOE's next agenda will be published in October 1988.

Issued in Washington, DC on March 3, 1988.

Eric J. Fygi,

Acting General Counsel.

DOE

Conservation and Renewable Energy—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
516	Energy-Efficiency Standards for Dishwashers, Clothes Washers and Clothes Dryers	1904-AA37

Conservation and Renewable Energy—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
517	Federal Energy Management & Planning Programs Methodology & Procedures for Life Cycle Costing Analyses	1904-AA06
518	Energy-Efficiency Standards for Refrigerators and Related Products, Small Gas Furnace and Television Sets	1904-AA28
519	Regulations Implementing National Appliance Energy Conservation Act; Certification and Enforcement, Waiver of Federal Preemption and Small Manufacturer Exemptions	1904-AA32
520	Energy Conservation Performance Standards for New Buildings; Subpart B-Voluntary Performance Standards for New Non-Federal Residential Buildings	1904-AA34
521	Energy-Efficiency Test Procedures for Refrigerator-Freezers and Freezers	1904-AA35
522	Energy Conservation Standards for Water Heaters; Technical Amendments	1904-AA36

Conservation and Renewable Energy—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
523	Energy Conservation Performance Standards for New Buildings; Subpart A-Commercial and Multi-Family High Rise Residential Buildings	1904-AA08
524	Energy Efficiency Test Procedures for Water Heaters	1904-AA12
525	Energy Conservation Performance Standards for New Buildings; Subpart C-Mandatory Performance Standards for New Federal Residential Buildings	1904-AA27
526	State Energy Conservation Program (SECP) -- Use of Oil Overcharge Funds for Building Energy Conservation Materials and Equipment	1904-AA30

Conservation and Renewable Energy—Completed Actions

Sequence Number	Title	Regulation Identifier Number
527	Energy Efficiency Test Procedures for Central Air Conditioners	1904-AA23
528	Amendments to the Residential Conservation Service and the Commercial and Apartment Conservation Service	1904-AA31
529	Energy-Efficiency Test Procedures for Dishwashers	1904-AA33

Defense Programs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
530	Criteria and Procedures for Establishment of Human Reliability Program (HRP) and Determination of Individual's Eligibility for Access to an HRP Position	1992-AA11

DOE

Defense Programs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
531	Restrictions on Aircraft Landing and Air Delivery at Department of Energy Nuclear Sites	1992-AA12

Departmental and Others—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
532	Part 605 Special Research Grants Program; Proposed Rule	1901-AA07
533	Annotation of Land Records and Documentation of Property Owner Refusals to Participate in the Uranium Mill Tailings Remedial Action Program	1901-AA12
534	Model Federal Policy for Protection of Human Research Subjects	1901-AA13

Departmental and Others—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
535	Petitions Requesting Disposal Capacity for Unusual or Unexpected Volumes of Low-Level Radioactive Waste; Submission and Evaluation Requirements	1901-AA15

Departmental and Others—Completed Actions

Sequence Number	Title	Regulation Identifier Number
536	Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste; Amendments	1901-AA11

Economic Regulatory Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
537	Proposed Rule Establishing New Administrative Procedures with Respect to Short-Term Imports and Exports of Natural Gas	1903-AA07

Management and Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
538	Proposed Rule on DOE Contractor Drug Free Workplace Policy	1991-AA39

DOE

Management and Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
539	Department of Energy Acquisition Regulation Revisions; Patent Policy	1991-AA23
540	Department of Energy Property Management Regulation; Official Use of Motor Vehicles	1991-AA28
541	Department of Energy Acquisition Regulation; Miscellaneous Changes on Acquisition of Personal Property	1991-AA32
542	Department of Energy Financial Assistance Rules; Merit Review	1991-AA41
543	Contracting for Basic and Applied Research	1991-AA42
544	Department of Energy Acquisition Regulation; Legislative Lobbying	1991-AA45

Management and Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
545	Department of Energy Acquisition Regulation; Management and Operating Contractor Purchasing Systems	1991-AA25
546	Department of Energy Financial Assistance Rules; Restriction of Eligibility	1991-AA35
547	Department of Energy Acquisition Regulation; Use of Contract Carriers by Cost Reimbursable Contractors	1991-AA37
548	Debarment and Suspension (Non-Procurement)	1991-AA40
549	Resolution of Disputes Between Subcontractors and DOE Management and Operating Contractors	1991-AA44
550	Collection of Claims Owed the United States	1991-AA47
551	Freedom of Information Regulations: Revisions to Fee Schedules and Procedures	1991-AA48

Management and Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
552	Financial Assistance Regulations; Cooperative Agreements	1991-AA03
553	Department of Energy Acquisition Regulation; Miscellaneous Changes to Conform to Federal Acquisition Regulation Changes and Revised Internal Procedures	1991-AA33
554	10 CFR 600, Subpart E Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	1991-AA43
555	Uniform Relocation Assistance and Real Property Acquisition Regulation for Federal and Federally Assisted Programs	1991-AA46

Office of General Counsel—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
556	Amendments to Department of Energy Conduct of Employees Regulations	1990-AA00
557	Patent Waiver Regulation	1990-AA02
558	Foreign Gifts and Decorations	1990-AA04
559	Class Patent Waivers	1990-AA07

Office of General Counsel—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
560	Cooperation with the Inspector General	1990-AA06
561	Implementation of the Program Fraud Civil Remedies Act of 1986	1990-AA08

DEPARTMENT OF ENERGY (DOE)

Prerule Stage

Conservation and Renewable Energy (CE)

516. ● ENERGY-EFFICIENCY STANDARDS FOR DISHWASHERS, CLOTHES WASHERS AND CLOTHES DRYERS

Significance: Regulatory Program

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Legal Deadline: Statutory. The NAECA requires DOE determinations on need to amend Federal appliance standards in a period from 7/1/89 to 1/1/94. The statute requires completion of a second reanalysis of all then-extant standards in a period from 7/1/94 to 12/31/2006. The NAECA requires a final determination on these three products by

Abstract: The National Appliance Energy Conservation Act of 1987 (NAECA) was enacted March 17, 1987. The NAECA extensively amends the Department's statutory authorities and responsibilities regarding energy efficiency standards for major household appliances. The NAECA establishes initial energy-efficiency standard levels for most types of major appliances and generally requires DOE to undergo two subsequent rulemakings, at specified times, to determine whether the extant standard for a covered product should be amended. These products are: refrigerators, refrigerator-freezers, and freezers; room air conditioners; central air conditioners and central air conditioning heat pumps; water heaters; pool heaters; direct heating equipment; furnaces; dishwashers; clothes washers; clothes dryers; and kitchen ranges and ovens. Other appliances, including television sets, may be regulated by the Department essentially as provided for in prior law. This rulemaking will review the statutory standards for dishwashers, clothes washers and clothes dryers to determine whether those levels need to be amended.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/88	
ANPRM Comment Period End	07/00/88	
NPRM	01/00/89	
NPRM Comment Period End	03/00/89	
Final Action	01/00/90	

Small Entity: Undetermined

Additional Information: LEGAL DEADLINE CONT: 01/01/90.

Agency Contact: Michael J. McCabe, Supervisory Mechanical Engineer, Department of Energy, Conservation and Renewable Energy, Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-9127**

RIN: 1904-AA37

DEPARTMENT OF ENERGY (DOE)

Proposed Rule Stage

Conservation and Renewable Energy (CE)

517. FEDERAL ENERGY MANAGEMENT & PLANNING PROGRAMS METHODOLOGY & PROCEDURES FOR LIFE CYCLE COSTING ANALYSES

Legal Authority: 42 USC 8255; PL 95-619, Sec 545; PL 99-509, Sec 3301; EO 11912; EO 12003; PL 99-509

CFR Citation: 10 CFR 436

Legal Deadline: None.

Abstract: Under the National Energy Conservation Policy Act, DOE has promulgated regulations establishing a methodology for estimating and comparing the life cycle costs of Federal buildings and for determining life cycle cost effectiveness. The Energy Security Act required that the regulations provide for the use of marginal energy costs in the life cycle cost analyses. DOE sought legislative revisions to authorize use of average energy costs rather than marginal costs. Appropriate legislative relief came with the Omnibus Budget Reconciliation Act of 1986. The current rulemaking would update base year prices and energy cost escalation rates based on current average energy cost projections. It would also eliminate the need for Federal Register publication of future annual updates so long as there is no significant change in the method for making average energy cost projections.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: K. Dean DeVine, Federal Energy Management Program, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-6784**

RIN: 1904-AA06

518. ENERGY-EFFICIENCY STANDARDS FOR REFRIGERATORS AND RELATED PRODUCTS, SMALL GAS FURNACE AND TELEVISION SETS

Significance: Regulatory Program

Legal Authority: 42 USC 6295

CFR Citation: 10 CFR 430.32

Legal Deadline: Statutory, December 31, 1906. The NAECA requires DOE determinations to amend Federal appliance standards in a period from 7/1/89 to 1/1/94. The Statute requires completion of a second reanalysis of all then-extant standards in a period from 7/1/94 to 12/31/2006. Also statutory deadlines for a proposal on standards for (cont)

Abstract: The National Appliance Energy Conservation Act of 1987 (NAECA) was enacted March 17, 1987. The NAECA extensively amends the Department's statutory authorities and responsibilities regarding energy efficiency standards for major household appliances. The NAECA establishes initial statutory energy-efficiency standard levels for most types of major appliances and generally requires the Department to undergo two subsequent rulemakings, at specified times, to determine whether the extant standard for a covered product should be amended. These products are: refrigerators, refrigerator-freezers, and freezers; room air conditioners; central air conditioners and central air conditioning heat pumps; water heaters; pool heaters; direct heating equipment; furnaces; dishwashers; clothes washers; clothes dryers; and kitchen ranges and ovens. Other appliances, including television sets, may be regulated by the

Department essentially as provided for in prior law. This rulemaking will review the statutory standard levels for refrigerators, refrigerator-freezers, and freezers to determine whether those levels need to be (cont)

Timetable:

Action	Date	FR Cite
ANPRM	12/07/87	52 FR 46367
ANPRM Comment Period End	02/05/88	52 FR 46367
NPRM	07/00/88	
NPRM Comment Period End	09/00/88	
Final Action	01/00/89	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: amended; for small gas furnaces, will set an initial standard within the statutory range; and will determine whether any standard for television sets is warranted.

LEGAL DEADLINE CONT: refrigerators and related products (7/1/88) and establishment of the small gas furnace standards level (1/1/89), the earliest NAECA deadline for a final action.

Agency Contact: Michael J. McCabe, Supervisory Engineer, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-9127**

RIN: 1904-AA28

519. REGULATIONS IMPLEMENTING NATIONAL APPLIANCE ENERGY CONSERVATION ACT; CERTIFICATION AND ENFORCEMENT, WAIVER OF FEDERAL PREEMPTION AND SMALL MANUFACTURER EXEMPTIONS

Significance: Regulatory Program

Legal Authority: 42 USC 6291 to 6309

CFR Citation: 10 CFR 430.1; 10 CFR 430.2; 10 CFR 430.22; 10 CFR 430.40; 10 CFR 430.50; 10 CFR 430.60; 10 CFR 430.70

Legal Deadline: None.

Abstract: The National Appliance Energy Conservation Act of 1987 (NAECA) extensively amended the Department's statutory authorities and responsibilities regarding energy efficiency standards for major household appliances. The NAECA establishes initial statutory energy-efficiency standard levels for most types of major appliances. These products are: refrigerators, refrigerator-freezers, and freezers; room air conditioners; central air conditioners and central air conditioning heat pumps; water heaters; pool heaters; direct heating equipment; furnaces; dishwashers; clothes washers; clothes dryers; and kitchen ranges and ovens. Other appliances, including television sets, may be regulated by the Department essentially as provided for in prior law. Although the standards prescribed by the NAECA generally supersede all State and local standards for these products, the Act allows States to petition for and DOE to grant exemption from Federal preemption and allows small manufacturers to apply for temporary exemption from the standards. This rulemaking will establish procedures for these preemption and exemption provisions, and for certification (cont)

Timetable:

Action	Date	FR Cite
NPRM	03/04/88	53 FR 7110
NPRM Comment Period End	04/00/88	
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: and enforcement aspects of the program.

Government Levels Affected: State

Agency Contact: Michael J. McCabe, Supervisory Engineer, Department of Energy, Conservation and Renewable Energy, CE-132, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-9127**

RIN: 1904-AA32

520. ● ENERGY CONSERVATION PERFORMANCE STANDARDS FOR NEW BUILDINGS; SUBPART B-VOLUNTARY PERFORMANCE STANDARDS FOR NEW NON-FEDERAL RESIDENTIAL BUILDINGS

Legal Authority: 42 USC 6831 et seq

CFR Citation: 10 CFR 435

Legal Deadline: Statutory, October 1983. Deadline for Final Rule

Abstract: Title III of the Energy Conservation and Production Act, as amended, requires the development and promulgation of energy performance standards for new buildings. In order to comply with this requirement, DOE currently is developing voluntary guidelines for the private sector. Subpart B develops voluntary standards for new non-Federal residential buildings.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Government Levels Affected: Local, State

Agency Contact: James A. Smith, Director, Building Systems Division, Conservation and Renewable Energy, Department of Energy, Conservation and Renewable Energy, Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-9445**

RIN: 1904-AA34

521. ● ENERGY-EFFICIENCY TEST PROCEDURES FOR REFRIGERATOR-FREEZERS AND FREEZERS

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430.22

Legal Deadline: None.

Abstract: The regulation will amend existing test procedures for refrigerator-freezers and freezers to alleviate the requirement for waivers for units equipped with variable defrost controls. It will also address refrigerator-freezers equipped with two compressors. The amendments will eliminate the need for the test procedure waivers granted Whirlpool and White Consolidated Industries, Inc., for their variable defrost control refrigerator-freezers.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Michael J. McCabe, Supervisory Mechanical Engineer, Department of Energy, Conservation and Renewable Energy, Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-9127**

RIN: 1904-AA35

DOE—CE **Proposed Rule Stage**

522. ● ENERGY CONSERVATION STANDARDS FOR WATER HEATERS; TECHNICAL AMENDMENTS

Legal Authority: 42 USC 6292

CFR Citation: 10 CFR 430.32

Legal Deadline: None.

Abstract: This action would be a technical amendment, based on water heater test procedure changes in progress (see 1904 - AA12), of the statutory standard for water heaters contained in the National Appliance Energy Conservation Act of 1987 (NAECA) enacted March 17, 1987. This amendment could change the way the standard level is measured, but would not change the level of the minimum energy conservation standard itself. NAECA requires amendment of the applicable standard if the Secretary determines that an amended test procedure will alter the measured efficiency of the standard. This technical amendment of the standard is to be completed concurrently with the rulemaking with respect to the amended test procedure.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	08/00/88	
Final Action	03/00/89	
Final Action Effective	04/00/89	

Small Entity: Undetermined

Agency Contact: Michael J. McCabe, Supervisory Mechanical Engineer, Department of Energy, Conservation and Renewable Energy, Department of Energy, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-9127**

RIN: 1904-AA36

DEPARTMENT OF ENERGY (DOE) — Final Rule Stage

Conservation and Renewable Energy (CE)

523. ENERGY CONSERVATION PERFORMANCE STANDARDS FOR NEW BUILDINGS; SUBPART A-COMMERCIAL AND MULTI-FAMILY HIGH RISE RESIDENTIAL BUILDINGS

Legal Authority: 42 USC 6831 et seq

CFR Citation: 10 CFR 435

Legal Deadline: Statutory, October 1983. Deadline for Final Rule.

Abstract: Title III of the Energy Conservation and Production Act, as amended, requires the development and promulgation of energy performance standards for new buildings. In order to comply with this requirement, DOE currently is developing voluntary standards for the non-federal sector and mandatory standards for the federal government. Subpart A develops standards for both federal and non-federal commercial buildings and multi-family high rise buildings.

Timetable:

Action	Date	FR Cite
NPRM	05/06/87	87 FR 5476
NPRM Comment Period End	08/04/87	
Interim Final Rule	09/02/88	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: James A. Smith, Director, Buildings Systems Division, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-9445**

RIN: 1904-AA08

524. ENERGY EFFICIENCY TEST PROCEDURES FOR WATER HEATERS

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430.22

Legal Deadline: None.

Abstract: Final test procedures for 13 types of appliances were established during 1978. The test procedures form the basis of manufacturers' representations on the Federal Trade Commission's EnergyGuide label. In February 1984, DOE proposed to establish test procedures for heat pump water heaters and to eliminate the need for the test procedure waiver granted to A.O. Smith for its water heater with a thermal compensatory dip tube. Based on the comments received pursuant to the February 8, 1984 NPRM, the Department prepared a new NPRM published March 13, 1987. This NPRM proposed a single test procedure to cover gas, oil and electric water heaters as well as heat pump water heaters, and extended the test procedures to cover instantaneous type water heaters. In addition to the A.O. Smith matter, the rulemaking would eliminate the need for the test procedure waivers granted Bock Corp., Ford Products and Lockinvar Corp. for their high mass oil-fired water heaters.

Timetable:

Action	Date	FR Cite
NPRM	02/08/84	49 FR 4870
NPRM Comment Period End	05/21/84	49 FR 4870
NPRM Test Procedures for Water Heaters	03/13/87	49 FR 7972
Final Action	03/00/89	
Final Action Effective	04/00/89	

Small Entity: No

Additional Information: Under a separate rulemaking (RIN=1904-AA--), the Secretary will determine whether the test procedure amendment alters the measured water heater efficiency and, if so, will establish corrective technical amendments to the energy conservation standard.

Agency Contact: Michael J. McCabe, Supervisory Mechanical Engineer, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-9127**

RIN: 1904-AA12

525. ENERGY CONSERVATION PERFORMANCE STANDARDS FOR NEW BUILDINGS; SUBPART C-MANDATORY PERFORMANCE STANDARDS FOR NEW FEDERAL RESIDENTIAL BUILDINGS

Legal Authority: 42 USC 6831 et seq

CFR Citation: 10 CFR 435

Legal Deadline: Statutory, October 1983. Deadline for Final Rule.

Abstract: Title III of the Energy Conservation and Production Act, as amended, requires the development and promulgation of energy performance standards for new buildings. In order to comply with this requirement, DOE currently is developing voluntary standards for the non-federal sector and mandatory standards for the federal government. Subpart C develops mandatory standards for new federal residential buildings.

Timetable:

Action	Date	FR Cite
NPRM	08/20/86	51 FR 29754
Extension of Comment Period	11/18/86	51 FR 222
NPRM Comment Period End	01/16/87	51 FR 222
Interim Final Rule	05/10/88	

Small Entity: No

Agency Contact: James A. Smith, Director, Building Systems Division, Department of Energy, Conservation and Renewable Energy, 1000 Independence Ave., SW, Washington, DC 20585, **202 586-9445**

RIN: 1904-AA27

526. STATE ENERGY CONSERVATION PROGRAM (SECP) -- USE OF OIL OVERCHARGE FUNDS FOR BUILDING ENERGY CONSERVATION MATERIALS AND EQUIPMENT

Legal Authority: 42 USC 6321 to 6327

CFR Citation: 10 CFR 420, (Revision)

Legal Deadline: None.

Abstract: This rulemaking would modify the prohibition in the State Energy Conservation Program (SECP) regulations on most purchases or installation of equipment and materials for energy conservation building retrofits and weatherization. The prohibition would be relaxed only with respect to whatever so-called eligible petroleum violation escrow (PVE) funds the State elects to spend through the SECP. These PVE funds redress injuries which States' citizens suffered from violations of former Federal petroleum price and allocation regulations. As with all State SECP activities, PVE-funded building retrofits and weatherization would have to be included in an approved program plan.

Timetable:

Action	Date	FR Cite
NPRM	10/22/87	52 FR 39604
Final Action	06/00/88	

Small Entity: No

Agency Contact: Sandra Monje, Energy Conservation Program Specialist, Department of Energy, Conservation and Renewable Energy, Energy Management and Extension, Office of State and Local Assistance, Washington, DC 20585, **202 586-8295**

RIN: 1904-AA30

DEPARTMENT OF ENERGY (DOE)

Conservation and Renewable Energy (CE)

Completed Actions

527. ENERGY EFFICIENCY TEST PROCEDURES FOR CENTRAL AIR CONDITIONERS

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430.22

Legal Deadline: None.

Abstract: Final test procedures for 13 types of appliances were established during 1978. The test procedures form the basis of manufacturers' representations on the Federal Trade Commission's Energy Guide label. The purpose of the rulemaking is to establish test procedures for water-source heat pumps and multi-evaporator heat pumps; to eliminate the test procedure waivers granted to Borg-Warner Central Environmental Systems and United Technologies, Carrier Corporation for their variable speed heat pumps; and to incorporate, by reference, three industry standards, the American Society of Heating, Refrigerating, and Air-Conditioning Engineers (ASHRAE) Standard 116-83, the Air-Conditioning and Refrigeration Institute (ARI) Standard 210/240-84 and Air-Conditioning and Refrigeration Institute Standard 325-85, into the test procedures.

Timetable:

Action	Date	FR Cite
Notice of Inquiry	04/02/85	50 FR 13042
NPRM	10/07/86	51 FR 35736
Extension of Comment Period	11/07/86	51 FR 40442
NPRM Comment Period End	01/30/87	51 FR 40442
Final Action	03/14/88	53 FR 8304
Final Action Effective	07/00/88	

Small Entity: No

Additional Information: A Notice of Inquiry was published in the Federal Register on April 2, 1985 to request comments on a rating procedure to determine the energy performance of a central air conditioner combination (condensing unit and indoor coil) without conducting the full laboratory procedure prescribed by the DOE test procedures. DOE proposed such a rating method in the proposed rulemaking.

Agency Contact: Michael J. McCabe, Supervisory Mechanical Engineer, Department of Energy, Conservation and Renewable Energy, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-9127**

RIN: 1904-AA23

528. AMENDMENTS TO THE RESIDENTIAL CONSERVATION SERVICE AND THE COMMERCIAL AND APARTMENT CONSERVATION SERVICE

Significance: Regulatory Program

Legal Authority: 42 USC 8211 et seq; 42 USC 8281 et seq; PL 99-412 Conservation Service Reform Act of 1986

CFR Citation: 10 CFR 456, (Revision); 10 CFR 458, (Deletion)

Legal Deadline: Statutory, August 28, 1986. Rules promulgated under section 212 of the National Energy Conservation Policy Act must be amended within the one hundred and eighty day period after the August 28, 1986, enactment of the Conservation Service Reform Act.

Abstract: The Conservation Service Reform Act of 1986 (Act) Requires changes to the Residential Conservation Service (RCS) and repeals the Commercial and Apartment Conservation Service (CACS) except for CACS plans approved before August 1,

1984. RCS and CACS required large electric and natural gas utilities to perform energy audits of their eligible customers upon request, and to provide other services. Required changes in the RCS program include deletion of some required services, program termination on June 30, 1989, provisions for alternative State plans, and for utilities to obtain waiver of plan requirements. Except for alternative State plans, these changes were made in a notice of interim final rulemaking because the rule reflects non-discretionary requirements which are explicitly set forth in the Act. Procedures for processing complaints about adequacy of implementation of alternative State plans, and for annual reports on any CACS State plan excepted from the general repeal of CACS were published in a final rulemaking. Consistent with departmental policy, these procedures are designed to minimize the expense or other burdens of complying.

Timetable:

Action	Date	FR Cite
NPRM	03/04/87	52 FR 6710
Public Hearing	04/21/87	52 FR 6710
NPRM Comment Period End	05/04/87	
Final Action	09/04/87	52 FR 34138
Interim Final Rule	09/09/87	52 FR 34138
Interim Final Rule	03/04/88	

Small Entity: No

Agency Contact: Edna Jones, Energy Conservation Specialist, Department of Energy, Conservation and Renewable Energy, Residential and Commercial Conservation, Office of State and Local Assistance, Washington, DC 20585, **202 586-8224**

RIN: 1904-AA31

529. ENERGY-EFFICIENCY TEST PROCEDURES FOR DISHWASHERS

Legal Authority: 42 USC 6293

CFR Citation: 10 CFR 430.23

Legal Deadline: None.

Abstract: The ANDI-CO Appliances Inc., an agent for a foreign appliance manufacturer, received a temporary waiver to exclude a foreign appliance manufacturer's dishwasher from the prescribed DOE test procedures. The waiver was granted because DOE's test procedure requirements for measurement of energy consumption do not apply to dishwashers designed to operate with cold inlet water. Consistent with program rules, this rulemaking would examine changes to the dishwasher test procedures which would make this waiver no longer necessary.

Timetable:

Action	Date	FR Cite
Grant of Temporary Waiver	05/08/85	50 FR 21488
NPRM	04/15/87	52 FR 12342
NPRM Comment Period End	06/15/87	52 FR 12342
Final Action	12/15/87	52 FR 47549
Final Action Effective	02/16/88	52 FR 47549

Small Entity: Undetermined

Agency Contact: Michael J. McCabe, Supervisory Engineer, Department of Energy, Conservation and Renewable Energy, CE-132, 1000 Independence Ave., SW, Washington, DC 20585, **202 586-9127**

RIN: 1904-AA33

DEPARTMENT OF ENERGY (DOE)

Defense Programs (DP)

Proposed Rule Stage

530. CRITERIA AND PROCEDURES FOR ESTABLISHMENT OF HUMAN RELIABILITY PROGRAM (HRP) AND DETERMINATION OF INDIVIDUAL'S ELIGIBILITY FOR ACCESS TO AN HRP POSITION

Significance: Agency Priority

Legal Authority: 42 USC 2014aa Atomic Energy Act of 1954, Sec. 11aa; 42 USC 2201 Atomic Energy Act of 1954, Sec. 161; 10 CFR 710

CFR Citation: 10 CFR 710

Legal Deadline: None.

Abstract: The Department of Energy, because of its mission involving nuclear weapons and special nuclear materials, requires a reliable and drug-free work-force. At present, thousands of people within the DOE-contractor work-force are in daily close proximity to nuclear weapons, weapons components, or special nuclear material without the benefit of a human reliability program (HRP). This action would establish a Q(R) access authorization for individuals applying for or currently holding a position identified as an HRP position. The security clearance determination would integrate management and medical screening information into the existing access authorization investigation and adjudication process.

Timetable:

Action	Date	FR Cite
NPRM	04/18/88	
NPRM Comment Period End	05/18/88	

Small Entity: No

Agency Contact: Martin Hershkowitz, Program Manager, Human Reliability Program, Department of Energy, Defense Programs, Office of Safeguards & Security, DP-343, Washington, DC 20585, **301 353-5671**

RIN: 1992-AA11

DEPARTMENT OF ENERGY (DOE)
Defense Programs (DP)

Completed Actions

531. RESTRICTIONS ON AIRCRAFT LANDING AND AIR DELIVERY AT DEPARTMENT OF ENERGY NUCLEAR SITES

Significance: Agency Priority

Legal Authority: 42 USC 2201; 42 USC 2278.a

CFR Citation: 10 CFR 862

Legal Deadline: None.

Abstract: Regulation would enhance security at DOE nuclear sites by restricting unofficial aircraft landing and unofficial air delivery of persons or cargo. Exceptions are granted for emergencies with prior notification to DOE if possible. Impact on public would be minimal since activities restricted by regulations are not condoned by DOE currently.

Timetable:

Action	Date	FR Cite
NPRM	10/06/86	51 FR 35518
NPRM Comment Period End	11/20/86	
Final Action	08/12/87	52 FR 29836
Final Action Effective	09/11/87	

Small Entity: No

Public Compliance Cost: Initial Cost: $0

Government Levels Affected: Local, State, Federal

Agency Contact: **John Hnatio**, Security Specialist, Office of Safeguards and Security, Department of Energy, Defense Programs, Room E-335, Germantown, MD 20545, **301 353-2478**

RIN: 1992-AA12

DEPARTMENT OF ENERGY (DOE)
Departmental and Others (ENDEP)

Proposed Rule Stage

532. PART 605 SPECIAL RESEARCH GRANTS PROGRAM; PROPOSED RULE

Legal Authority: 42 USC 2051; 42 USC 5817; 42 USC 5901; 42 USC 7254; 42 USC 7256; 31 USC 6301 et seq

CFR Citation: 10 CFR 605

Legal Deadline: None.

Abstract: This action would revise administrative guidelines in order to clarify and streamline DOE-OER pre and post award policies and procedures.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Not Applicable

Agency Contact: **Robert Zich**, Director, Acquisition and Assistance, Management Division (ER-64), Department of Energy, Departmental and Others, (ER64) Office of Energy Research, Washington, DC 20545, **301 353-5544**

RIN: 1901-AA07

533. ANNOTATION OF LAND RECORDS AND DOCUMENTATION OF PROPERTY OWNER REFUSALS TO PARTICIPATE IN THE URANIUM MILL TAILINGS REMEDIAL ACTION PROGRAM

Significance: Agency Priority

Legal Authority: 42 USC 7901 Uranium Mill Tailings Radiation Control Act of 1978

CFR Citation: Not yet determined

Legal Deadline: Statutory, March 31, 1990. DOE will propose to extend UMTRA authorization period to 9/30/94.

Abstract: PL 95-604 assigned the Department of Energy the authority to conduct remedial actions at 24 processing sites and associated vicinity properties. Section 104(d) states that the Department shall issue appropriate rules and regulations concerning annotation of land records where residual radioactive materials were located and when remedial action took place. The Department will begin rulemaking proceedings during FY 1988.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: **James A. Turi**, Director, Uranium Mill Tailings Project Division, NE-22, Department of Energy, Departmental and Others, Office of Nuclear Energy, Washington, DC 20545, **301 353-2585**

RIN: 1901-AA12

534. MODEL FEDERAL POLICY FOR PROTECTION OF HUMAN RESEARCH SUBJECTS

Significance: Agency Priority

Legal Authority: PL 95-622; PL 93-438, Sec 105A

CFR Citation: 10 CFR 745, (Revision)

Legal Deadline: None.

Abstract: In response to the First Biennial Report of the President's Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research, DOE along with all other affected Federal departments and agencies following the lead of DHHS will adopt and implement a uniform code of regulations for the protection of human subjects in Federal research projects. This will replace the prior regulations adopted by DOE in 1976 and make DOE requirements uniform with the DHHS policies.

Timetable:

Action	Date	FR Cite
Proposed Model Policy for Protection of Human Subjects	06/03/86	51 FR 106
NPRM	00/00/00	

Small Entity: No

Agency Contact: **Susan L. Rose**, Health Scientist, Department of Energy, Departmental and Others, Office of Energy Research, Human Health and Assessments Division(ER-73), Washington, DC 20545, **301 353-4731**

RIN: 1901-AA13

DEPARTMENT OF ENERGY (DOE)
Departmental and Others (ENDEP)

Final Rule Stage

535. ● PETITIONS REQUESTING DISPOSAL CAPACITY FOR UNUSUAL OR UNEXPECTED VOLUMES OF LOW-LEVEL RADIOACTIVE WASTE; SUBMISSION AND EVALUATION REQUIREMENTS

Significance: Agency Priority

Legal Authority: PL 99-240, Sec 5(c)(5); 42 USC 2021(e)

CFR Citation: 10 CFR 730, (New)

Legal Deadline: None.

Abstract: These rules are proposed in order to allow DOE to implement its responsibilities under section 5(c)(5) of the Low-Level Radioactive Waste Policy Amendments Act of 1985 (P.L. 99-240) (the Act). This section authorizes DOE to grant to commercial nuclear power reactors allocations of disposal capacity in order to permit the disposal of low-level waste generated by unusual or unexpected activities. The program estimates that up to five petitions each year through 1992 will be prepared by utilities, at an estimated 80 burden-hours per petition. The rules will benefit utilities by ensuring that disposal capacity set aside for unusual or unexpected activities will be disbursed equitably and evenly over the 7-year "interim access period."

Timetable:

Action	Date	FR Cite
NPRM	01/20/88	53 FR 1594
NPRM Comment Period End	03/21/88	53 FR 1594
Final Action	07/01/88	

Small Entity: No

Agency Contact: Jeffrey L. Smiley, Manager, Low-Level Waste Management Program, Office of Nuclear Energy, Department of Energy, Departmental and Others, NE-24, U.S. Department of Energy, Washington, DC 20545, **301 353-4216**

RIN: 1901-AA15

DEPARTMENT OF ENERGY (DOE)
Departmental and Others (ENDEP)

Completed Actions

536. STANDARD CONTRACT FOR DISPOSAL OF SPENT NUCLEAR FUEL AND/OR HIGH-LEVEL RADIOACTIVE WASTE; AMENDMENTS

Significance: Agency Priority

Legal Authority: 42 USC 10222

CFR Citation: 10 CFR 961, (Revision)

Legal Deadline: None.

Abstract: On April 18, 1983, the Department of Energy (DOE) published a rule which established the Standard Contract for Disposal of Spent Nuclear Fuel and/or High-Level Radioactive Waste (standard disposal contract) to be used by the DOE in furnishing disposal services to the owners or generators of spent nuclear fuel and/or high-level radioactive waste (48 FR 16590). On December 6, 1985, the U.S. Court of Appeals for the District of Columbia Circuit ruled that the ongoing 1.0 mill per kilowatt hour (1M/KWH) fee in DOE's standard disposal contract should be based on net generation of electricity rather than gross generation of electricity as adopted in the final rule (Wisconsin Electric Power Co. et al. v. Hodel, Nos. 83-1066 and 84-8571). This rule would amend the standard disposal contract to be consistent with the court's ruling. This amendment is expected to reduce revenues from the ongoing fee up to 5%.

Timetable:

Action	Date	FR Cite
Final Action Effective	04/07/83	
NPRM	11/07/86	51 FR 40684
NPRM Comment Period End	12/08/86	51 FR 40684
Final Action	09/18/87	52 FR 35356

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Alan Brownstein, Utility Contracts Manager, Department of Energy, Departmental and Others, Forrestal Building, GB-270, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-4973**

RIN: 1901-AA11

DEPARTMENT OF ENERGY (DOE)
Economic Regulatory Administration (ERA)

Proposed Rule Stage

537. PROPOSED RULE ESTABLISHING NEW ADMINISTRATIVE PROCEDURES WITH RESPECT TO SHORT-TERM IMPORTS AND EXPORTS OF NATURAL GAS

Significance: Agency Priority

Legal Authority: 15 USC 717b; 42 USC 7101 et seq; EO 12009

CFR Citation: 10 CFR 590

Legal Deadline: None.

Abstract: The proposed rule would amend the administrative procedure regulations contained in 10 CFR 590, by establishing a new Subpart F to provide alternative, expedited procedures regarding applications to import and export natural gas on a short-term basis. The purpose of the proposed rule is to reduce the regulatory burden on parties wishing to import or export natural gas on a short-term or spot market basis by streamlining our licensing process, thus facilitating the operation of the market.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Constance L. Buckley, Director, Natural Gas Division, Department of Energy, Economic Regulatory Administration, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-9482**

RIN: 1903-AA07

DEPARTMENT OF ENERGY (DOE)

Prerule Stage

Management and Administration (MA)

538. PROPOSED RULE ON DOE CONTRACTOR DRUG FREE WORKPLACE POLICY

Significance: Agency Priority

Legal Authority: 42 USC 2011 et seq (Atomic Energy Act)

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: Will establish comprehensive drug abuse prevention policy and program at DOE-owned or -leased operations consistent with DOE responsibility to protect public health and safety and national security. Regulation will address drug testing requirements, educational and training programs, drug counseling and rehabilitation, confidentiality and protection of privacy of employees. Costs incurred will affect cost reimbursement type contracts for managing, operating, constructing, and servicing DOE facilities. Benefits will be in establishing reasonable level of consistency among contractor programs and resultant cost to the government and in reducing risk of unacceptable damage to security environment, health and safety of employees and the public.

Timetable:

Action	Date	FR Cite
ANPRM Comment Period End	00/00/00	
NPRM	00/00/00	

Small Entity: Not Applicable

Agency Contact: Juanita E. Smith, Director, Employee Relations, Office of Industrial Relations, Department of Energy, Management and Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 586-9033

RIN: 1991-AA39

DEPARTMENT OF ENERGY (DOE)

Proposed Rule Stage

Management and Administration (MA)

539. DEPARTMENT OF ENERGY ACQUISITION REGULATION REVISIONS; PATENT POLICY

Legal Authority: 41 USC 401 et seq The Office of Federal Procurement Policy Act; 42 USC 7101 et seq The Department of Energy Organization Act; EO 12352 Procurement Reforms

CFR Citation: 48 CFR 927; 48 CFR 970

Legal Deadline: None.

Abstract: The Department of Energy Acquisition Regulation, promulgated March 29, 1984, at 49 FR 11922, supplements and implements the Federal Acquisition Regulation. A more recent Federal Acquisition Circular has been issued to establish a FAR Part 27 concerning Patents. It will be necessary to revise Part 927 of the DEAR to supplement and implement the FAR and to explain how DOE patent policy will differ due to our statutory requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	08/00/88	
Final Action	11/00/88	
Final Action Effective	12/00/88	

Small Entity: No

Agency Contact: Ellen L. Feinsilber, Director, Procurement Policy Division, Department of Energy, Management and Administration, 1000 Independence Ave., SW, Washington, DC 20585, 202 586-8264

RIN: 1991-AA23

540. DEPARTMENT OF ENERGY PROPERTY MANAGEMENT REGULATION; OFFICIAL USE OF MOTOR VEHICLES

Legal Authority: 42 USC 7254

CFR Citation: 41 CFR 109

Legal Deadline: None.

Abstract: To update the Property Management Regulations regarding official use of motor vehicles. The rule would also make various other minor upgrading changes.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	
NPRM Comment Period End	07/31/88	
Final Action	11/30/88	
Final Action Effective	12/31/88	

Small Entity: No

Agency Contact: Robert Wilson, Supply Management Representative, Department of Energy, Management and Administration, 1000 Independence Ave., SW, Washington, DC 20585, 202 586-8260

RIN: 1991-AA28

541. DEPARTMENT OF ENERGY ACQUISITION REGULATION; MISCELLANEOUS CHANGES ON ACQUISITION OF PERSONAL PROPERTY

Legal Authority: 42 USC 7254

CFR Citation: 48 CFR 908; 48 CFR 970; 48 CFR 907; 48 CFR 944; 48 CFR 945; 48 CFR 951; 48 CFR 952

Legal Deadline: None.

Abstract: To provide additional policy guidance on the acquisition of personal property in the areas concerning acquisition plans, Government supply sources, consideration for subcontracts, Government property, and updating solicitation provisions and contract clauses.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	
NPRM Comment Period End	07/31/88	
Final Action	11/30/88	
Final Action Effective	12/31/88	

Small Entity: No

Agency Contact: Robert Wilson, Supply Management Representative, Department of Energy, Management and Administration, 1000 Independence Ave., SW, Washington, DC 20585, 202 586-8260

RIN: 1991-AA32

DOE—MA **Proposed Rule Stage**

542. DEPARTMENT OF ENERGY FINANCIAL ASSISTANCE RULES; MERIT REVIEW

Legal Authority: 42 USC 7254; 42 USC 7256; 31 USC 6301 et seq

CFR Citation: 10 CFR 600.3; 10 CFR 600.9; 10 CFR 600.16; 10 CFR 600.103; 10 CFR 600.106

Legal Deadline: None.

Abstract: This regulatory revision to the DOE Financial Assistance Rules would establish procedures for the merit review of applications for financial assistance.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: James J. Cavanagh, Director, Business and Financial Policy Division, Department of Energy, Management and Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 586-8174

RIN: 1991-AA41

543. CONTRACTING FOR BASIC AND APPLIED RESEARCH

Legal Authority: 42 USC 7254 et seq

CFR Citation: 48 CFR 935

Legal Deadline: None.

Abstract: The purpose of this action is to amend the Acquisition Regulations (DEAR) to implement policies and procedures concerning the use of broad agency announcements, a form of competitive solicitation, as allowed by FAR 35.016.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	
Final Action	10/00/88	
Final Action Effective	11/00/88	

Small Entity: No

Agency Contact: Edward Simpson, Procurement Analyst, Department of Energy, Management and Administration, MA 421, 1000 Independence Avenue, SW, Washington, DC 20585, 202 586-8246

RIN: 1991-AA42

544. ● DEPARTMENT OF ENERGY ACQUISITION REGULATION; LEGISLATIVE LOBBYING

Legal Authority: PL 99-145, Sec 1534; PL 100-180, Sec 3131; PL 100-202, Sec 305(a)

CFR Citation: 48 CFR 970

Legal Deadline: Statutory, March 4, 1988.

Abstract: This action would implement recent statutory amendments to Section 1534(a)(2) of the DOD Authorization Act of 1986, by adding to the DEAR a contract clause applicable to DOE's management and operating contractors, providing that the cost of engaging in legislative liaison activities solely on their own behalf may not be charged to DOE contracts. However, the cost of providing information in response to a request from Congress shall continue to be allowable and reimbursable, as specified in the statutes.

Timetable:

Action	Date	FR Cite
NPRM	04/04/88	

Small Entity: No

Agency Contact: S. Mournighan, Director, Office of Policy, Procurement and Assistance Management Dir., Department of Energy, Management and Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 586-8182

RIN: 1991-AA45

DEPARTMENT OF ENERGY (DOE)
Management and Administration (MA)

Final Rule Stage

545. DEPARTMENT OF ENERGY ACQUISITION REGULATION; MANAGEMENT AND OPERATING CONTRACTOR PURCHASING SYSTEMS

Legal Authority: 42 USC 2011 et seq; 42 USC 7154

CFR Citation: 48 CFR 970

Legal Deadline: None.

Abstract: This action would update and consolidate in one place virtually all provisions applicable to the subcontracting practices of DOE management and operating contractors. Elsewhere in the Agenda, there is also a rulemaking involving subcontractor access to the Board of Contract Appeals and another issue.

Timetable:

Action	Date	FR Cite
NPRM	08/18/87	
NPRM Comment Period End	10/01/87	
Final Action	05/00/88	
Final Action Effective	06/00/88	

Small Entity: No

Agency Contact: Robert M. Webb, Procurement Analyst, Department of Energy, Management and Administration, 1000 Independence Ave., SW, Washington, DC 20585, 202 586-8247

RIN: 1991-AA25

546. DEPARTMENT OF ENERGY FINANCIAL ASSISTANCE RULES; RESTRICTION OF ELIGIBILITY

Legal Authority: 42 USC 7254; 42 USC 7256; 31 USC 6301 et seq

CFR Citation: 10 CFR 600.6; 10 CFR 600.7; 10 CFR 600.14; 10 CFR 600.106

Legal Deadline: None.

Abstract: This regulatory revision of DOE Financial Assistance Rules (FAR) would establish more detailed documentation procedures and clarify the restricted eligibility requirements governing financial assistance awards on a non-competitive basis.

Timetable:

Action	Date	FR Cite
NPRM	09/17/87	52 FR 35111
NPRM Comment Period End	10/19/87	52 FR 35111

DOE—MA

Final Rule Stage

Action	Date	FR Cite
Final Action	05/00/88	

Small Entity: No

Additional Information: Related to 1991-AA21.

Agency Contact: James J. Cavanagh, Chief, Business & Financial Policy Branch, Department of Energy, Management and Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 586-8173

RIN: 1991-AA35

547. DEPARTMENT OF ENERGY ACQUISITION REGULATION; USE OF CONTRACT CARRIERS BY COST REIMBURSABLE CONTRACTORS

Legal Authority: PL 95-91

CFR Citation: 48 CFR 952

Legal Deadline: None.

Abstract: Amend Procurement Regulations (DEAR) in order to implement GSA Bulletin FPMR A-90 and FPMR Temporary Regulation 30. Use of Government contractor airlines, hotels/motels and car rental agencies by cost reimbursable contractor employees.

Timetable:

Action	Date	FR Cite
NPRM	12/29/86	51 FR 46884
NPRM Comment Period End	01/28/87	51 FR 46884
Final Action Effective	05/31/88	
Begin Review	06/30/88	

Small Entity: No

Additional Information: DOE is awaiting action by the DAR Council and the CAA Council which published a similar proposed rule on 3/24/87. Publication of their final rule for the FAR will override the need for a final rule to be published for the DEAR.

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: William Stevenson, Procurement Analyst, Department of Energy, Management and Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 586-8193

RIN: 1991-AA37

548. DEBARMENT AND SUSPENSION (NON-PROCUREMENT)

Legal Authority: EO 12549

CFR Citation: 10 CFR 1035; 10 CFR 1036

Legal Deadline: None. OMB requests draft agency regulations be submitted by September 29, 1987.

Abstract: This regulation will implement EO 12549 and OMB Guidelines for nonprocurement debarment and suspension.

Timetable:

Action	Date	FR Cite
NPRM	12/24/87	52 FR 48693
NPRM Comment Period End	02/22/88	
Final Action	05/00/88	
Final Action Effective	06/00/88	

Small Entity: Undetermined

Government Levels Affected: Local, State, Federal

Agency Contact: Thomas E. Brown, Procurement Analyst, Department of Energy, Management and Administration, 202 586-9075

RIN: 1991-AA40

549. ● RESOLUTION OF DISPUTES BETWEEN SUBCONTRACTORS AND DOE MANAGEMENT AND OPERATING CONTRACTORS

Legal Authority: 42 USC 7254; 40 USC 486(c)

CFR Citation: 48 CFR 970

Legal Deadline: None.

Abstract: Establishes a system, by regulation, to allow subcontractors under DOE Management and Operating contracts access to the Energy Board of Contract Appeals in resolution of disputes with the contractor. Also clarifies DOE Contracting Officers lack authority to designate Management and Operating contractors as purchasing agents for DOE absent special authorization.

Timetable:

Action	Date	FR Cite
NPRM	01/18/88	
NPRM Comment Period End	03/02/88	
Final Action	04/30/88	
Final Action Effective	05/31/88	

Small Entity: No

Additional Information: See also 1991-AA25.

Agency Contact: Robert M. Webb, Procurement Analyst, Department of Energy, Management and Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 586-8247

RIN: 1991-AA44

550. ● COLLECTION OF CLAIMS OWED THE UNITED STATES

Legal Authority: 31 USC 3701 to 3719; PL 97-365

CFR Citation: 10 CFR 1015

Legal Deadline: None.

Abstract: This rule establishes the overall regulations under which the Department of Energy will collect claims owed to the United States. These regulations implement the Federal Claims Collection Act (31 USC 3701-3719) as amended by the Debt Collection Act of 1982 (PL 97-365) and incorporate the Federal Claims Collections Standards (4 CFR 101-105) published jointly by the Department of Justice and the General Accounting Office. The preamble to the Federal Claims Collection Standards states that each Federal agency is required to develop its own implementing regulations based on and consistent with these Standards. Furthermore, the Debt Collection Act specifies that each agency must prescribe regulations on certain aspects of the debt collection process. We do not consider that there is any alternative to issuance of these regulations that would address this need.

Timetable:

Action	Date	FR Cite
ANPRM	11/09/87	52 FR 43168
ANPRM Comment Period End	12/09/87	52 FR 43168
Final Action	04/29/88	

Small Entity: No

Agency Contact: Helen O. Sherman, Deputy Director, Office of Financial Policy, Department of Energy, Management and Administration, 1000 Independence Avenue, SW, Washington, DC 20585, 202 586-4860

RIN: 1991-AA47

DOE—MA **Final Rule Stage**

551. ● FREEDOM OF INFORMATION REGULATIONS: REVISIONS TO FEE SCHEDULES AND PROCEDURES

Legal Authority: PL 99-570, Sec 1803

CFR Citation: 10 CFR 1004

Legal Deadline: None.

Abstract: The Freedom of Information Reform Act (FOIRA) of 1986, PL 99-570, requires that each agency promulgate regulations to establish a fee schedule to process requests for information and to establish procedures and guidelines to determine when such fees should be waived or reduced. The DOE fee schedule and procedures conform to the guidelines issued by the Office of Management and Budget (OMB) for agencies to follow in implementing these regulations. The rule revises existing DOE fee schedules and procedures in accordance with the Reform Act and makes other technical and editorial changes to the DOE regulations that implement the FOIA.

Timetable:

Action	Date	FR Cite
NPRM	06/17/87	52 FR 23156
NPRM Comment Period End	07/17/87	52 FR 23156
Final Action	00/00/00	

Small Entity: No

Agency Contact: John H. Carter, Chief, FOI and Privacy Acts Branch, Department of Energy, Management and Administration, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-5955**

RIN: 1991-AA48

DEPARTMENT OF ENERGY (DOE)
Management and Administration (MA)

Completed Actions

552. FINANCIAL ASSISTANCE REGULATIONS; COOPERATIVE AGREEMENTS

Legal Authority: 42 USC 7254; 42 USC 7256; 31 USC 6301 et seq

CFR Citation: 10 CFR 600C

Legal Deadline: None.

Abstract: This revision would conform DOE rules on cooperative agreement award and administration with DOE and government-wide financial assistance policy (the latter contained in OMB circulars A-102 and A-110) and would reflect DOE experience under the existing rule.

Timetable:

Action	Date	FR Cite
NPRM	08/18/87	52 FR 31016
NPRM Comment Period End	10/19/87	
Final Action	02/22/88	53 FR 5260
Final Action Effective	02/22/88	53 FR 5260

Small Entity: No

Agency Contact: Cherlyn Seckinger, Business and Financial Policy Branch, Department of Energy, Management and Administration, MA-422, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-9737**

RIN: 1991-AA03

553. DEPARTMENT OF ENERGY ACQUISITION REGULATION; MISCELLANEOUS CHANGES TO CONFORM TO FEDERAL ACQUISITION REGULATION CHANGES AND REVISED INTERNAL PROCEDURES

Legal Authority: 42 USC 7254 Department of Energy Organization Act

CFR Citation: 48 CFR 902; 48 CFR 904; 48 CFR 913; 48 CFR 915; 48 CFR 917; 48 CFR 919; 48 CFR 925; 48 CFR 952; 48 CFR 970

Legal Deadline: None.

Abstract: This action is for the purpose of updating the Acquisition Regulation as a result of changes in the Federal Acquisition Regulation and internal procedures. It discontinues the use of DOE Small Purchase Forms as GSA has issued forms for that purpose. It increases the threshold for formal source evaluation boards from $5 to $10 million. It adds a new solicitation provision entitled "Buy America Act - Construction Materials." It also provides new guidance on Small Business Subcontract Plans Under Management Contracts.

Timetable:

Action	Date	FR Cite
NPRM	08/26/85	50 FR 34656
NPRM Comment Period End	11/27/86	50 FR 43589
Final Action	10/16/87	52 FR 38419
Final Action Effective	11/16/87	

Small Entity: No

Agency Contact: Ellen L. Feinsilber, Director, Procurement Policy Division, Office of Policy, Department of Energy, Management and Administration, 1000 Independence Ave., SW, Washington, DC 20585, **202 586-8264**

RIN: 1991-AA33

554. ● 10 CFR 600, SUBPART E UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

Significance: Regulatory Program

Legal Authority: PL 95-91, Sec 644; PL 95-91, Sec 646; PL 97-258

CFR Citation: 10 CFR 600, Subpart E

Legal Deadline: None. Executive Memorandum Deadline March 11, 1988

Abstract: Provides Government-wide Administrative Requirements for Financial Assistance to State and Local Governments.

Timetable:

Action	Date	FR Cite
NPRM	06/09/87	52 FR 21820
NPRM Comment Period End	08/08/87	
Final Action	03/11/88	53 FR 8044
Final Action Effective	10/01/88	

Small Entity: Not Applicable

Government Levels Affected: Local, State

Agency Contact: Cherlyn Seckinger, Procurement Analyst, Department of Energy, Management and Administration, Procurement and

DOE—MA **Completed Actions**

Assistance Management Dir., 1000 Independence Avenue, SW, Washington, DC 20585, 202 586-9737

RIN: 1991-AA43

555. ● UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION REGULATION FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS

Legal Authority: 42 USC 4601

CFR Citation: 10 CFR 1039

Legal Deadline: Statutory, April 2, 1989.

Abstract: Incorporates certain statutory amendments to the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (The Uniform Act) occasioned by passage of Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (1987 Amendments), Pub. L. 100-17, 101 Stat. 246. Under the 1987 Amendment, the Department of Transportation is the designated lead agency in coordination with the other Federal agencies, to issue rules, establish procedures, and make interpretations to implement provisions of the Uniform Act (See United Agenda, DOT, RIN: 2125-AB85). This regulatory action by DOE achieves its implementation of the common rule.

Timetable:

Action	Date	FR Cite
Final Action	12/17/87	52 FR 48017
Final Action Effective	04/02/89	52 FR 48017

Small Entity: Yes

Additional Information: In the period after 01/19/88 and until 04/02/89, certain grandfathered actions will be governed by the previous DOE rules.

Government Levels Affected: Local, State, Federal

Agency Contact: Donald G. Trost, MA-222, Chief, Real Property Branch, Department of Energy, Management and Administration, United States Department of Energy, 1000 Independence Ave., SW, Washington, DC 20585, 202 586-1191

RIN: 1991-AA46

DEPARTMENT OF ENERGY (DOE)
Office of General Counsel (OGC)

Proposed Rule Stage

556. AMENDMENTS TO DEPARTMENT OF ENERGY CONDUCT OF EMPLOYEES REGULATIONS

Legal Authority: 18 USC 201 to 209; 42 USC 7211 to 7218; EO 11222

CFR Citation: 10 CFR 1010

Legal Deadline: None.

Abstract: The regulations need to be revised to reflect the provisions and requirements of the Ethics in Government Act. In addition, it is anticipated that certain sections of the regulations will be clarified and/or revised to reflect current Office of General Counsel policy and interpretations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/89	

Small Entity: No

Additional Information: As part of the revision of the Department of Energy Conduct of Employees Regulations, we have proposed to amend Appendix I of the Regulations, regarding employee financial disclosure requirements. 52 FR 17765 (May 12, 1987). We expect final action on this amendment of the Regulations to be completed by April 1988.

Agency Contact: Susan Fonner, Deputy AGC for General Law, Department of Energy, Office of General Counsel, 1000 Independence Avenue, SW, Washington, DC 20585, 202 586-1522

RIN: 1990-AA00

557. PATENT WAIVER REGULATION

Legal Authority: 42 USC 2182; 42 USC 5908; PL 99-661

CFR Citation: 10 CFR 784; 41 CFR 9-9.109-6

Legal Deadline: None.

Abstract: The regulation provides procedures and standards for obtaining a waiver of the Government's rights in inventions made under DOE research and development contracts with entities that are not small businesses or nonprofit institutions, and terms and conditions of such waivers. Currently, DOE waiver policy is provided in DOE Procurement Regulations (41 CFR 9-9.109-6). The proposed regulation places DOE patent waiver policy in a separate regulation, and also provides updates, revisions and clarifications to waiver policy as contained in 41 CFR 9-9.109-6.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: Undetermined

Agency Contact: Richard E. Constant, Assistant General Counsel for Patents, Department of Energy, Office of General Counsel, 1000 Independence Avenue, SW, Washington, DC 20585, 202 586-2802

RIN: 1990-AA02

558. FOREIGN GIFTS AND DECORATIONS

Legal Authority: 5 USC 7342; 41 CFR 101-49.001-5

CFR Citation: 10 CFR 1050

Legal Deadline: None.

Abstract: The regulations need to be amended to reflect the increase in the dollar amount of "minimal value." (Whether a gift is of minimal value is a factor as to whether the regulations apply.) The dollar amount of minimal value is determined by the General Services Administration, by GSA regulation. Accordingly, the DOE regulations will reference the GSA regulation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Susan Fonner, Deputy AGC for General Law, Department of Energy, Office of General Counsel, 1000

DOE—OGC **Proposed Rule Stage**

Independence Avenue, SW, Washington, DC 20585, **202 586-1522**

RIN: 1990-AA04

559. CLASS PATENT WAIVERS

Legal Authority: 42 USC 2182; 42 USC 5908

CFR Citation: 10 CFR 785

Legal Deadline: None.

Abstract: The proposed regulation would provide for certain class waivers, serving to streamline and simplify procedures for DOE contractors to seek rights in inventions made under DOE research and development contracts.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: No

Agency Contact: Richard Constant, Assistant General Counsel for Patents, Department of Energy, Office of General Counsel, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-2802**

RIN: 1990-AA07

DEPARTMENT OF ENERGY (DOE)
Office of General Counsel (OGC)

Final Rule Stage

560. COOPERATION WITH THE INSPECTOR GENERAL

Legal Authority: 42 USC 7138; 42 USC 7211 to 7218; 42 USC 7254; 42 USC 6392; 42 USC 5816a; 5 USC 301; 5 USC 303(a); 5 USC (app.4) 207(a); 18 USC 201 to 209; EO 11222, as amended by EO 12565

CFR Citation: 10 CFR 1010.217, (new)

Legal Deadline: None.

Abstract: This regulation will codify existing Department of Energy policy and clarify the authority provided by existing statutes and Federal case law with respect to the obligations of Department employees to cooperate with the Office of Inspector General in official investigations.

Timetable:

Action	Date	FR Cite
NPRM	10/19/87	52 FR 38770
NPRM Comment Period End	11/18/87	52 FR 38770
Final Action	06/00/88	

Small Entity: No

Agency Contact: Susan Fonner, Deputy AGC for General Law, Office of General Counsel, GC-43, Department of Energy, Office of General Counsel, 1000 Independence Avenue, SW, Washington, DC 20585, **202 586-1522**

RIN: 1990-AA06

561. ● IMPLEMENTATION OF THE PROGRAM FRAUD CIVIL REMEDIES ACT OF 1986

Legal Authority: 31 USC 3801 to 3812

CFR Citation: 10 CFR 1013

Legal Deadline: Statutory, May 1, 1987.

Abstract: These regulations establish administrative procedures for imposing the statutorily authorized civil penalties and assessments against any person who makes, submits, or presents a false, fictitious, or fraudulent claim or written statement to the Department of Energy. No other alternatives are being considered, since these are Congressional mandated regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/01/87	52 FR 20403
NPRM Comment Period End	07/31/87	52 FR 20403
Final Action	05/00/88	
Final Action Effective	05/00/88	

Small Entity: No

Agency Contact: Jack M. Kress, Deputy General Counsel for Legal Services, Department of Energy, Office of General Counsel, 1000 Independence Ave., SW, Washington, DC 20585, **202 586-5246**

RIN: 1990-AA08

[FR Doc. 88-5795 Filed 04-22-88; 8:45 am]

BILLING CODE 6450-01-T

federal register

Monday
April 25, 1988

Part VIII

Department of Health and Human Services

Semiannual Regulatory Agenda

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

DEPARTMENT OF HEALTH AND HUMAN SERVICES

Office of the Secretary

20 CFR Ch. III

21 CFR Ch. I

42 CFR Chs. I-V

45 CFR Subtitle A, Chs. II, III, and XIII

Unified Agenda of Regulations

AGENCY: Department of Health and Human Services.

ACTION: Publication of unified agenda of regulations.

SUMMARY: The President's February 17, 1981, Executive Order (12291) and the Regulatory Flexibility Act of 1980 require the Department to publish an agenda of significant regulations being developed and an indication of those regulatory actions that are being analyzed for their effect on small businesses. The Department published its last agenda on October 26, 1987.

FOR FURTHER INFORMATION CONTACT: For further inquiries or comments related to specific regulations listed in the agenda, the public is encouraged to contact the appropriate responsible individual. Questions or comments on the overall agenda should be sent to: Glenn Kamber, Deputy Executive Secretary, Office of the Secretary, Department of Health and Human Services, 200 Independence Avenue, SW., Washington, DC 20201, Telephone: (202) 245-7699.

Aletha R. Owens,

Executive Secretary to the Department.

Office of the Secretary—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
562	Privacy Act Regulation	0991-AA11

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
563	Principles for Determining Costs and Cost Allocation Procedures Applicable to Grants, Contracts, and Other Agreements for Work Performed by Hospitals	0991-AA12
564	Enforcement of Nondiscrimination on the Basis of Handicap in the Department of Health and Human Services	0991-AA17
565	Civil Money Penalties for Failure to Report Medical Malpractice Payments and for Breaching the Confidentiality of Information	0991-AA40
566	Civil Money Penalties for Health Maintenance Organizations and Competitive Medical Plans	0991-AA44
567	Prohibition on Use of Physician Incentive Plans	0991-AA45
568	New Civil Money Penalties and Exclusions Authorities Resulting from OBRA 1986 and OBRA 1987	0991-AA46
569	Amendments to OIG Exclusion and CMP Authorities Resulting from PL 100-93	0991-AA47
570	OIG Anti-Kickback Provisions	0991-AA49
571	PRO Rural Practitioners Amendments	0991-AA51

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
572	Nondiscrimination Requirements (Including on the Basis of Sex or Religion) Applicable to Block Grants and Standard Nondiscrimination Procedures Applicable to Certain Other Programs	0991-AA02
573	Freedom of Information Act Regulation	0991-AA07
574	Equal Opportunity in Employment: Public Broadcasting, Public Radio and Public Telecommunications Entities Receiving Federal Funds from the Corporation for Public Broadcasting	0991-AA22
575	Audits of Non-governmental Grantees	0991-AA29
576	Automatic Data Processing Equipment and Services; Conditions for Federal Financial Participation II	0991-AA34
577	Civil Money Penalties and Exclusions for Assistants at Cataract Surgery	0991-AA37
578	Block Grant Programs	0991-AA38
579	Program Fraud Civil Remedies	0991-AA41
580	Targeting of, and Tolerances for, Income and Eligibility Verification System Data	0991-AA42
581	Governmentwide Debarment and Suspension (Nonprocurement)	0991-AA43
582	Program Fraud Civil Remedies	0991-AA50

HHS

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
583	Revision to OIG's Sanction Authorities	0991-AA21
584	Block Grant Programs	0991-AA25
585	Administration of Grants - Implementation of OMB Circular A-102	0991-AA27
586	Administration of Grants-Single Audit Act of 1984	0991-AA30
587	Withholding of Medicaid Payments for Fraud or Willful Misrepresentation	0991-AA36
588	PPS FRAUD AND ABUSE SANCTION AND PRO REVISIONS	0991-AA39

Departmental Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
589	Implementation of the Equal Access to Justice Act in Agency Proceedings	0990-AA02
590	Testimony by Employees and the Production of Documents in Proceedings Where the United States is not a Party	0990-AA03

Departmental Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
591	Testimony by Employees and the Production of Documents in Proceedings Where the United States is not a Party	0990-AA04

Office of Human Development Services—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
592	Foster Care, Adoption Assistance, and Child Welfare Services	0980-AA08
593	Runaway and Homeless Youth Program	0980-AA11
594	Head Start Criteria for Selection of New Grantees	0980-AA17
595	Head Start Staff and Program Options Requirements	0980-AA18
596	Head Start Appeals Process	0980-AA20
597	Head Start Performance Standards for Services to Handicapped Children	0980-AA21
598	Nonrecurring Costs of Adoption	0980-AA24
599	Head Start Recruitment Selection and Enrollment of Children	0980-AA27
600	Limits on Costs of Development and Administration	0980-AA32
601	Head Start Performance Standards for Infants and Toddlers	0980-AA33
602	Grants for State and Community Programs on Aging; Grants to Indian Tribes; and Grants to Organizations Serving Older Hawaiians for Supportive and Nutrition Services	0980-AA34
603	Adoption and Foster Care Information	0980-AA35
604	Developmental Disabilities Program	0980-AA36
605	Native Hawaiian Loan Fund Demonstration Project	0980-AA37

Office of Human Development Services—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
606	Head Start Personnel Policies	0980-AA10

HHS

Office of Human Development Services—Completed Actions

Sequence Number	Title	Regulation Identifier Number
607	Developmental Disabilities Program	0980-AA12
608	Consolidation of Grants to the Insular Areas -- Final Rule with Comment Period	0980-AA22

Social Security Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
609	Old-Age, Survivors, and Disability Insurance Program; Treatment of OASDI Lump Sum and Monthly Payments in the Aid to Families with Dependent Children Program	0960-AA90
610	Old-Age, Survivors, and Disability Insurance Program; Revised Medical Criteria for Determination of Disability; Cardiovascular System	0960-AA99
611	Old-Age, Survivors, and Disability Insurance Program; Revised Medical Criteria for Determination of Disability; Respiratory System	0960-AB00
612	Old-Age, Survivors, and Disability Insurance Program; Revised Medical Criteria for Determination of Disability; Musculoskeletal System	0960-AB01
613	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Adjustments in SSI Benefits on Account of Retroactive Benefits Under Title II	0960-AB38
614	Supplemental Security Income Program; Limitation on Recoupment Rate in Case of Overpayment	0960-AB40
615	Old-Age, Survivors, Disability Insurance and Supplemental Security Income Programs: Evaluation of Symptoms, Including Pain	0960-AB41
616	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Evaluation Guides for Determining Substantial Gainful Activity (SGA)	0960-AB73
617	OASDI & SSI Programs; Definition of Overpayment and Liability for Repayment of an Overpayment	0960-AB78
618	Supplemental Security Income Program; Treatment of Property Held in Trust or Other Similar Legal Devices When the Property is Available for a Beneficiary's Support and Maintenance	0960-AB79
619	Old-Age, Survivors and Disability Insurance; Black Lung; and Supplemental Security Income Programs; and Organization and Procedures; Application of Circuit Court Law	0960-AB85
620	Supplemental Security Income Program; Exclusions from Income and Resources of Indian Judgement Funds and Per Capita Distributions	0960-AB86
621	Old-Age, Survivors, and Disability Insurance Program; Reduction Because of Entitlement to Other Benefits	0960-AB87
622	Old-Age, Survivors, and Disability Insurance Program; Determining Disability and Blindness, Medical-Vocational Guidelines, Illiteracy and Inability to Communicate in English	0960-AB94
623	Old-Age, Survivors, and Disability Insurance Program; Revised Medical Criteria for Determination of Disability; Mental Disorders-Childhood	0960-AB96
624	Old-Age, Survivors, and Disability Insurance Program; Medical Evaluation Criteria for Acquired Immune Deficiency Syndrome (AIDS)	0960-AC06
625	Old-Age Survivors and Disability Insurance and Supplemental Security Income Programs; Appeals Council Review Authority	0960-AC15
626	Supplemental Security Income Program; Employment Opportunities for the Disabled	0960-AC22
627	Supplemental Security Income Program; Permanent Residence in the United States Under Color of Law - Additional Category	0960-AC26
628	Old-Age, Survivors, and Disability Insurance Program; Wages-- Deferred Compensation	0960-AC27
629	Supplemental Security Income Program; Payment of Benefits Due Deceased Recipients	0960-AC28
630	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Consideration of Vocational Factors	0960-AC31
631	Organization and Procedures, and OASDI Programs; Evidence Required for Original or Duplicate Social Security Number Card	0960-AC32
632	Organization and Procedures, and Old-Age, Survivors, and Disability Insurance Programs; Social Security Number Cards for Aliens	0960-AC34
633	Old-Age Survivors and Disability Insurance and Supplemental Security Income Programs; Past Work Experience and Adjustment to Other Work	0960-AC39
634	Old-Age Survivors and Disability Insurance and Supplemental Security Income Programs; Cancelled Consultative Examinations	0960-AC40
635	Old-Age Survivors and Disability Insurance and Supplemental Security Income Programs; Determining Disability and Blindness; Fee Limitation Policy for Purchase of Laboratory Tests	0960-AC41

HHS

Social Security Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
636	Old-Age, Survivors, and Disability Insurance Program; Coverage of Employees of State and Local Governments	0960-AA13
637	Supplemental Security Income Program; Reductions, Suspensions and Terminations	0960-AA22
638	Old-Age, Survivors, and Disability Insurance Program; Provision for Inferring a Person Is Dead	0960-AA54
639	Supplemental Security Income Program; Reopening and Revising Supplemental Security Income Determinations and Decisions Within Four Years of the Notice of the Initial Determination	0960-AA59
640	Old-Age, Survivors, and Disability Insurance Program; Coverage of Certain Federal Employees; Coverage of Earnings of Federal Judges	0960-AA89
641	Old Age Survivors Disability Insurance and Supplemental Security Income Programs; Standards for Consultative Examinations; Existing Medical Evidence	0960-AB22
642	Supplemental Security Income Programs; Assignment of Rights to Third-Party Medical Payments to State	0960-AB28
643	Supplemental Security Income Program; How We Count Unearned Income--Funds Used to Pay Indebtedness	0960-AB29
644	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Continued Payment of Benefits During Appeal	0960-AB30
645	Supplemental Security Income Program; Treatment of Overpayments When Recipient's Countable Assets Exceed Limits in Certain Cases	0960-AB32
646	Old Age Survivors Disability Insurance and Supplemental Security Income Programs; Determinations of Disability-Compliance, and Other Changes	0960-AB36
647	Old Age Survivors Disability Insurance and Supplemental Security Income Programs; Payment of Costs of Rehabilitation Services	0960-AB37
648	Old Age, Survivors, Disability Insurance and Supplemental Security Income Programs; Determining Disability and Blindness; Multiple Impairments	0960-AB39
649	Supplemental Security Income Program; Spousal Deeming Computation Involving State Supplementation	0960-AB95
650	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Decisions by Administrative Law Judges in Cases Remanded by Courts	0960-AC07
651	Supplemental Security Income Program; Prohibition on Direct Payment of Fees to Representatives	0960-AC08
652	Supplemental Security Income Program; Define Out of Resources for One Month Certain Cash Payments for Medical/Social Services	0960-AC11
653	Supplemental Security Income Program: Federal Administration of Optional State Supplementation	0960-AC13
654	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Against Equity and Good Conscience: Defined	0960-AC33
655	Old-Age, Survivors, and Disability Insurance Program; Addition of Down Syndrome to the Listing of Impairments	0960-AC35

Social Security Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
656	Supplemental Security Income Program; Mandatory Pass Through Under State Supplementation Provisions	0960-AA05
657	Old-Age, Survivors, and Disability Insurance, Supplemental Security Income, and Black Lung Programs; Representation of Claimants	0960-AA64
658	Old-Age, Survivors, and Disability Insurance; Effect of Pension from Noncovered Employment	0960-AA65
659	Supplemental Security Income Program; Resource Limits for Conditional SSI Payments	0960-AA75
660	Supplemental Security Income Program; Presumptive Disability and Presumptive Blindness; Categories of Impairments-AIDS	0960-AA79
661	Old Age Survivors Disability Insurance and Supplemental Security Income Programs; Qualifications of Medical Professionals Evaluating Mental Impairments	0960-AB31
662	Disclosure of Personal Information to Law Enforcement Agencies and Courts (Prerulemaking Activity)	0960-AB66
663	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Use of Work Evaluations to Evaluate Individuals with Mental Impairments	0960-AB92
664	Old-Age, Survivors, and Disability Insurance, Black Lung, and Supplemental Security Income Programs; Appointing ALJ's to Hear and Decide Cases	0960-AB97
665	Old-Age, Survivors, and Disability Insurance and Supplemental Security Income Programs; Application of Dependency Test to Adopted Great-Grandchildren; Demonstration Projects	0960-AC23

HHS

Public Health Service—Office of Assistant Secretary for Health (OASH)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
666	Statutory prohibition on use of appropriated funds in programs where abortion is a method of family planning	0905-AC64

Public Health Service—Centers for Disease Control (CDC)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
667	Project Grants for Health Programs for Refugees	0905-AB43
668	NIOSH Revision of Tests and Requirements of Certification of Permissibility of Respiratory Protective Devices Used in Mines and Mining	0905-AB58

Public Health Service—Food and Drug Administration (FDA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
669	Drug Exports	0905-AC44

Public Health Service—Food and Drug Administration (FDA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
670	Over-the-Counter (OTC) Drug Review	0905-AA06
671	Current Good Manufacturing Practice for Finished Pharmaceuticals; Retrospective Review	0905-AA73
672	Current Good Manufacturing Practice (CGMP) for Blood and Blood Components; Retrospective Review	0905-AA75
673	New Animal Drug Approval Process	0905-AA96
674	Policies Concerning Uses of Sulfiting Agents	0905-AB52
675	Requirements for Adverse Experience Reporting for Licensed Biological Products	0905-AB53
676	Proposed Rule to Implement the Orphan Drug Amendments to the Federal Food, Drug, and Cosmetic Act	0905-AB55
677	Implementation of Title I of the "Drug Price Competition and Patent Term Restoration Act of 1984" (Title I)	0905-AB63
678	Abbreviated New Animal Drug Applications for Post-1962 Animal Drugs	0905-AB72
679	Infant Formula Act	0905-AC46
680	Protection of Human Subjects; Informed Consent; Standards for Institutional Review Boards for Clinical Investigations	0905-AC52
681	Menstrual Tampons; Proposed User Labeling	0905-AC58
682	Grants for Faculty Training Projects on Geriatric Medicine and Dentistry	0905-AC71

Public Health Service—Food and Drug Administration (FDA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
683	Availability of Bulk New Animal Drug Substances for Use By Licensed Veterinarians	0905-AB01
684	Proposed User Charge; New Drug Applications, Abbreviated New Drug Applications, New Device Applications, and Antibiotic Applications Review	0905-AB56
685	Provisionally Listed Color Additives	0905-AB60
686	Patent Term Restoration for Certain Regulated Products (Title II of "Drug Price Competition and Patent Term Restoration Act of 1984")	0905-AB65
687	Food Labeling Information Regarding Good Nutrition and Health	0905-AB67
688	Food Labeling: Definitions of Cholesterol Free, Low Cholesterol, and Reduced Cholesterol	0905-AB68
689	Methylene Chloride	0905-AC00
690	Common or Usual Name for Diluted Fruit or Vegetable Juice Beverages Other than Diluted Orange Juice Beverages	0905-AC48

HHS

Public Health Service—Food and Drug Administration (FDA)—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
691	Tamper-Resistant Packaging Requirements for Over-the-Counter (OTC) Drugs	0905-AC70

Public Health Service—Food and Drug Administration (FDA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
692	Good Laboratory Practice for Nonclinical Laboratory Studies	0905-AA84
693	Animal Drug Safety Policy	0905-AB04
694	General Biological Products Standards; Additional Standards for Human Blood and Blood Products; Test for Antibody to Human Immunodeficiency Virus (HIV)	0905-AB62

Public Health Service—Health Resources and Services Administration (HRSA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
695	Grants for Residency Training and Faculty Development in General Internal Medicine and/or General Pediatrics	0905-AB50
696	Health Education Assistance Loan (HEAL) Program: Implementation of Pub. L. 99-129	0905-AC28
697	Grants for Nurse Practitioner and Nurse Midwifery Traineeship Programs	0905-AC30
698	Grants for Health Professions Projects in Geriatrics	0905-AC33
699	Post-Baccalaureate Faculty Fellowship Program	0905-AC34
700	Grants for Community Health Services Criteria and Procedure for Determining Medically Underserved Populations (MUP)	0905-AC35
701	Implementation of Health Care Quality Improvement Act of 1986 (Title IV, Public Law 99-660)	0905-AC51
702	National Health Service Corps Loan Repayment Program And Special Repayment Provisions Provisions Program	0905-AC65
703	Area Health Education Center (AHEC) Program	0905-AC67
704	Designation of Mental Health Manpower Shortage Areas	0905-AC68
705	Health Education Assistance Loan (HEAL) Program	0905-AC69

Public Health Service—Health Resources and Services Administration (HRSA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
706	Grants for Nurse Anesthetist Traineeships	0905-AB33
707	Health Professions Student Loan (HPSL) Program: Deferment Revisions	0905-AC06
708	Health Education Assistance Loan (HEAL) Program: Deferment Revisions	0905-AC07
709	Nursing Special Project Grants	0905-AC18
710	Area Health Education Centers (AHEC)	0905-AC22
711	Nursing Student Loan (NSL) Program: Implementation of the Law (Pub. L. 99-92)	0905-AC31
712	Health Professions Student Loan (HPSL) Program: Implementation of the Law (Pub. L. 99-129)	0905-AC32
713	Health Manpower Shortage Area Designation Criteria	0905-AC50
714	Grants For Construction of Teaching Facilities, Educational Improvements, Scholarships, and Student Loans	0905-AC66

Public Health Service—Health Resources and Services Administration (HRSA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
715	Indian Health Service, 42 CFR Part 36 Subpart I, Contracts Under the Indian Self-Determination Act: Amendments	0905-AB31
716	Reasonable Volume of Uncompensated Services to Persons Unable to Pay (Hill-Burton)	0905-AB35
717	General Review and Revision of Public Law 93-638 Program and Contracting Regulations	0905-AB98

HHS

Public Health Service—Health Resources and Services Administration (HRSA)—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
718	Changes in Public Law 93-638. Regulations to Revise the Declination Appeals Process and Clarify its Scope	0905-AB99

Public Health Service—National Institutes of Health (NIH)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
719	Misconduct in Science	0905-AB91
720	Changes in NIH Program Regulations due to P.L. 99-158,P.L. 99-499 and Title X of P.L. 99-660	0905-AC02
721	National Institutes of Health Center Grants 42 CFR Part 52a	0905-AC27

Public Health Service—National Institutes of Health (NIH)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
722	National Library of Medicine Programs. Revision of General Rules for the National Library of Medicine and National Library of Medicine Grants	0905-AA66

Health Care Financing Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
723	Discontinuation of Prevailing Charge Differentials for Specialists	0938-AD26

Health Care Financing Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
724	Amending Cost Reports and Reopening Intermediary Payment Determinations and Administrative Review Decisions	0938-AA33
725	Medicaid Eligibility	0938-AA58
726	MMIS: Definition of "Mechanized Claims Processing and Information Retrieval System"	0938-AA63
727	Deduction of Incurred Medical Expenses (Spenddown)	0938-AB07
728	Payment for Clinical Diagnostic Laboratory Services	0938-AB50
729	Physician Certification and Plan of Care Requirements and Inspection of Care Reviews	0938-AB55
730	Medicare: Health Maintenance Organizations and Competitive Medical Plans: Coordinated Open Enrollment	0938-AB57
731	Payment for the Services of Physicians Furnished in Teaching Settings and Other Providers	0938-AB61
732	Review of Current Rules Affecting Clinical Laboratories	0938-AB96
733	Medicare Secondary Payor and Medicare Recovery Against Third Parties	0938-AC05
734	Changes in Payment Policy for Direct Graduate Medical Education Costs	0938-AC27
735	Effect of Appeals on Hospital-Specific Portion of the Prospective Payment Rate	0938-AC40
736	Use of the HCFA Hospital Wage Index for Determining Payment to Hospices	0938-AC49
737	Hospice/Case Management	0938-AC52
738	Home and Community-Based Services and Respiratory Care for Ventilator-Dependent Individuals	0938-AC55
739	Billing and Verification Add-On Relating to Home Health Agencies Cost Per Visit Limits for Cost Reporting Periods Beginning July 1, 1986 and July 1, 1987	0938-AC56
740	Participation in CHAMPUS and CHAMPVA, Hospital Admissions for Veterans, Discharge Rights Notice, and Hospital Responsibility for Emergency Care	0938-AC58
741	Payment for Kidneys Sent to Foreign Countries or Transplanted in Non-Medicare Beneficiaries	0938-AC59
742	Medicare Beneficiary Appeals	0938-AC81
743	Medicaid Eligibility for Qualified Severely Impaired Individuals	0938-AC82

HHS

Health Care Financing Administration—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
744	Denial of Payment for Substandard Quality Care, Review of Beneficiary Complaints	0938-AC84
745	Revised Effective Date of Medicare/Medicaid Provider Agreement and Supplier Participation	0938-AC88
746	Recognition of College of American Pathologists Laboratory Accreditation Program	0938-AC89
747	PRO Review of Surgical Procedures and Requirements for Second Opinions	0938-AC90
748	Payment for the Cost of Malpractice Insurance for Hospitals Excluded from the Prospective Payment System	0938-AC97
749	Changes Concerning Determination of Allowable Interest Expense and Suspension of Payments	0938-AC99
750	Changes Concerning the Definition of Accrual Basis of Accounting	0938-AD01
751	Optional Payment System for Low Medicare Volume Skilled Nursing Facilities	0938-AD02
752	Criteria and Procedures for Medical Services Coverage Decisions	0938-AD07
753	Revisions to Conditions of Participation for Hospitals and Conditions for Coverage of Services of Independent Laboratories and Suppliers of ESRD Services	0938-AD11
754	Recognition of Joint Commission on Accreditation of Healthcare Organizations' Home Care Program Standards and the National League for Nursing's Standards for Home Health Agencies	0938-AD13
755	Explanation of Rights and Other HMO/CMP Provisions	0938-AD14
756	Eligibility of Aliens for Medicaid	0938-AD15
757	Medicaid: Eligibility Groups Extended Coverage of Services, and Conditions of Eligibility: COBRA and TEFRA	0938-AD16
758	Medicaid Eligibility of Poverty Level Groups and Extended Coverage of Services	0938-AD17
759	Transfer of Assets	0938-AD18
760	Payment for Services of Certified Registered Nurse Anesthetists	0938-AD25
761	Withdrawal of Coverage of Single Photon Absorptiometry	0938-AD28
762	Modification of Certain Requirements for Health Insuring Organizations	0938-AD31
763	Occupational Therapy, Physician Assistants	0938-AD32
764	Prohibition on Unbundling of Hospital Outpatient Services	0938-AD33
765	Physician Liability on Non-Assigned Claims	0938-AD34
766	Source of State Share of Financial Participation	0938-AD36
767	Changes to Peer Review Organization Regulations	0938-AD38
768	Administrative Sanctions for Circumventing the Prospective Payment System and PRO Disclosure to Licensing and Certification Bodies	0938-AD42
769	Revision of the Medicare Economic Index	0938-AD43
770	Update of Ambulatory Surgical Center Payment Rates for July 1, 1988	0938-AD44
771	Miscellaneous Changes Affecting Payment for Inpatient Hospital Services	0938-AD46
772	Schedule of Limits for Skilled Nursing Facility Inpatient Routine Service Costs for Reporting Periods Beginning On or After October 1, 1988	0938-AD48
773	Changes to the Inpatient Hospital Prospective Payment System and Fiscal Year 1989 Rates	0938-AD49
774	Application of the Comparable Services Limitation in Determining Reasonable Charges	0938-AD50
775	Protocol for the Reuse of Dialysis Bloodlines	0938-AD52
776	Fees for Appeals	0938-AD54
777	Home and Community-Based Services for the Elderly	0938-AD55
778	Revisions to Medicaid Eligibility Quality Control Program Requirements Based on Findings of COBRA Studies	0938-AD56
779	Procedures for Terminating Program Participation of Providers and Suppliers	0938-AD57
780	Part B Premium for 12-Month Period Beginning January 1, 1989	0938-AD58
781	Revisions to the Freedom of Information Regulations	0938-AD60
782	Miscellaneous Amendments to the HMO and CMP Requirements	0938-AD61
783	Payment for Radiologist Services	0938-AD62
784	Relative Value Guide for Physician Anesthesia Services	0938-AD63
785	Revised Medicare Economic Index for 1988 and Establishment of the 1989 Medicare Economic Index	0938-AD64
786	Proposed Fee Schedule for Durable Medical Equipment Effective for Items and Services Provided On or After January 1, 1989	0938-AD65
787	Items and Services Not Chargeable to Patient Personal Funds	0938-AD66
788	Criteria for Standard and Extended Home Health Agency Surveys	0938-AD67
789	Inpatient Hospital Deductible and Coinsurance Amounts and Part A Premium for the Uninsured Aged for 1989	0938-AD68

Health Care Financing Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
790	Payments to Institutions	0938-AB00
791	Miscellaneous Medicare and Medicaid Amendments	0938-AB05
792	Changes to the Lesser of Costs or Charges Provisions	0938-AB29
793	Revisions in Reporting and Recordkeeping Requirements	0938-AB46

HHS

Health Care Financing Administration—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
794	Waiver of Certain Membership Requirements for Certain Health Maintenance Organizations (HMOs) and State Option for Disenrollment Restrictions for Certain HMOs Under Medicaid	0938-AB54
795	Indirect Part B Payment Procedure	0938-AB59
796	Hospital Insurance Entitlement and Supplementary Medical Insurance Enrollment and Entitlement	0938-AB60
797	Treatment of Social Security Cost of Living Increases for Individuals Who Lose SSI Eligibility	0938-AB62
798	Medicare/Medicaid Revaluation of Assets	0938-AB64
799	OMB Review of Information Collection and Recordkeeping Requirements for Home Health Agencies, Independent Laboratories, and Providers of Outpatient, Physical Therapy and/or (cont)	0938-AB68
800	Clarification of Policy on Adjusting the Hospital-Specific Portion of the Prospective Payment Rate	0938-AB71
801	Conditions for Intermediate Care Facilities for the Mentally Retarded	0938-AB76
802	Revision of Medicaid Eligibility Quality Control (MEQC) Program Requirements	0938-AB85
803	Medicare Coverage of Hepatitis B Vaccine for High and Intermediate Risk Individuals, Hemophilia Clotting and Certain X-Ray Services	0938-AC07
804	Reasonable Charge Limitations	0938-AC08
805	Assignment and Reassignment of Provider-Based Home Health Agencies and Hospices to Designated Regional Intermediaries	0938-AC20
806	Fire Safety Standards for Hospitals, Skilled Nursing Facilities, Hospices, Intermediate Care Facilities and Ambulatory Surgical Centers	0938-AC28
807	Medicaid: Eligibility Determinations Based on Disability	0938-AC31
808	Additions to and Deletions From Current List of Covered Surgical Procedures for Ambulatory Surgical Centers	0938-AC45
809	Employers Contribution to Health Maintenance Organizations Option	0938-AC48
810	Reimbursement for Physician's Outpatient Maintenance Dialysis Services	0938-AC57
811	State Plan Requirements and Other Provisions Relating to State Third-Party Liability Programs	0938-AC64
812	Alternate Sanctions for ESRD Facilities	0938-AC68
813	Refunding of Federal Share of Overpayments Made to Medicaid Providers	0938-AC83
814	Medicare Coverage of Immunosuppressive Drugs	0938-AD09
815	Conditions of Participation for Long Term Care Facilities	0938-AD12
816	Medicare, Medicaid, and Clinical Laboratories Improvement Act (CLIA) Patient Confidentiality Rules	0938-AD40
817	Long Term Care Survey	0938-AD41
818	Home Health Agencies: Home Health Aide Training and Patient Rights	0938-AD45
819	Schedules of Limits on Home Health Agency Costs Per Visit for Cost Reporting Periods Beginning On or After July 1, 1988	0938-AD47

Health Care Financing Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
820	Survey and Certification Procedures	0938-AA38
821	Relations with Other Agencies, Miscellaneous Medicaid Definitions and Third Party Liability Quality Control	0938-AB21
822	FFP for Services of Long Term Care Facilities	0938-AB42
823	Medicaid Program; Coverage of Qualified Pregnant Women and Children and Newborn Children	0938-AC02
824	Correction and Reduction Plans for Intermediate Care Facilities for the Mentally Retarded	0938-AC51
825	Schedule of Limits for Skilled Nursing Facility Inpatient Routine Service Costs for Cost Reporting Periods Beginning on or after October 1, 1987	0938-AC54
826	Reasonable Charge Payment Limits for Enteral Products and Supplies	0938-AC67
827	Entities Performing Quality of Care Review of Services Provided by Risk-Basis Health Maintenance Organizations and Competitive Medical Plans	0938-AC85
828	End Stage Renal Disease Program: Responsibilities of Network Organizations	0938-AC86
829	End Stage Renal Disease Program: Revised Network Area Designations	0938-AC87
830	Medicare Economic Index for Reasonable Charges (Effective 01/01/88)	0938-AC91
831	Part B Premium for 12-Month Period Beginning 01/01/88	0938-AC92
832	Inpatient Hospital Deductible and Coinsurance Amounts and Part A Premium for the Uninsured Aged for 1988	0938-AC94
833	Periodic Interim Payments for Hospitals	0938-AC96
834	Payment for Facility Services Related to Ambulatory Surgical Procedures Performed in Hospitals on an Outpatient Basis	0938-AD00
835	Standards for the Reuse of Dialysis Filters and Other Dialysis Supplies	0938-AD10
836	Supplementary Medical Insurance Premiums	0938-AD19
837	Organ Procurement Organizations and Organ Procurement Protocols	0938-AD20
838	Discontinuation of Bad Debt Payment for Hospitals Subject to the Prospective Payment System	0938-AD27
839	Home Health Agencies Aide Training and Discharge Planning, and Conforming Changes to the Hospice Program	0938-AD29

HHS

Health Care Financing Administration—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
840	Alien Eligibility, Immigration Status Verification and Waiver Procedures For AFDC State Administered Adult Assistance and Medicaid Programs	0938-AD35
841	Targeting Information for Income and Eligibility Verification	0938-AD37

Family Support Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
842	Scope of Payments	0970-AA00
843	Aid to Families with Dependent Children Program; Administrative Improvement in the AFDC Program	0970-AA09
844	Standards for Child Support Enforcement Program Operations	0970-AA16
845	Child Support Enforcement Audit Regulations	0970-AA17
846	Distribution of Child Support Collections	0970-AA18
847	Alien Verification Procedures for AFDC; State Administered Adult Assistance and Medicaid Programs; Notice of Proposed Rulemaking	0970-AA41
848	Exclusion of Indian Trust Funds and Alaska Native Claims Settlement Act Distributions (ANCSA)	0970-AA47
849	Cooperation in Third Party Health Coverage	0970-AA49
850	cooperative agreements	0970-AA50
851	FY 1988 Scoring System for Performance Indicators	0970-AA51
852	Federal Tax Refund Offset Process - Pre-Offset Notice Fee	0970-AA52
853	Omnibus Budget Reconciliation Act of 1987	0970-AA56

Family Support Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
854	Refugee Cash and Medical Assistance	0970-AA01
855	Retroactive Modification of Child Support Arrearages	0970-AA03
856	Aid to Families With Dependent Children; Definition of Permissible State Practice-Quality Control	0970-AA04
857	Aid to Families with Dependent Children; Treatment of Utility Payments By Applicant or Recipients Living in Certain Federally Assistance Housing	0970-AA05
858	Aid to Families With Dependent Children Program; Implementation of the Deficit Reduction Act of 1984	0970-AA06
859	Aid to Families With Dependent Children Program; Extension of Medicaid Eligibility When Support Collections Result in Termination of AFDC Eligibility	0970-AA07
860	Consistency for the Food Stamp Program, AFDC Program, and the Adult Assistance Programs	0970-AA08
861	Refugee Resettlement Program; Refugee Cash and Assistance; Requirements for Job Search, Employment Services, and Employment; Refugee Medical Assistance; and Refugee Social Services	0970-AA10
862	Aid to Families with Dependent Children Program; General Administration -- Public Assistance Program -- Quality Control System	0970-AA11
863	Medical Support Enforcement #2	0970-AA13
864	Disregard of Child Support Payments; Regulations Implementing the Deficit Reduction Act of 1984	0970-AA15
865	Grants to States for Public Assistance Programs, Treatment of Replacement Checks	0970-AA19
866	Essential Persons	0970-AA44
867	Alien Legalization	0970-AA48

Family Support Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
868	Child Support Enforcement Program; Quarterly Reporting Requirements	0970-AA02
869	Provision of Services in Interstate IV-D Cases	0970-AA23
870	Case Closure	0970-AA24

HHS

Family Support Administration—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
871	State Legalization Impact Assistance Grants	0970-AA40

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Office of the Secretary (OS)

Prerule Stage

562. PRIVACY ACT REGULATION

Legal Authority: 5 USC 552a

CFR Citation: 45 CFR 5b

Legal Deadline: None.

Abstract: This will be the first complete update since 1975 of the Department's Privacy Act Regulation implementing the Privacy Act of 1974. It will facilitate individuals' access to information and records that the Department maintains about them in more than 400 designated Privacy Act Systems of Records, clarifying and promulgating at one time all the subparts of the regulation. It will also help Departmental personnel processing Privacy Act requests by providing them with an integrated regulation that is compatible with current procedures for processing such requests. The only alternative to this complete update is to continue to operate with a regulation that in the past has been revised on a piecemeal basis.

Timetable:

Action	Date	FR Cite
ANPRM	10/15/88	

Small Entity: No

Agency Contact: Russell M. Roberts, Director, FOI/Priv Div, Department of Health and Human Services, Office of the Secretary, Off of Pub Affairs, Rm 645-F, HHH Bldg, 200 Independence Avenue, SW, Washington, DC 20201, **202 472-7453**

RIN: 0991-AA11

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Office of the Secretary (OS)

Proposed Rule Stage

563. PRINCIPLES FOR DETERMINING COSTS AND COST ALLOCATION PROCEDURES APPLICABLE TO GRANTS, CONTRACTS, AND OTHER AGREEMENTS FOR WORK PERFORMED BY HOSPITALS

Legal Authority: 5 USC 301

CFR Citation: 45 CFR 74, Appendix E; 45 CFR 78

Legal Deadline: None.

Abstract: This action will revise the Department's current cost principles for research and development activities under grants and contracts with hospitals to make them clearer, more specific, and compatible with cost principles issued by OMB for educational institutions and nonprofit organizations. The revision will also broaden the coverage of the principles to include all grants, contracts and other agreements with hospitals (except the Medicare & Medicaid programs).

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: OMB is considering revisions to Circular A-21 and A-122 as a result of the Defense Procurement Improvement Act of 1985 (P.L. 99-145) and the Civilian Employee and Contractor Travel Expenses Act of 1985 (P.L. 99-234). This action should conform to those revisions also.

Agency Contact: Henry G. Kirschenmann, Jr., Deputy Assistant Secretary, Department of Health and Human Services, Office of the Secretary, Office of Procurement, Assist & Logistics, Rm 513D, HHH Bldg, 200 Independence Ave. SW, Washington, DC 20201, **202 245-8870**

RIN: 0991-AA12

564. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN THE DEPARTMENT OF HEALTH AND HUMAN SERVICES

Significance: Agency Priority

Legal Authority: 29 USC 794

CFR Citation: 45 CFR 85.1-62

Legal Deadline: None.

Abstract: Implements the amendment made to Sec. 504 of the Rehabilitation Act of 1973 by Pub.L. 95-602 in 1978, which extended Sec. 504 to the Federal sector. The proposed Part 85 is modeled on Part 84 which implements Sec. 504 with respect to recipients of Federal financial assistance.

Timetable:

Action	Date	FR Cite
NPRM	02/16/88	53 FR 4425
NPRM Comment Period End	04/18/88	53 FR 4425
Final Action	07/00/88	

Small Entity: Not Applicable

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Government Levels Affected: Federal

Agency Contact: Frank E.G. Weil, Chief, Policy Branch, Department of Health and Human Services, Office of the Secretary, Office for Civil Rights, 330 Independence Avenue SW, Room 5411, Washington, DC 20201, 202 245-6700

RIN: 0991-AA17

565. CIVIL MONEY PENALTIES FOR FAILURE TO REPORT MEDICAL MALPRACTICE PAYMENTS AND FOR BREACHING THE CONFIDENTIALITY OF INFORMATION

Legal Authority: PL 99-660, Sec 421(c) and 427(b)

CFR Citation: 42 CFR 1003

Legal Deadline: None.

Abstract: This proposed rule would establish civil money penalties against any individual or entity that fails to report information on medical malpractice payments in accordance with the Health Care Quality Improvement Act of 1986, and against any individual who breaches the confidentiality of information reported to the data bank established to collect and disseminate required information in accordance with that Act.

Timetable:

Action	Date	FR Cite
NPRM	03/21/88	53 FR 9260
NPRM Comment Period End	05/20/88	
Final Action	10/00/88	

Small Entity: No

Agency Contact: James Patton, Director, Health Care Admin. Sanctions Div., Office of Investigations, Department of Health and Human Services, Office of the Secretary, Office of Inspector General, 6325 Security Boulevard, 301timore, MD 21207, 301 594-3957

RIN: 0991-AA40

566. CIVIL MONEY PENALTIES FOR HEALTH MAINTENANCE ORGANIZATIONS AND COMPETITIVE MEDICAL PLANS

Legal Authority: PL 99-501, Sec 9312; PL 99-501, Sec 9434; PL 100-203, Sec 4014

CFR Citation: 42 CFR 1003

Legal Deadline: None.

Abstract: This proposed rule provides for civil money penalties for each violation against any risk-sharing organization that: (1) fails substantially to provide medically necessary items and services that are required under the contract; (2) imposes premiums on enrolled individuals in excess of premiums permitted; (3) acts to expel or refuse, or to re-enroll an individual; (4) misrepresents or falsifies information; (5) engages in any practice that would reasonably be expected to have the effect of denying or discouraging enrollment; or, (6) fails to provide for prompt payment of claims for services provided to enrollees.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	
Final Action	12/00/88	
NPRM Comment Period End	01/00/89	

Small Entity: Undetermined

Additional Information: This proposed rule is being revised as a result of broaden CMP and sanction authorities contained in P.L. 100-203.

Agency Contact: James Patton, Director, Health Care Admin. Sanctions Div., Office of Investigations, Department of Health and Human Services, Office of the Secretary, Office of Inspector General, 6325 Security Boulevard, Baltimore, Maryland 21207, 301 594-3957

RIN: 0991-AA44

567. PROHIBITION ON USE OF PHYSICIAN INCENTIVE PLANS

Legal Authority: PL 99-501, Sec 9313

CFR Citation: 42 CFR 1001; 42 CFR 1003

Legal Deadline: None.

Abstract: This proposed rule would prohibit a hospital from knowingly making incentive payments to a physician as an inducement to that physician to reduce or limit services provided to program beneficiaries who are under the direct care of that physician.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	09/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Additional Information: The effective date for implementing regulations addressing physician incentive plans by risk-sharing HMOs and competitive medical plans has been delayed to 4/1/90 by P.L. 100-203, Sec 4016. This provision will be addressed through separate rulemaking at a later date.

Agency Contact: James Patton, Director, health Care Admin. Sanctions Div., Office of Investigations, Department of Health and Human Services, Office of the Secretary, Office of Inspector General, 6325 Security Boulevard, Baltimore, Maryland 21207, 301 594-3957

RIN: 0991-AA45

568. NEW CIVIL MONEY PENALTIES AND EXCLUSIONS AUTHORITIES RESULTING FROM OBRA 1986 AND OBRA 1987

Legal Authority: PL 99-501, Sec 9320; PL 99-501, Sec 9331; PL 99-501, Sec 9332; PL 99-501, Sec 9334; PL 99-501, Sec 9338; PL 100-203, Sec 4022; PL 100-203, Sec 4023; PL 100-203, Sec 4039; PL 100-203, Sec 4045; PL 100-203, Sec 4049; PL 100-203, Sec 4051; PL 100-203, Sec 4062; PL 100-203, Sec 4064; PL 100-203, Sec 4085; PL 100-203, Sec 4118; ...

CFR Citation: 42 CFR 1001; 42 CFR 1003

Legal Deadline: None.

Abstract: This proposed rule provides for civil money penalties and exclusions for various program violations resulting from OBRA 1986 and OBRA 1987. Penalties and sanctions may be imposed against among other things: (1) those who bill Medicare beneficiaries on a non-assigned basis for services of a certified nurse anesthetist or a physician assistant; (2) non participating physicians billing for actual charges above permitted charges; (3) nursing homes; (4) home health care providers; (5) unassigned lab services; (6) DME rental providers; and (7) providers of laboratory tests.

Timetable:

Action	Date	FR Cite
NPRM	04/00/89	
NPRM Comment Period End	06/00/89	
Final Action	12/00/89	

Small Entity: Undetermined

Additional Information: This proposed rule is being revised as a result of

HHS—OS

Proposed Rule Stage

broadened CMP and sanction authorities contained in P.L. 100-203.

Agency Contact: James Patton, Director, Health Care Admin. Sanctions Div., Office of Investigations, Department of Health and Human Services, Office of the Secretary, Office of Inspector General, 6325 Security Boulevard, Baltimore, Maryland 21207, 301 594-3957

RIN: 0991-AA46

569. AMENDMENTS TO OIG EXCLUSION AND CMP AUTHORITIES RESULTING FROM PL 100-93

Significance: Agency Priority

Legal Authority: PL 100-93

CFR Citation: 42 CFR 1001; 42 CFR 1002; 42 CFR 1003

Legal Deadline: Statutory, September 1989. Statutory deadline applies only to "kick-back" provision.

Abstract: These regulations are designed to protect program beneficiaries from unfit health care practitioners, and otherwise to improve the anti-fraud provisions relating to Titles 5, 11, 18, 19, and 20.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
NPRM Comment Period End	12/00/88	

Small Entity: Undetermined

Additional Information: This proposed rule incorporates two previous items of proposed rulemaking (0991-AA21 and 0991-AAA39) as a result of the passage of PL 100-93.

Agency Contact: James Patton, Director, Health Care Admin. Sanctions Div., Office of Investigations, Department of Health and Human Services, Office of the Secretary, Office of Inspector General, 6325 Security Boulevard, Baltimore, Maryland 21207, 301 594-3957

RIN: 0991-AA47

570. ● OIG ANTI-KICKBACK PROVISIONS

Legal Authority: PL 100-93, Sec 4; PL 100-93, Sec 14

CFR Citation: 42 CFR 1001; 42 CFR 1002

Legal Deadline: Statutory, August 18, 1988.

Abstract: This proposed rule will specify payment practices which, although potentially capable of inducing referrals of business under Medicare, are not to be considered kickbacks for purposes of criminal or civil remedies.

Timetable:

Action	Date	FR Cite
ANPRM	10/19/87	52 FR 38794
ANPRM Comment Period End	12/18/87	
NPRM	08/18/88	

Small Entity: Undetermined

Additional Information: Proposed regulations addressing PL 100-93, Sec 14 are being addressed in this separate rulemaking and have been split out from RIN 0991-AA47.

Agency Contact: Joel Schaer, Regulations Officer, Office of Inspector General, AO, Department of Health and Human Services, Office of the Secretary, 330 Independence Avenue, SW, Washington, D.C. 20201, 202 472-5270

RIN: 0991-AA49

571. ● PRO RURAL PRACTITIONERS AMENDMENTS

Legal Authority: PL 100-203, Sec 4095

CFR Citation: 42 CFR 1004

Legal Deadline: None.

Abstract: This proposed rule would permit a hearing before an Administrative Law Judge of a provider in a rural health manpower shortage area, or in a county with a population of less than 70,000 before a program exclusion of that provider took place.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Undetermined

Agency Contact: James Patton, Director, Health Care Admin. Sanctions Div., Office of Inspector General, Department of Health and Human Services, Office of the Secretary, Office of Investigations, 6325 Security Boulevard, Baltimore, MD 21207, 301 594-3957

RIN: 0991-AA51

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Office of the Secretary (OS)

Final Rule Stage

572. NONDISCRIMINATION REQUIREMENTS (INCLUDING ON THE BASIS OF SEX OR RELIGION) APPLICABLE TO BLOCK GRANTS AND STANDARD NONDISCRIMINATION PROCEDURES APPLICABLE TO CERTAIN OTHER PROGRAMS

Legal Authority: 42 USC 9906; 42 USC 300x-7; 42 USC 728; 42 USC 8625; 42 USC 9821; 42 USC 9849

CFR Citation: 45 CFR 92

Legal Deadline: None.

Abstract: To implement the nondiscrimination requirements applicable to block grants authorized by the Omnibus Budget Reconciliation Act of 1981, P.L. 97-35.

Timetable:

Action	Date	FR Cite
NPRM	01/21/86	51 FR 2806
NPRM Comment Period End	03/24/86	51 FR 2806
Interim Final Rule	09/00/88	

Small Entity: No

Additional Information: New CFR Subpart to be assigned.

Agency Contact: Marcella Haynes, Director, Policy and Special Projects Staff, Department of Health and Human Services, Office of the Secretary, Policy and Special Staff, OCR, Room 5032, HHS North Bldg, 330 Independence Ave, SW, Washington, DC 20201, 202 245-6671

RIN: 0991-AA02

573. FREEDOM OF INFORMATION ACT REGULATION

Legal Authority: 5 USC 552; 31 USC 9701; 42 USC 1306a; EO 12600

CFR Citation: 45 CFR 5

Legal Deadline: None.

Abstract: This will be the first complete update since August 1974 of the Department's Public Information Regulation implementing the Freedom of Information Act. It will facilitate public access to information by making necessary revisions, clarifying, and promulgating at one time all the subparts of the regulation. It will also help Departmental personnel processing FOIA requests by providing them with an integrated regulation that is compatible with current procedures for processing FOIA requests and assessing search and copy fees that reflect the increased cost of such services. The only alternative to this complete update is to continue to operate with a regulation that in the past has been revised on a piecemeal basis.

Timetable:

Action	Date	FR Cite
NPRM	04/08/86	51 FR 13250
NPRM Comment Period End	06/17/87	51 FR 13250
Interim Final Rule	11/13/87	52 FR 43575
Interim Final Rule Public Comment Period Ends	12/14/87	52 FR 43575
Final Action	06/00/88	

Small Entity: No

Agency Contact: Russell M. Roberts, Director, FOI/Priv Div, Department of Health and Human Services, Office of the Secretary, Off of Pub Affairs, Rm 645-F, Humphrey Bldg, 200 Independence Ave, SW, Washington, DC 20201, 202 472-7453

RIN: 0991-AA07

574. EQUAL OPPORTUNITY IN EMPLOYMENT: PUBLIC BROADCASTING, PUBLIC RADIO AND PUBLIC TELECOMMUNICATIONS ENTITIES RECEIVING FEDERAL FUNDS FROM THE CORPORATION FOR PUBLIC BROADCASTING

Legal Authority: 47 USC 2405

CFR Citation: 45 CFR 87.1-40

Legal Deadline: None.

Abstract: Implements the Equal Opportunity in Employment Provisions of the Public Telecommunications Financing Act of 1978, PUB. L. 95-267, 47 U.S.C. 398(b)(1). This provision requires that equal opportunity in employment be afforded to all persons and that no person shall be subjected to discrimination in employment on the grounds of race, color, religion, national origin, or sex by the Public Broadcasting Service, National Public Radio, and public telecommunications entitles receiving Federal funds from the Corporation for Public Broadcasting.

Timetable:

Action	Date	FR Cite
ANPRM	03/13/79	
NPRM	12/21/79	44 FR 75676
Final Action	08/00/88	

Small Entity: No

Public Compliance Cost: Yearly Recurring Cost: $6,000

Government Levels Affected: Local, State

Agency Contact: Frank E. G. Weil, Chief, Policy Branch, Department of Health and Human Services, Office of the Secretary, Office for Civil Rights, 330 Independence Avenue, SW, Room 5411, Washington, DC 20201, 202 245-6700

RIN: 0991-AA22

575. AUDITS OF NON-GOVERNMENTAL GRANTEES

Significance: Agency Priority

Legal Authority: 5 USC 301

CFR Citation: 45 CFR 74.62(b), (Revised)

Legal Deadline: None.

Abstract: This action will implement revised OMB Circular A-88 which is expected to be issued sometime this year. The Circular will provide governmentwide standards for non-Federal audits of college and university recipients of Federal grants and contracts. The Circular and these amendments will replace the audit requirements currently contained in OMB Circular A-110.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Additional Information: It is expected that OMB will publish a draft of its Circular in the Federal Register and obtain public comments. The specific form and nature of our action is expected to be mandated by OMB.

Agency Contact: Gary Houseknecht, Acting Director, Office of Assistance, and Cost Policy, Department of Health and Human Services, Office of the Secretary, Room 513D, Hubert H. Humphrey Bldg., 200 Independence Ave., SW, Washington, DC 20201, 202 245-7565

RIN: 0991-AA29

576. AUTOMATIC DATA PROCESSING EQUIPMENT AND SERVICES; CONDITIONS FOR FEDERAL FINANCIAL PARTICIPATION II

Significance: Agency Priority

Legal Authority: 5 USC 301

CFR Citation: 45 CFR 95.601; 45 CFR 95.605; 45 CFR 95.611; 45 CFR 95.612; 45 CFR 95.613; 45 CFR 95.615; 45 CFR 95.617; 45 CFR 95.619; 45 CFR 95.621; 45 CFR 95.623; 45 CFR 95.624; 45 CFR 95.625; 45 CFR 95.631; 45 CFR 95.633; 45 CFR 95.641

Legal Deadline: None.

Abstract: This NPRM will propose new regulations of 45 CFR 95.600, et seq., to reduce the amount of time necessary to review and respond to State and local agency requests for FFP. The reduction in process time will be accomplished by streamlining the review process and requiring fewer points of prior approval for smaller expenditures by the Department.

Timetable:

Action	Date	FR Cite
NPRM	09/30/87	
NPRM Comment Period End	11/30/87	
Final Action	04/30/88	
Final Action Effective	07/30/88	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Ron Lentz, Division of State Data Systems, Department of Health and Human Services, Office of the Secretary, Room 542F HHH Bldg., 200 Independence Ave., SW, Washington, DC 20201, 202 245-7354

RIN: 0991-AA34

577. CIVIL MONEY PENALTIES AND EXCLUSIONS FOR ASSISTANTS AT CATARACT SURGERY

Significance: Agency Priority

Legal Authority: PL 99-272, Sec 9307; PL 99-514, Sec 1895(b)(16)

CFR Citation: 42 CFR 1001; 42 CFR 1003

Legal Deadline: None.

Abstract: These final regulations provide for the imposition of civil money penalties and exclusions against physicians billing the Medicare program or program beneficiaries for services of an assistant at surgery for cataract operations where prior approval has not been granted. This rule specifically responds to various comments raised as a result of the interim final, and makes a number of technical corrections to those final regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/10/87	52 FR 11649
Final Action	04/00/88	

Small Entity: No

Agency Contact: James Patton, Director, health Care Admin. Sanctions Div., Office of Investigations, Department of Health and Human Services, Office of the Secretary, Office of Inspector General, 6325 Security Boulevard, Baltimore, MD 21207, **301 594-3957**

RIN: 0991-AA37

578. BLOCK GRANT PROGRAMS

Significance: Agency Priority

Legal Authority: PL 99-425

CFR Citation: 45 CFR 96

Legal Deadline: Statutory, November 29, 1986.

Abstract: The regulation provides procedures by which the Secretary may exempt states from the statutory time limits that they must meet in responding to requests for crisis assistance under the low income house energy assistance program.

Timetable:

Action	Date	FR Cite
Final Action	04/20/88	
Final Action Effective	05/20/88	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Government Levels Affected: State

Agency Contact: Robert C. Raymond, Director, Intergovernmental Policy, Department of Health and Human Services, Office of the Secretary, 447D, Humphrey Building, 200 Independence Ave., SW, Washington, DC 20201, **202 245-7316**

RIN: 0991-AA38

579. PROGRAM FRAUD CIVIL REMEDIES

Significance: Agency Priority

Legal Authority: PL 99-501, Sec 6103

CFR Citation: 45 CFR 79

Legal Deadline: Statutory, April 21, 1987. While final rule was due on this date, a note of proposed rulemaking was promulgated prior to the issuance of final regulations.

Abstract: This rule establishes a $5,000 civil money penalty and an assessment of double damages against any person who, with knowledge or reason to know, submits a false, fictitious or fraudulent claim or statement to the Department of Health and Human Services.

Timetable:

Action	Date	FR Cite
NPRM	07/21/87	52 FR 27423
NPRM Comment Period End	09/19/87	
Final Action	04/00/88	

Small Entity: Not Applicable

Agency Contact: D. McCarty Thornton, Supervisory Trial Attorney, Office of the General Counsel/IG Division, Department of Health and Human Services, Office of the Secretary, 330 Independence Avenue, SW, Washington, DC 20201, **202 245-6306**

RIN: 0991-AA41

580. TARGETING OF, AND TOLERANCES FOR, INCOME AND ELIGIBILITY VERIFICATION SYSTEM DATA

Significance: Agency Priority

Legal Authority: PL 99-509, Sec 9101 Omnibus Budget Reconciliation Act of 1986

CFR Citation: 42 CFR 453.952; 45 CFR 205.56

Legal Deadline: None.

Abstract: These rules make revisions to the regulations designed to incorporate changes made by Section 9101 of PL 99-509, which amended Section 1137 of the Social Security Act to allow States flexibility in targeting uses of data through the Income and Eligibility Verification System,. States will not be required to verify and act on all data. This changes earlier regulations which required 100% verification and allows the States the option to target their uses to those identified in the State Plan as most likely to be productive.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/11/88	

Small Entity: No

Additional Information: These regulations are planned to be issued at the same time regulations being issued by the Department of Agriculture to provide consistency of implementation with the Federally assisted benefit program at that department.

Government Levels Affected: State, Federal

Agency Contact: Sheldon Shalit, Director, Division of Payment Integrity, Department of Health and Human Services, Office of the Secretary, OAPSR, ASMB, 530G HHH, 200 Independence Ave., SW, Washington, DC 20201, **202 245-0384**

RIN: 0991-AA42

581. GOVERNMENTWIDE DEBARMENT AND SUSPENSION (NONPROCUREMENT)

Legal Authority: 5 USC 301

CFR Citation: 45 CFR 76

Legal Deadline: None.

Abstract: This action will implement Executive Order 12549 and OMB guidelines for nonprocurement debarment and suspension, which establish a governmentwide system primarily covering assistance programs.

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	
NPRM Comment Period End	12/21/87	52 FR 39048
Interim Final Rule	05/26/88	

Small Entity: No

Government Levels Affected: Local, State

Agency Contact: Gary Houseknecht, Acting Director, Office of Assistance, and Cost Policy, Department of Health and Human Services, Office of the Secretary, -Room 13-D HHH 200

HHS—OS

Final Rule Stage

Independence Avenue, SW, Washington, D.C. 20201, **202 245-7565**

RIN: 0991-AA43

582. ● PROGRAM FRAUD CIVIL REMEDIES

Legal Authority: PL 99-509, Sec 6103; PL 99-509, Sec 6104

CFR Citation: 45 CFR 79

Legal Deadline: Statutory, April 1987.

Abstract: This final rule implements the Program Fraud Civil Remedies Act of 1986 by establishing procedures for the investigation, review, litigation, adjudication and appeal of cases where individuals make claims of written statements to the Department knowing, or with reason to know, that such submissions are false, fictitious or fraudulent.

Timetable:

Action	Date	FR Cite
NPRM	07/21/87	52 FR 27423
NPRM Comment Period End	08/20/87	
Final Action	04/00/88	

Small Entity: No

Agency Contact: Joel Schaer, Regulations Officer, Office of Inspector General, AO, Department of Health and Human Services, Office of the Secretary, 330 Independence Avenue, SW, Washington, D.C. 20201, **202 472-5270**

RIN: 0991-AA50

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Office of the Secretary (OS)

Completed Actions

583. REVISION TO OIG'S SANCTION AUTHORITIES

Significance: Agency Priority

CFR Citation: 42 CFR 1001; 42 CFR 1002

Completed:

Reason	Date	FR Cite
Merged with RIN 0991-AA47 Item incorporated into new entry.	02/09/88	

Small Entity: Yes

Agency Contact: James Patton **301 594-3957**

RIN: 0991-AA21

584. BLOCK GRANT PROGRAMS

Significance: Regulatory Program

CFR Citation: 45 CFR 96

Completed:

Reason	Date	FR Cite
Final Action	10/13/87	52 FR 37957
Final Action Effective	11/12/87	52 FR 37957

Small Entity: No

Agency Contact: Robert C. Raymond **202 245-7316**

RIN: 0991-AA25

585. ADMINISTRATION OF GRANTS - IMPLEMENTATION OF OMB CIRCULAR A-102

CFR Citation: 45 CFR 74; 45 CFR 92

Completed:

Reason	Date	FR Cite
Final Action	03/11/88	53 FR 8034
Final Action Effective	10/01/88	

Small Entity: No

Agency Contact: Gary Houseknecht **202 245-7565**

RIN: 0991-AA27

586. ADMINISTRATION OF GRANTS-SINGLE AUDIT ACT OF 1984

Significance: Agency Priority

CFR Citation: 45 CFR 74.62(a), (Revised); 45 CFR 74, Appendix I; 45 CFR 74, Appendix J

Completed:

Reason	Date	FR Cite
Final Action	03/11/88	53 FR 8078

Small Entity: No

Agency Contact: Gary Houseknecht **202 245-7565**

RIN: 0991-AA30

587. WITHHOLDING OF MEDICAID PAYMENTS FOR FRAUD OR WILLFUL MISREPRESENTATION

CFR Citation: 42 CFR 455

Completed:

Reason	Date	FR Cite
Final Action	12/28/87	52 FR 48814
Final Action Effective	12/28/87	52 FR 48814

Small Entity: No

Agency Contact: James Patton **301 594-3957**

RIN: 0991-AA36

588. PPS FRAUD AND ABUSE SANCTION AND PRO REVISIONS

CFR Citation: 42 CFR 400; 42 CFR 405; 42 CFR 412; 42 CFR 476; 42 CFR 498; 42 CFR 1001; 42 CFR 1004

Completed:

Reason	Date	FR Cite
Merged with RIN 0991-AA47 Item incorporated into new entry.	02/09/88	

Small Entity: Undetermined

Agency Contact: Bill Libercci **301 594-5035**

RIN: 0991-AA39

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Final Rule Stage

Departmental Management (HHSDM)

589. IMPLEMENTATION OF THE EQUAL ACCESS TO JUSTICE ACT IN AGENCY PROCEEDINGS

Legal Authority: 5 USC 504(c)(1)

CFR Citation: 45 CFR 13

Legal Deadline: None.

Abstract: The Equal Access to Justice Act requires agencies to pay attorney fees to parties prevailing against the Government in certain types of administrative proceedings. It requires each agency to issue rules implementing the Act as it applies to these proceedings. As originally enacted, the Act had a sunset clause. A recent statutory amendment eliminated the sunset provision and made other changes in the Act. The instant regulation would amend 45 CFR Part 13 (HHS's regulation implementing the Act) to eliminate the corresponding sunset provision and to make other changes conforming with the statutory changes.

Timetable:

Action	Date	FR Cite
Final Action Effective	10/01/84	
NPRM	06/19/87	52 FR 23311
NPRM Comment Period End	08/17/87	
Final Action	04/00/88	

Small Entity: No

Agency Contact: Darrel J. Grinstead, Associate General Counsel, Business and Administrative Law Division, Department of Health and Human Services, Departmental Management, Room 5362, HHS North Building, 330 Independence Avenue, SW, Washington, DC 20201, 202 475-0150

RIN: 0990-AA02

590. ● TESTIMONY BY EMPLOYEES AND THE PRODUCTION OF DOCUMENTS IN PROCEEDINGS WHERE THE UNITED STATES IS NOT A PARTY

Significance: Agency Priority

Legal Authority: 5 USC 301; 5 USC 552

CFR Citation: 45 CFR 2

Legal Deadline: None.

Abstract: Part 2 of Title 45, CFC, governs the testifying of HHS employees as part of their official duties in litigation where neither the United States nor other Federal agencies are parties. This rule will amend Part 2 to clarify it and to resolve minor technical problems.

Timetable:

Action	Date	FR Cite
Final Action	06/00/88	

Small Entity: No

Agency Contact: Darrel J. Grinstead, Associate General Counsel, Business and Administrative Law Division, Department of Health and Human Services, Departmental Management, Room 5362, Wilbur J. Cohen Building, 330 Independence Avenue, SW, Washington, D.C. 20201, 202 475-0150

RIN: 0990-AA03

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Completed Actions

Departmental Management (HHSDM)

591. ● TESTIMONY BY EMPLOYEES AND THE PRODUCTION OF DOCUMENTS IN PROCEEDINGS WHERE THE UNITED STATES IS NOT A PARTY

Significance: Agency Priority

Legal Authority: 5 USC 301; 5 USC 552

CFR Citation: 45 CFR 2

Legal Deadline: None.

Abstract: This rule adds a new Part 2 to Title 45, CFR. It generally provides that HHS employees may not give testimony as part of their official duties without the approval of the head of their agency in litigation where the United States or other Federal agencies are not parties. The rule also provides procedures for processing written requests for documents.

Timetable:

Action	Date	FR Cite
Final Action	10/05/87	52 FR 37145

Small Entity: No

Agency Contact: Darrel J. Grinstead, Associate General Counsel, Business and Administration Law Division, Department of Health and Human Services, Departmental Management, Room 5362 Wilbur J. Cohen Building, 330 Independence Avenue, SW, Washington, D.C. 20201, 202 745-0150

RIN: 0990-AA04

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Proposed Rule Stage

Office of Human Development Services (HDSO)

592. FOSTER CARE, ADOPTION ASSISTANCE, AND CHILD WELFARE SERVICES

Legal Authority: 42 USC 670 et seq; Federal Payment for Foster Care and Adoption Assistance; 42 USC 620 et seq Child Welfare Services; 42 USC 1302 Rules and Regulations

CFR Citation: 45 CFR 1356; 45 CFR 1357

Legal Deadline: None.

Abstract: This NPRM will propose criteria the Department will use to verify that a State has met statutory requirements and is eligible to receive additional funds under Section 427 of the Social Security Act as amended by the Adoption Assistance and Child Welfare Act of 1980 (Pub. L. 96-272). The proposed rule will contain the specific criteria by which State performance in meeting the requirements of Section 427 is determined, the percentage levels and other standards for case record compliance, and procedures for conducting compliance reviews.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Betty Stewart, Associate Commissioner, Children's Bureau, ACYF, Department of Health and Human Services, Office of Human Development Services, P.O. Box 1182, Washington, DC 20201, 202 755-7600

RIN: 0980-AA08

593. RUNAWAY AND HOMELESS YOUTH PROGRAM

Legal Authority: 42 USC 5701 Note The Runaway and Homeless Youth Act, as amended

CFR Citation: 45 CFR 1351

Legal Deadline: None.

Abstract: These rules will make technical changes to modify 45 CFR 1351 to conform to changes in legislation that: (1) provide for making grants to any eligible entity and no longer restrict grants to nonprofit entities; and (2) refer to "family" or "families" in place of "parent," "parents," and/or "legal guardian(s)."

Timetable:

Action	Date	FR Cite
NPRM	08/30/88	

Small Entity: No

Agency Contact: Paget W. Hinch, Associate Commissioner, ACYF/HDS, Department of Health and Human Services, Office of Human Development Services, Family and Youth Services Bureau, ACYF/HDS, PO Box 1182, Washington, DC 20013, 202 472-4426

RIN: 0980-AA11

594. HEAD START CRITERIA FOR SELECTION OF NEW GRANTEES

Legal Authority: 42 USC 9831 et seq Head Start Act

CFR Citation: 42 CFR 1302

Legal Deadline: None.

Abstract: The NPRM will propose additional new criteria that, if adopted, will be used in the selection of new Head Start grantees.

Timetable:

Action	Date	FR Cite
NPRM	12/30/88	

Small Entity: No

Agency Contact: Doug Klafehn, Chief, Program Management and Operations Branch, Head Start Bureau ACYF/OHDS, Department of Health and Human Services, Office of Human Development Services, P. O. Box 1182, Washington, DC 20013, 202 755-0590

RIN: 0980-AA17

595. HEAD START STAFF AND PROGRAM OPTIONS REQUIREMENTS

Significance: Agency Priority

Legal Authority: 42 USC 9831 et seq Head Start Act

CFR Citation: 45 CFR 1304; 45 CFR 1306

Legal Deadline: None.

Abstract: The NPRM will propose changes in existing regulations related to program design including class size, hours of operation, and program options such as center-based and home-based Head Start services. The NPRM will also propose, in a new Part, the requirements for home-based Head Start services.

Timetable:

Action	Date	FR Cite
NPRM	12/30/88	

Small Entity: No

Agency Contact: Doug Klafehn, Chief, Program Management and Operations Branch Head Start Bureau, ACYF/OHDS, Department of Health and Human Services, Office of Human Development Services, P. O. Box 1182, Washington, DC 20013, 202 755-0590

RIN: 0980-AA18

596. HEAD START APPEALS PROCESS

Legal Authority: 42 USC 9831 et seq Head Start Act

CFR Citation: 45 CFR 1303

Legal Deadline: None.

Abstract: The NPRM will propose revisions to current procedures for appeals from Head Start grantees and delegate agencies to improve the effectiveness and efficiency of the appeals process.

Timetable:

Action	Date	FR Cite
NPRM	01/01/89	

Small Entity: No

Agency Contact: Doug Klafehn, Chief, Program Management and Operations Branch, Head Start Bureau, ACYF/OHDS, Department of Health and Human Services, Office of Human Development Services, P. O. Box 1182, Washington, DC 20013, 202 755-0590

RIN: 0980-AA20

597. HEAD START PERFORMANCE STANDARDS FOR SERVICES TO HANDICAPPED CHILDREN

Legal Authority: 42 USC 9839

CFR Citation: 45 CFR 1308

Legal Deadline: None.

Abstract: The NPRM will propose to establish a new part 1308 setting forth proposed performance standards that must be used in providing Head Start services to handicapped children.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	

Small Entity: No

Agency Contact: Jane DeWeerd, Child Development Specialist, Department of Health and Human Services, Office of Human Development Services, Administration for Children, Youth and Families, PO Box 1182, Washington, DC 20013, 202 755-7944

RIN: 0980-AA21

598. NONRECURRING COSTS OF ADOPTION

Legal Authority: 42 USC 673

CFR Citation: 45 CFR 1356

Legal Deadline: None.

Abstract: This rule will implement new statutory requirements for States to establish a program to reimburse parent(s) who adopt a child with special needs for their nonrecurring costs of adoption.

Timetable:

Action	Date	FR Cite
NPRM	04/30/88	

Small Entity: No

Agency Contact: Beverly Stubbee, Department of Health and Human Services, Office of Human Development Services, Children's Bureau, P.O. Box

1182, Washington, D.C. 20201, 202 755-7447

RIN: 0980-AA24

---

599. HEAD START RECRUITMENT SELECTION AND ENROLLMENT OF CHILDREN

Legal Authority: 45 USC 9831 et seq

CFR Citation: 45 CFR 1305

Legal Deadline: None.

Abstract: In this NPRM, the Head Start Bureau will propose amendments to existing regulations governing recruitment, selection, and enrollment of children.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	

Small Entity: No

Agency Contact: Doug Klafehn, Department of Health and Human Services, Office of Human Development Services, Head Start Bureau, Box 1182, Washington, D.C. 20013, **202 755-0590**

RIN: 0980-AA27

---

600. ● LIMITS ON COSTS OF DEVELOPMENT AND ADMINISTRATION

Legal Authority: 42 USC 9839

CFR Citation: 45 CFR 1301

Legal Deadline: None.

Abstract: 45 CFR 1301.32 is being amended to provide additional clarification to Head Start programs in meeting the requirement that the costs of developing and administering a Head Start program not exceed 15 percent of total costs.

Timetable:

Action	Date	FR Cite
NPRM	03/31/89	

Small Entity: No

Agency Contact: Douglas Klafehn, Chief, Program Management and Operations Branch, Head Start Bureau, Department of Health and Human Services, Office of Human Development Services, Room 5851, 400 6th Street, S.W., Washington, DC 20213, **202 755-0590**

RIN: 0980-AA32

---

601. ● HEAD START PERFORMANCE STANDARDS FOR INFANTS AND TODDLERS

Legal Authority: 42 USC 9831 et seq

CFR Citation: 45 CFR 1307

Legal Deadline: None.

Abstract: The NPRM will propose to establish a new Part 1307 setting forth performance standards that must be used in providing Head Start services to infants and toddlers.

Timetable:

Action	Date	FR Cite
NPRM	12/30/88	

Small Entity: No

Agency Contact: Douglas Klafehn, Chief, Program Management and Operations Branch, Head Start Bureau, Department of Health and Human Services, Office of Human Development Services, Room 5851, 400 6th Street, S.W., Washington, D.C. 20213, **202 755-0590**

RIN: 0980-AA33

---

602. ● GRANTS FOR STATE AND COMMUNITY PROGRAMS ON AGING; GRANTS TO INDIAN TRIBES; AND GRANTS TO ORGANIZATIONS SERVING OLDER HAWAIIANS FOR SUPPORTIVE AND NUTRITION SERVICES

Legal Authority: 42 USC 3001 et seq

CFR Citation: 45 CFR 1321; 45 CFR 1326; 45 CFR 1328

Legal Deadline: Statutory, March 29, 1988.

Abstract: The Administration on Aging will propose new and revised regulations to implement statutory changes made by passage of the Older Americans Act Amendments of 1987. The NPRM will affect State and community programs on aging, grants to Indian Tribes, and propose rules for new program of grants to Native Hawaiian organizations..

Timetable:

Action	Date	FR Cite
NPRM	03/29/88	
NPRM Comment Period End	05/29/88	

Small Entity: No

Agency Contact: Frederick Luhmann, Director, Division of Program Management Administration on Aging, Department of Health and Human Services, Office of Human Development Services, Room 4747, 330 Independence Ave., S.W., Washington, DC 20201, **202 245-2618**

RIN: 0980-AA34

---

603. ● ADOPTION AND FOSTER CARE INFORMATION

Legal Authority: 42 USC 679

CFR Citation: 45 CFR 1355; 45 CFR 1356; 45 CFR 1357

Legal Deadline: Statutory, December 31, 1988.

Abstract: Section 479 of the Social Security Act requires the Secretary to publish regulations to collect data relating to foster care and adoption in the United States.

Timetable:

Action	Date	FR Cite
NPRM	12/31/88	

Small Entity: No

Agency Contact: Joseph Mottola, Deputy Commissioner, Administration for Children, Youth and Families, Department of Health and Human Services, Office of Human Development Services, Room 5030, 400 6th Street, S.W., Washington, DC 20213, **202 755-7773**

RIN: 0980-AA35

---

604. ● DEVELOPMENTAL DISABILITIES PROGRAM

Legal Authority: 42 USC 6000 et seq

CFR Citation: 45 CFR 1385; 45 CFR 1386; 45 CFR 1387; 45 CFR 1388

Legal Deadline: Statutory, April 30, 1988.

Abstract: This proposed rule will amend current regulations to implement statutory changes made by passage of Public Law 100-146, the Developmental Disabilities Assistance and Bill of Rights Act of 1987. The NPRM will include proposals to establish a peer review process for the University Affiliated Facilities program, set forth standards to assure that States supplement and do not supplant program resources, and revise paper work and reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/30/88	

Small Entity: No

HHS—HDSO

Proposed Rule Stage

Agency Contact: James J. Colarusso, Director, Management Services, Administration on Developmental Disabilities, Department of Health and Human Services, Office of Human Development Services, Room 351-D, 200 Independence Ave., S.W., Washington, DC 20201, **202 245-2890**

RIN: 0980-AA36

Legal Deadline: Statutory, March 29, 1988.

Abstract: This rule will amend regulations that implement recent statutory changes in the Native American Programs Act to set forth the procedures and criteria to be used in making a demonstration grant to operate a revolving loan fund for the purpose of economic and social self-sufficiency of Native Hawaiians.

Timetable:

Action	Date	FR Cite
NPRM	03/29/88	
NPRM Comment Period End	05/29/88	

Small Entity: No

Agency Contact: Jan Phalen, Program Analyst, Administration for Native Americans, Department of Health and Human Services, Office of Human Development Services, Room 5300, 330 Independence Ave., S.W., Washington, DC 20201, **202 245-7714**

RIN: 0980-AA37

605. ● NATIVE HAWAIIAN LOAN FUND DEMONSTRATION PROJECT

Legal Authority: 42 USC 2991 et seq

CFR Citation: 45 CFR 1336

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Office of Human Development Services (HDSO)

Final Rule Stage

606. HEAD START PERSONNEL POLICIES

Significance: Regulatory Program

Legal Authority: 42 USC 9831 et seq Head Start Act

CFR Citation: 45 CFR 1301

Legal Deadline: None.

Abstract: This rule would amend existing regulations governing the recruitment and selection of Head Start staff. The rule would emphasize the importance of careful screening of employees in Head Start programs by requiring that Head Start programs have formal personnel policies and procedures in place that will provide safeguards against the possibility of abuse and neglect, including sexual abuse, occurring in the Head Start program.

Timetable:

Action	Date	FR Cite
NPRM	04/03/85	50 FR 13253
NPRM Comment Period End	06/03/85	50 FR 13253
Final Action	04/01/88	

Small Entity: No

Agency Contact: Doug Klafehn, Department of Health and Human Services, Office of Human Development Services, Head Start Bureau, Administration for, Children, Youth and Families, PO Box 1182, Washington, DC 20013, **202 755-0590**

RIN: 0980-AA10

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Office of Human Development Services (HDSO)

Completed Actions

607. DEVELOPMENTAL DISABILITIES PROGRAM

CFR Citation: 45 CFR 1385; 45 CFR 1386; 45 CFR 1387; 45 CFR 1388

Completed:

Reason	Date	FR Cite
Final Action	11/20/87	52 FR 44840
Final Action Effective	11/20/87	52 FR 44840

Small Entity: No

Agency Contact: James Colarusso 202 245-2890

RIN: 0980-AA12

608. CONSOLIDATION OF GRANTS TO THE INSULAR AREAS – FINAL RULE WITH COMMENT PERIOD

CFR Citation: 45 CFR 97

Completed:

Reason	Date	FR Cite
Final Action	10/28/87	52 FR 41431
Final Action Effective	03/25/87	52 FR 41431

Small Entity: No

Agency Contact: Howard A. Foard, Jr. 202 245-6036

RIN: 0980-AA22

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Proposed Rule Stage

Social Security Administration (SSA)

609. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; TREATMENT OF OASDI LUMP SUM AND MONTHLY PAYMENTS IN THE AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM

Legal Authority: 42 USC 405; 42 USC 407; 42 USC 602; 42 USC 1302; 42 USC 1383(a)

CFR Citation: 20 CFR 404, Subpart U; 20 CFR 416, Subpart F

Legal Deadline: None.

Abstract: These proposed rules would revise 20 CFR 404.2040, which stipulates the use of benefit payments by a representative payee, explaining that retroactive and monthly title II benefits received by a representative payee may be used for other members of the AFDC Unit. Potential costs and benefits are not available at this time. We are also proposing direct payment to a beneficiary under age 18 if the beneficiary is within 7 months of attaining age 18 and is initially filing an application for benefits. This proposed revision represents a policy change and is an extension of the 4-month period in our current regulations.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Phil Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 965-1769**

RIN: 0960-AA90

610. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; CARDIOVASCULAR SYSTEM

Legal Authority: 42 USC 1302; 42 USC 1383; 42 USC 405

CFR Citation: 20 CFR 404.1500ff Appendix 1, Part A

Legal Deadline: None.

Abstract: Section 4.00 of Appendix 1 of the Disability regulations (404.1501 through 404.1599) describes cardiovascular impairments considered severe enough to prevent an individual from doing any gainful activity. We are reviewing this section of the Listing of Impairments and are anticipating the need for revising the criteria to bring them more up to date with current medical technologies and practice in this area of medicine which is advancing rapidly. The Supplemental Security Income program incorporates by reference and uses the same medical criteria as the Old-Age, Survivors, and Disability Insurance program.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Harry Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1757**

RIN: 0960-AA99

611. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; RESPIRATORY SYSTEM

Legal Authority: 42 USC 1302; 42 USC 1383; 42 USC 405

CFR Citation: 20 CFR 404.1500ff, Appendix 1, Part A

Legal Deadline: None.

Abstract: Section 3.00 of Appendix 1 to the Disability Regulations (404.1501 through 404.1599) describes those respiratory impairments which are considered severe enough to prevent a person from engaging in any gainful activity. We are proposing comprehensive revision to that section to require consideration of the nature and clinical manifestations of respiratory disorders, as well as consideration of the degree of limitations such disorders may impose on an individual's ability to work. The Supplemental Security Income program incorporates by reference and uses the same medical criteria as the Old-Age, Survivors, and Disability Insurance programs.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Harry Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1757**

RIN: 0960-AB00

612. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; MUSCULOSKELETAL SYSTEM

Legal Authority: 42 USC 1302; 42 USC 405; 42 USC 1383

CFR Citation: 20 CFR 404.1500ff, Appendix 1, Part A

Legal Deadline: None.

Abstract: Section 1.00 of Appendix 1 to the Disability Regulations 404.1501 through 404.1599 describes those musculoskeletal impairments which are considered severe enough to prevent a person from doing any gainful activity. We are proposing comprehensive revisions to that section to ensure that the medical evaluation criteria are up to date and consistent with the latest advances in medicine. The Supplemental Security Income program incorporates by reference and uses the same medical criteria as the Old-Age Survivors, and Disability Insurance program. The budgetary impact is unknown at this time.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Henry Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1756**

RIN: 0960-AB01

613. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; ADJUSTMENTS IN SSI BENEFITS ON ACCOUNT OF RETROACTIVE BENEFITS UNDER TITLE II

Significance: Regulatory Program

Legal Authority: 42 USC 405; 42 USC 1320a-6; 42 USC 1302; 42 USC 1383; PL 98-369, Sec 2615; 42 USC 1383b; 42 USC 1327

CFR Citation: 20 CFR 404.408b; 20 CFR 416.1123; 20 CFR 416.1402(m); 20 CFR 416.1123a, (New); 20 CFR 404.902

Legal Deadline: None.

Abstract: Sec. 2615 of Pub. L. 98-369 amended sec. 1127 of the Social Security Act to eliminate loopholes that permitted some people who were paid Old-Age, Survivors and Disability Insurance (OASDI) and Supplemental Security Income (SSI) benefits retroactively to receive more in total benefits for the same period than if they had been paid the benefits when regularly due. The two main changes are: (1) SSI benefits will be reduced where retroactive OASDI benefits have been paid before the SSI benefits. Under prior law, reductions could be made only in retroactive OASDI benefits and only when the retroactive SSI had been paid first. (2) OASDI or SSI benefits payable upon reinstatement following a period of suspension or termination will be reduced by the amount of SSI benefits that would not have been paid if the OASDI benefits had been paid when regularly due. We will amend our regulations to conform to the statutory changes. The program savings to SSA are estimated as $5 million a year.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 965-8471**

RIN: 0960-AB38

614. SUPPLEMENTAL SECURITY INCOME PROGRAM; LIMITATION ON RECOUPMENT RATE IN CASE OF OVERPAYMENT

Legal Authority: 42 USC 1302; 42 USC 1381; 42 USC 1381a; 42 USC 1382; 42 USC 1382c; 42 USC 1383; 42 USC 1383b

CFR Citation: 20 CFR 416, Subpart E

Legal Deadline: None.

Abstract: These proposed rules which implement section 2612 of Pub. L. 98-369 will limit the rate at which an overpayment may be recovered from an individual still receiving benefits (SSI or federally administered supplementary payments, or both) to 10 percent of the recipient's total income (countable income plus SSI and State supplementary payments) or the recipient's payment for the month, whichever is less. They will apply the 10 percent requirement only to recipients in current payment status. The 10 percent limit will not apply in situations involving conditional disposition of resources agreements, misuse of burial funds, recovery by refund, cross program adjustment for individuals not in SSI current pay or where it is determined that the overpayment occurred because of recipient fraud, willful misrepresentation, or concealment. They will, in negotiated cases, set a rate of withholding that is appropriate for the financial condition of the overpaid person after (continued)

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: factual evaluation. Such cases will also be considered initial determinations for which the recipient has appeal rights. Estimated costs are FY 1986--$2 million, FY 1987- -$2 million, FY 1988--$2 million, FY 1989--$2 million.

Agency Contact: Larry Dudar, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-1795**

RIN: 0960-AB40

615. OLD-AGE, SURVIVORS, DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS: EVALUATION OF SYMPTOMS, INCLUDING PAIN

Legal Authority: 42 USC 405; 42 USC 423; 42 USC 1382c; 42 USC 1383; 42 USC 1302

CFR Citation: 20 CFR 404, Subpart P; 20 CFR 416, Subpart I

Legal Deadline: None.

Abstract: These proposed regulations expand the existing regulations pertaining to the evaluation of cases involving pain or other symptoms to provide a more detailed explanation of SSA's current policy for evaluating symptoms, including pain.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, **301 965-1759**

RIN: 0960-AB41

616. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; EVALUATION GUIDES FOR DETERMINING SUBSTANTIAL GAINFUL ACTIVITY (SGA)

Legal Authority: PL 98-460, Sec 10

CFR Citation: 20 CFR 404; 20 CFR 416

Legal Deadline: None.

Abstract: These proposed changes will incorporate into regulations of the Social Security Administration a number of policies relating to the evaluation of a person's work activity that are now in Social Security Rulings published in 1983 and 1984.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Agency Contact: Harry Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-1757**

RIN: 0960-AB73

617. OASDI & SSI PROGRAMS; DEFINITION OF OVERPAYMENT AND LIABILITY FOR REPAYMENT OF AN OVERPAYMENT

Legal Authority: 42 USC 404; 42 USC 405; 42 USC 1302

CFR Citation: 20 CFR 404.501; 20 CFR 404.502; 20 CFR 416.537; 20 CFR 404.501a, (New)

Legal Deadline: None.

Abstract: These proposed rules implement section 12113 of Pub. L. 99-272 (Consolidated Omnibus Budget Reconciliation Act of 1985) enacted April 7, 1986. That legislation establishes a Social Security benefit overpayment or a Supplemental Security Income benefit overpayment to a joint account owner in certain cases in which the beneficiary is deceased

and payment is made after death. Also, we propose to add clarifying changes to the title II and title XVI regulations to explain the procedures used to collect benefit overpayments.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Agency Contact: Duane Heaton, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-8470**

RIN: 0960-AB78

---

618. SUPPLEMENTAL SECURITY INCOME PROGRAM; TREATMENT OF PROPERTY HELD IN TRUST OR OTHER SIMILAR LEGAL DEVICES WHEN THE PROPERTY IS AVAILABLE FOR A BENEFICIARY'S SUPPORT AND MAINTENANCE

Legal Authority: 42 USC 1302; 42 USC 1381; 42 USC 1381a; 42 USC 1382; 42 USC 1382a; 42 USC 1382b; 42 USC 1382c(f); 42 USC 1383

CFR Citation: 20 CFR 416.1201

Legal Deadline: None.

Abstract: This proposed regulation provides that assets held in any revocable or irrevocable trust or any other similar legal device including but not limited to gifts made in accordance with the Uniform Gifts to Minors Act, if available for the beneficiary's support and maintenance, will be a countable resource. It would include as a resource trust assets that could be but are not disbursed to the beneficiary either at the discretion of the trustees or at the direction of the trustor because such disbursement would adversely affect the beneficiary's eligibility for Supplemental Security Income benefits.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Henry D. Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1756**

RIN: 0960-AB79

---

619. OLD-AGE, SURVIVORS AND DISABILITY INSURANCE; BLACK LUNG; AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; AND ORGANIZATION AND PROCEDURES; APPLICATION OF CIRCUIT COURT LAW

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1395; 42 USC 1395(a)(2); 42 USC 1395hh; 5 USC 552

CFR Citation: 20 CFR 422E; 20 CFR 404J; 20 CFR 410F; 20 CFR 416N

Legal Deadline: None.

Abstract: The proposed regulations describe a new type of Social Security Ruling which is available to the public and which is issued when the decision of a United States Court of Appeals conflicts with Social Security Administration policy. The Ruling states how the decision is applied to claims of persons living in the particular circuit.

Timetable:

Action	Date	FR Cite
Prior Notice of Proposed Rulemaking	01/23/87	52 FR 02557
NPRM	04/00/88	

Small Entity: No

Agency Contact: Phil Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1769**

RIN: 0960-AB85

---

620. SUPPLEMENTAL SECURITY INCOME PROGRAM; EXCLUSIONS FROM INCOME AND RESOURCES OF INDIAN JUDGEMENT FUNDS AND PER CAPITA DISTRIBUTIONS

Legal Authority: 25 USC 1407; 25 USC 1172; 25 USC 1176; 43 USC 1601ff

CFR Citation: 20 CFR 416, Subpart K, Appendix; 20 CFR 416.1236; 20 CFR 1234

Legal Deadline: None.

Abstract: Proposed changes will update the regulations to reflect the provisions of Pub.L. 97-458 and Pub.L. 98-64, concerning exclusions from income and resources provided for Native Americans and clarify SSI treatment of funds and land distributed to Alaskan natives under Pub.L. 92-203, as amended. The regulatory change will result in Federal program savings of less than $1 million annually and administrative costs that would not be significant.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Irv Darrow, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1755**

RIN: 0960-AB86

---

621. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REDUCTION BECAUSE OF ENTITLEMENT TO OTHER BENEFITS

Legal Authority: 42 USC 405; 42 USC 407; 42 USC 1302; 42 USC 402

CFR Citation: 20 CFR 404.407, (Revision); 20 CFR 404.612

Legal Deadline: None.

Abstract: Section 202(k)(4) of the Social Security Act discusses simultaneous entitlement to retirement and disability insurance benefits (RIB/DIB) and provides that SSA will pay the higher benefit unless the claimant elects to be paid the lower. Section 223(a)(1) explains that an application for DIB may be filed by someone other than the insured individual within 3 months after the month of the insured individual's death. We are proposing to change CFR 404.407(c) to clarify that the person described in section 404.612(d) may make the election discussed in section 202(k)(4).

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Additional Information: We foresee minimal costs from this change since the number of potentially affected beneficiaries is small and the period of time during which they will receive the higher family maximum amount (based on the RIB) will only be for the months during which the deceased NH is simultaneously entitled to DIB. Also,

this cost will be offset by administrative savings since overpayments will not be created and have to be recovered in situations where individuals are able to elect the lower family maximum (based on DIB) on behalf of the deceased NH.

Agency Contact: Lawrence V. Dudar, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1795**

RIN: 0960-AB87

622. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; DETERMINING DISABILITY AND BLINDNESS, MEDICAL-VOCATIONAL GUIDELINES, ILLITERACY AND INABILITY TO COMMUNICATE IN ENGLISH

Legal Authority: 42 USC 405

CFR Citation: 20 CFR 404P, Appendix 2; 20 CFR 416

Legal Deadline: None.

Abstract: The proposed changes will clarify the meaning of the terms "illiteracy" and "inability to communicate in English" as they are used in the disability determination regulations. The Supplemental Security Income program incorporates by reference and uses the same medical-vocational criteria as the Old-Age, Survivors, and Disability Insurance program.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Harry Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1757**

RIN: 0960-AB94

623. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; REVISED MEDICAL CRITERIA FOR DETERMINATION OF DISABILITY; MENTAL DISORDERS-CHILDHOOD

Significance: Regulatory Program

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404P, Appendix 1, Part B

Legal Deadline: None.

Abstract: Section 112.00 of Appendix 1 to the Old-Age, Survivors, and Disability Insurance Disability Regulations 404.1501 through 404.1599 describe the medical criteria that apply only to the evaluation of mental impairments of persons under age 18. We are proposing comprehensive revisions to that section to ensure that the medical criteria are up to date and consistent with the latest advances in medicine. The Supplemental Security Income program incorporates by reference and uses the same medical criteria as the Old-Age, Survivors, and Disability Insurance program.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
Final Action	00/00/00	

Small Entity: No

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1758**

RIN: 0960-AB96

624. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; MEDICAL EVALUATION CRITERIA FOR ACQUIRED IMMUNE DEFICIENCY SYNDROME (AIDS)

Legal Authority: 42 USC 405; 42 USC 1302

CFR Citation: 20 CFR 404P, Appendix 1

Legal Deadline: None.

Abstract: Section 10.00 of Appendix 1 to the Disability Regulations (404.1501 through 404.1599) describes multiple body system impairments which are severe enough to prevent a person from doing any gainful activity. We are proposing to add the criteria for evaluation of AIDS to this section. The Supplemental Security Income program incorporates by reference and uses the same medical criteria as the Old-Age, Survivors, and Disability Insurance program. The budgetary impact is unknown at this time.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 695-1759**

RIN: 0960-AC06

625. OLD-AGE SURVIVORS AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; APPEALS COUNCIL REVIEW AUTHORITY

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383; 42 USC 401; 42 USC 404

CFR Citation: 20 CFR 404.970; 20 CFR 404.968a, (New); 20 CFR 416.1470; 20 CFR 416.1468a, (New); 20 CFR 404.900; 20 CFR 404.907; 20 CFR 404.920; 20 CFR 404.929; 20 CFR 404.938; 20 CFR 404.939; 20 CFR 404.944; 20 CFR 404.961

Legal Deadline: None.

Abstract: These regulations propose changes in the policies and procedures to be followed by, and the structure of, SSA's Appeals Council which conducts the last step in the administrative review process; clarify certain issues with respect to the scope of that review; and make changes in other parts of the process related thereto. The regulations will also propose changes in the regulations concerning SSA's authority to reopen and revise determinations and decisions which have become final.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Philip Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-1769**

RIN: 0960-AC15

626. SUPPLEMENTAL SECURITY INCOME PROGRAM; EMPLOYMENT OPPORTUNITIES FOR THE DISABLED

Legal Authority: PL 99-643, Sec 2; PL 99-643, Sec 3; PL 99-643, Sec 4; PL 99-643, Sec 5

CFR Citation: 20 CFR 416.260; 20 CFR 416.261; 20 CFR 416.262; 20 CFR 416.263; 20 CFR 416.264; 20 CFR 416.265; 20 CFR 416.266; 20 CFR 416.267; 20 CFR 416.268; 20 CFR 416.269; 20 CFR 416.211; 20 CFR 416.414; 20 CFR 416.640; 20 CFR 416.901; 20 CFR 416.990; ...

Legal Deadline: None.

Abstract: These proposed regulations will implement statutory changes contained in sections 2, 3, 4, and 5 of P.L. 99-643. These provisions: (1) make section 1619 of the Social Security Act permanent; (2) allow certain blind and disabled beneficiaries to receive up to 2 months of SSI benefits during temporary periods when they are in certain institutions; (3) simplify the transitions among regular SSI status, special benefit status, and special Medicaid status; and (4) require that SSI recipients be appropriately informed of the availability of section 1619 benefits.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	

Small Entity: Undetermined

Agency Contact: Harry Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1757**

RIN: 0960-AC22

---

627. SUPPLEMENTAL SECURITY INCOME PROGRAM; PERMANENT RESIDENCE IN THE UNITED STATES UNDER COLOR OF LAW - ADDITIONAL CATEGORY

Significance: Agency Priority

Legal Authority: 42 USC 1382c; PL 99-603

CFR Citation: 20 CFR 416.1618; 20 CFR 416.1615

Legal Deadline: None.

Abstract: This proposed regulation will add the specific categories of aliens legalized by P. L. 99-603 to be considered permanently residing in the United States under color of law or lawfully admitted for permanent residence in the United States.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: No

Agency Contact: David Smith, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1758**

RIN: 0960-AC26

---

628. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; WAGES-- DEFERRED COMPENSATION

Legal Authority: PL 98-21; PL 99-514; PL 98-369

CFR Citation: 20 CFR 404.1041; 20 CFR 404.1042; 20 CFR 404.1068; 20 CFR 404.1049; 20 CFR 404.1050; 20 CFR 404.1001; 20 CFR 404.1026; 20 CFR 404.1046; 20 CFR 404.1048; 20 CFR 404.1051; 20 CFR 404.1052; 20 CFR 404.1053; 20 CFR 404.1054; 20 CFR 404.1058; 20 CFR 404.1070; ...

Legal Deadline: None.

Abstract: P. L. 98-21, the Social Security Amendments of 1983, changed the timing of crediting deferred compensation for Social Security purposes. It also changed the treatment of retirement pay depending upon whether it is paid under a qualified deferred compensation plan. Further, it excluded from coverage various fringe benefits and payments under a Simplified Employee Pension Plan (SEP). Finally, the amendments codify certain provisions pertaining to meals and lodging and tax-sheltered annuities. P.L. 98-369 amended the wage exclusion for qualified bond purchase plans. P.L. 99-514 excluded from coverage payments under a cafeteria plan as described in section 125 of the Internal Revenue Code. Section 1882 of P.L. 99-514 amends the law for determining self-employment income when an individual works for a church or church-controlled organization which has elected not to pay social security taxes. Section 1704 of P.L. 99-514 amends the law for receiving an exemption from social security coverage for members of religious orders, ministers, and Christian Science practitioners. The regulations will be updated to reflect and implement these statutory provisions.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Additional Information: Since the new rules are mandated by legislation, any costs or effects upon small entities are a result of the legislation and not a result of the proposed regulations.

Agency Contact: Charles Campbell, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1794**

RIN: 0960-AC27

---

629. SUPPLEMENTAL SECURITY INCOME PROGRAM; PAYMENT OF BENEFITS DUE DECEASED RECIPIENTS

Legal Authority: 42 USC 1383(b)(1)(A)

CFR Citation: 20 CFR 416.340; 20 CFR 416.345; 20 CFR 416.538; 20 CFR 416.542; 20 CFR 416.543; 20 CFR 416.1457(c)(4)

Legal Deadline: None.

Abstract: Section 8 of Pub. L. 99-643 provides that effective for benefits payable for months after May 1986, an underpayment shall be paid to any surviving spouse of a deceased SSI recipient whether or not the spouse was eligible for SSI, if such spouse was living in the same household with the recipient at the time of death, or within the 6 months immediately preceding the month of death, or to the parent(s) of a deceased disabled or blind child who was an SSI recipient if the child was living with the parent(s) at the time of death or within the 6 months immediately preceding the month of death. We are changing our regulations to conform to the statutory provision. Annual cost is not expected to exceed $1 million.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: No

Agency Contact: Larry Dudar, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1795**

RIN: 0960-AC28

630. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; CONSIDERATION OF VOCATIONAL FACTORS

Legal Authority: 42 USC 421; 42 USC 423; 42 USC 1302; 42 USC 1382c; 42 USC 405; 42 USC 1383

CFR Citation: 20 CFR 404.1560; 20 CFR 416.960

Legal Deadline: None.

Abstract: These proposed regulations reflect longstanding policies followed by the Social Security Administration in making disability determinations and remove an ambiguity which exists in the present regulations regarding the factors that are considered when it is determined that a claimant is not disabled because he or she is able to do his or her past work. These proposed regulations do not reflect a substantive change in policy and are intended only to clarify what has always been agency policy.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: William J. Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-1759**

RIN: 0960-AC31

631. ORGANIZATION AND PROCEDURES, AND OASDI PROGRAMS; EVIDENCE REQUIRED FOR ORIGINAL OR DUPLICATE SOCIAL SECURITY NUMBER CARD

Legal Authority: 42 USC 405; 42 USC 1302

CFR Citation: 20 CFR 422B

Legal Deadline: None.

Abstract: The proposed regulations will allow the Social Security Administration (SSA) to test procedures that will provide an exception to the current requirement that an applicant for a duplicate card must submit corroborative evidence of identity. This will enable us to test procedures that would allow us to conduct much of our business in processing applications for duplicate Social Security number cards by telephone.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-8471**

RIN: 0960-AC32

632. ORGANIZATION AND PROCEDURES, AND OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAMS; SOCIAL SECURITY NUMBER CARDS FOR ALIENS

Legal Authority: 42 USC 405; 42 USC 1302

CFR Citation: 20 CFR 422B

Legal Deadline: None.

Abstract: The proposed regulation will reflect the role of the Immigration and Naturalization Service in obtaining applications for Social Security numbers from aliens when they apply for temporary legal resident status. Rules on evidence needed to support an application are being updated and revised. The proposed regulations will also reflect the role of the States in obtaining applications for Social Security numbers from welfare claimants and recipients. Savings for the Federal government are estimated to be $5.9 million for FY 1988 and $6.3 million for subsequent years.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-8471**

RIN: 0960-AC34

633. ● OLD-AGE SURVIVORS AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; PAST WORK EXPERIENCE AND ADJUSTMENT TO OTHER WORK

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404.1562; 20 CFR 404.1565; 20 CFR 416.962; 20 CFR 416.965

Legal Deadline: None.

Abstract: We are proposing to include in our regulations vocational evaluation standards used in determining disability under titles II and XVI of the Social Security Act (the Act). The guidelines apply to assessing past work as a vocational factor and evaluating medical-vocational circumstances demonstrating an inability to make an adjustment to other work. These standards are presently contained in Social Security Rulings (SSR's) and the Program Operating Manual System (POMS).

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: No

Agency Contact: William J. Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-1759**

RIN: 0960-AC39

634. ● OLD-AGE SURVIVORS AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; CANCELLED CONSULTATIVE EXAMINATIONS

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 404.1624; 20 CFR 416.1024

Legal Deadline: None.

Abstract: We are proposing to no longer pay for consultative examinations when services are not rendered because the scheduled appointment was broken or otherwise not kept. Presently, the States decide whether to pay for these canceled examinations and such payments have already been abolished in 22 States. The total elimination of these payments will establish a uniform national policy

and result in considerable Trust Fund savings.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Agency Contact: William J. Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-1759**

RIN: 0960-AC40

635. ● OLD-AGE SURVIVORS AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; DETERMINING DISABILITY AND BLINDNESS; FEE LIMITATION POLICY FOR PURCHASE OF LABORATORY TESTS

Legal Authority: 42 USC 1302; 42 USC 1383b

CFR Citation: 20 CFR 404.1624; 20 CFR 416.1024

Legal Deadline: None.

Abstract: These proposed regulations will place a limitation on the rates of payment a State may pay for laboratory tests purchased by the disability determination services (DDS). Under these proposed regulations a DDS will be required to limit the amounts it pays for laboratory tests to the maximum payment level contained in the Health Care Financing Administration's (HCFA) Medicare Limitation Amounts for Laboratory Fee Schedules. Currently the only payment requirement is that the rates of payment not exceed the highest rates paid by Federal or other agencies in the State for the same or similar types of services.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: Undetermined

Agency Contact: Harry J. Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-1757**

RIN: 0960-AC41

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) — Final Rule Stage

Social Security Administration (SSA)

636. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; COVERAGE OF EMPLOYEES OF STATE AND LOCAL GOVERNMENTS

Legal Authority: 42 USC 418; 42 USC 1302; PL 98-21, Sec 103; PL 98-21, Sec 342; PL 99-272, Sec 12110; PL 99-509, Sec 9002

CFR Citation: 20 CFR 404, Subpart M

Legal Deadline: None.

Abstract: This proposed regulation reflects policies and procedures concerning agreements between States and the Secretary for Social Security coverage of State and local employees, payment of Social Security contributions, filing of wage reports by States, charging interest for late payments, etc. The current rules need to be organized into a logical sequence and to be updated to reflect many policies which SSA has followed for many years. In preparing this regulation, we reviewed all policies to assess their impact on the trust funds and to reduce recordkeeping burdens. We also added the provisions of section 103 of Pub. L. 98-21. Sec. 103 prohibits termination of existing coverage under the States' agreements. When the regulations are published in final form, we will also add language to implement Pub. L. 99-272 sec. 12110, which provides a uniform effective date for coverage agreements and modifications of agreements, and a provision of sec. 10002 of the Omnibus Budget Reconciliation Act of 1986 which transfers from SSA to IRS all responsibility for the contributions and reporting for covered State and local wages paid after 1986.

Timetable:

Action	Date	FR Cite
Notice of Decision to Develop Regs	09/28/79	44 FR 55899
Notice of Available Working Draft	09/26/80	45 FR 63868
NPRM	05/29/86	51 FR 19468
NPRM Comment Period End	09/26/86	
Final Action	05/00/88	

Small Entity: No

Agency Contact: Duane Heaton, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-8470**

RIN: 0960-AA13

637. SUPPLEMENTAL SECURITY INCOME PROGRAM; REDUCTIONS, SUSPENSIONS AND TERMINATIONS

Legal Authority: 42 USC 1302; 42 USC 1382; 42 USC 1382a; 42 USC 1382b; 42 USC 1382c; 42 USC 1382d; 42 USC 1383

CFR Citation: 20 CFR 416, Subpart M

Legal Deadline: None.

Abstract: This regulation reorganizes, revises, and clarifies the rules on withholding, reducing, suspending, and terminating an SSI beneficiary's benefits. These regulations include changes in the present rules that are required by recent statutory enactments and, additionally, make the rules easier to read and understand. This regulation will have no impact on SSA programs and administrative costs.

Timetable:

Action	Date	FR Cite
Notice of Decision to Develop Regs	06/19/79	44 FR 35241
NPRM	05/08/86	51 FR 17057
NPRM Comment Period End	07/07/86	
Final Action	07/00/88	

Small Entity: No

Agency Contact: Charles H. Campbell, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-1794**

RIN: 0960-AA22

HHS—SSA

Final Rule Stage

638. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; PROVISION FOR INFERRING A PERSON IS DEAD

Legal Authority: 42 USC 405; 42 USC 1302; 30 USC 923

CFR Citation: 20 CFR 404, Subpart H

Legal Deadline: None.

Abstract: These regulations would clarify our rules on evidence that is needed to presume that a person is dead in order for a claimant to collect the lump-sum death payment or survivors benefits under the Old-Age, Survivors, and Disability Insurance program.

Timetable:

Action	Date	FR Cite
NPRM	02/29/84	49 FR 07405
NPRM Comment Period End	04/30/84	

Next Action Undetermined

Small Entity: No

Agency Contact: Phil Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 965-1769**

RIN: 0960-AA54

639. SUPPLEMENTAL SECURITY INCOME PROGRAM; REOPENING AND REVISING SUPPLEMENTAL SECURITY INCOME DETERMINATIONS AND DECISIONS WITHIN FOUR YEARS OF THE NOTICE OF THE INITIAL DETERMINATION

Legal Authority: 42 USC 1302; 42 USC 1383; 42 USC 1383b

CFR Citation: 20 CFR 416.1488

Legal Deadline: None.

Abstract: The proposed rules would provide for the reopening and revising of Supplemental Security Income determinations within four years of the notice of the initial determination if we discovered an error affecting a claimant's eligibility or benefit amount during this period through the use of information exchange and data gathering involving either our records or our records and those of other Federal or State agencies.

Timetable:

Action	Date	FR Cite
NPRM	08/27/86	51 FR 30499
NPRM Comment Period End	10/27/86	

Next Action Undetermined

Small Entity: No

Agency Contact: Philip Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 965-1769**

RIN: 0960-AA59

640. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; COVERAGE OF CERTAIN FEDERAL EMPLOYEES; COVERAGE OF EARNINGS OF FEDERAL JUDGES

Legal Authority: PL 98-21, Sec 101; PL 98-118, Sec 4; PL 99-272, Sec 12112; PL 99-335, Sec 301; PL 97-248, Sec 278; PL 98-369, Sec 2601; PL 99-221, Sec 3

CFR Citation: 20 CFR 404.1018

Legal Deadline: None.

Abstract: The proposed regulations would codify section 101 of Pub. L. 98-21, as amended by sec. 4 of Pub. L. 98-118, which generally provides Social Security coverage for certain Federal employees and covers certain payments to retired Federal judges after 1985. Estimated increased revenues (resulting from this legislation) for 1984-1989 are $9.4 billion. Long-range savings are estimated at .28 percent of taxable payroll. Also, the proposed regulations would codify section 12112 of Pub. L. 99-272 which provides exemption from Social Security coverage for retired Federal judges on active duty. In addition, the proposed regulations would provide: 1) that Federal employees not otherwise subject to the Social Security tax are nevertheless subject to the Health Insurance portion of the tax under Pub. L. 97-248, 2) that individuals covered by the Civil Service Retirement System may elect during a limited time to be covered under the Federal Employees Retirement System, which includes Social Security coverage under Pub. L. 99-335, and 3) that certain periods are excluded in determining continuous Federal service under Pub. L. 98-369 and Pub. L. 99-221.

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	

Small Entity: No

Agency Contact: Duane Heaton, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-8470**

RIN: 0960-AA89

641. OLD AGE SURVIVORS DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; STANDARDS FOR CONSULTATIVE EXAMINATIONS; EXISTING MEDICAL EVIDENCE

Significance: Regulatory Program

Legal Authority: PL 98-460, Sec 9; 42 USC 405; 42 USC 421; 42 USC 423; 42 USC 1302; 42 USC 1382c; 42 USC 1383

CFR Citation: 20 CFR 404.1512; 20 CFR 416.912; 20 CFR 404.1519; 20 CFR 416.919; 20 CFR 404.1502; 20 CFR 416.920; 20 CFR 404.1593; 20 CFR 416.993; 20 CFR 416.902; 20 CFR 404.1513; 20 CFR 416.913; 20 CFR 404.1520; 20 CFR 404.1545; 20 CFR 416.945; 20 CFR 404.1546; ...

Legal Deadline: Statutory, April 7, 1985.

Abstract: The proposed regulations include standards for obtaining consultative examinations, the types of consultative examination referrals to be made, and monitoring procedures for consultative examinations and the referral process. The proposed regulations also provide for evaluating all medical evidence of record and developing a 12-month medical history. References to "medical assessments" will be replaced by references to medical source statements as to what a person can still do despite his or her impairment(s). The regulations also set forth the standards to be used in evaluating the medical opinions of treating and other medical sources. The changes will not have any significant impact on either administrative or program costs.

Timetable:

Action	Date	FR Cite
NPRM	04/20/87	52 FR 13014
NPRM Comment Period End	06/19/87	
Final Action	09/00/88	

Small Entity: No

Agency Contact: William Ziegler, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1759**

RIN: 0960-AB22

642. SUPPLEMENTAL SECURITY INCOME PROGRAMS; ASSIGNMENT OF RIGHTS TO THIRD-PARTY MEDICAL PAYMENTS TO STATE

Legal Authority: 42 USC 1383c; 42 USC 1396k; 31 USC 0505; 42 USC 1396a; 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 416.2101 to 416.2176

Legal Deadline: None.

Abstract: Our current regulations implementing section 1634 of the Social Security Act provide that SSA will make determinations for the State on whether aged, blind, or disabled people are eligible for Medicaid if the State's Medicaid requirements for these people are the same as SSI eligibility requirements. Sec. 2367 of Pub. L. 98-369 mandates that States require, as a condition of Medicaid eligibility, that a person assign to the State his or her rights (as well as the rights of any other Medicaid eligible person on whose behalf he or she has the legal authority to execute such an assignment of rights) to any medical care and support available under an order of a court or an administrative agency and any third-party payments for medical care (except Medicare). This is a Medicaid requirement that is different from SSI requirements. We plan to amend our regulations to provide that in making the Medicaid eligibility determination under a section 1634 agreement, SSA will also determine that the new assignment requirement has been met. The regulations will similarly allow for any other non-SSI Medicaid requirement mandated by Federal law, such as that added by sec. (cont.)

Timetable:

Action	Date	FR Cite
NPRM	05/09/86	51 FR 17200
NPRM Comment Period End	07/08/86	
Final Action	05/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: 9503 of Pub. L. 99-272 (concerning the provision of third party liability data). The resulting cost for SSA is estimated as less than $1 million a year, of which States would pay half. We are also rewriting and reorganizing our regulations for making Medicaid determinations.

Agency Contact: C. H. Campbell, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 965-1794**

RIN: 0960-AB28

643. SUPPLEMENTAL SECURITY INCOME PROGRAM; HOW WE COUNT UNEARNED INCOME--FUNDS USED TO PAY INDEBTEDNESS

Legal Authority: 42 USC 1302; 42 USC 1382a

CFR Citation: 20 CFR 416.1123(b)

Legal Deadline: None.

Abstract: The issue is whether amounts otherwise due an individual assigned to repay a legal obligation should continue to be included in income under the Supplemental Security Income (SSI) program. The proposed regulation will clarify that we count such amounts as income. Because this clarification only will reflect current operating policy, no costs/savings are anticipated.

Timetable:

Action	Date	FR Cite
NPRM	09/15/87	52 FR 34813
NPRM Comment Period End	11/16/87	
Final Action	11/00/88	

Small Entity: Not Applicable

Agency Contact: Irving Darrow, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, Maryland 21235, **301 965-1755**

RIN: 0960-AB29

644. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; CONTINUED PAYMENT OF BENEFITS DURING APPEAL

Legal Authority: 42 USC 405; 42 USC 423; 42 USC 1302; 42 USC 1382c; 42 USC 1383; PL 97-455, Sec 2; PL 98-118, Sec 2; PL 98-460, Sec 7; PL 100-203, Sec 9009

CFR Citation: 20 CFR 404.1597; 20 CFR 404.1597a; 20 CFR 416.995; 20 CFR 416.996

Legal Deadline: None.

Abstract: These proposed rules which implement section 2 of Pub. L. 97-455, section 2 of Pub. L. 98-118, section 7 of Pub. L. 98-460and section 9009 of Pub. L 100-203 provide the following groups with the option to elect to continue receiving disability/blindness benefits and/or Medicare coverage pending reconsideration and/or a hearing before an administrative law judge on a medical cessation determination; recipients of disability insurance; adult child's, disabled widow's, disabled widower's, mother's and father's, or spouse's benefits based on having in care a disabled adult child; recipients of benefits based on having in care, a child under age 18 but over age 15, who is disabled and receiving child's benefits; recipients of SSI benefits based on disability or blindness. Any continued payments are subject to recovery as overpayments, subject to the same waiver provisions now in current law and regulations where the medical cessation decision is upheld on appeal.

Timetable:

Action	Date	FR Cite
NPRM	05/21/86	51 FR 18611
NPRM Comment Period End	07/21/86	
Final Action	06/00/88	

Small Entity: No

Agency Contact: Larry Dudar, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-1795**

RIN: 0960-AB30

645. SUPPLEMENTAL SECURITY INCOME PROGRAM; TREATMENT OF OVERPAYMENTS WHEN RECIPIENT'S COUNTABLE ASSETS EXCEED LIMITS IN CERTAIN CASES

Legal Authority: 42 USC 1383(b)(4)

CFR Citation: 20 CFR 416

Legal Deadline: None.

Abstract: This proposed regulation reflects the provisions of section 2613 of P.L. 98-369 which provides for waiving recovery of an overpayment that is attributable solely to excess resources if the amount of the excess is $50 or less unless the overpaid recipient (and spouse if any) knowingly and willfully

failed to report the value of his/her resources accurately and timely.

Timetable:

Action	Date	FR Cite
NPRM	07/18/86	51 FR 26026
NPRM Comment Period End	09/16/86	
Final Action	04/00/88	

Small Entity: No

Agency Contact: **Larry Dudar**, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, Maryland 21235, **301 965-1795**

RIN: 0960-AB32

646. OLD AGE SURVIVORS DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; DETERMINATIONS OF DISABILITY-COMPLIANCE, AND OTHER CHANGES

Legal Authority: 42 USC 405; 42 USC 421; 42 USC 1302; PL 98-460, Sec 17; 42 USC 1383

CFR Citation: 20 CFR 404.1601; 20 CFR 416.1001; 20 CFR 404.1602; 20 CFR 416.1002; 20 CFR 404.1615; 20 CFR 416.1015; 20 CFR 404.1620; 20 CFR 416.1020; 20 CFR 404.1632; 20 CFR 416.1023; 20 CFR 404.1626; 20 CFR 416.1026; 20 CFR 404.1627; 20 CFR 416.1027; 20 CFR 404.1633; ...

Legal Deadline: None.

Abstract: The regulations deal with the operation of State agencies which make disability determinations for the Social Security Disability program and the Supplemental Security Income for the Aged, Blind, and Disabled program under regulations and other written SSA guidelines. The regulations implement would have implemented a now expired provision of P.L. 98-460 which requires the Secretary to take definitive steps within specific time frames to assure the compliance of State agencies with SSA regulations and other written guidelines or proceed to terminate their participation in the SSA administered programs. The regulations also make other changes to improve the disability determination process and to clarify and update other administrative requirements. Cost/savings cannot be estimated at this time.

Timetable:

Action	Date	FR Cite
NPRM	04/25/86	51 FR 15638
NPRM Comment Period End	06/24/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: **Irving Darrow**, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1755**

RIN: 0960-AB36

647. OLD AGE SURVIVORS DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; PAYMENT OF COSTS OF REHABILITATION SERVICES

Legal Authority: PL 98-460, Sec 11; 42 USC 405; 42 USC 422; 42 USC 1302; 42 USC 1382d; 42 USC 1383

CFR Citation: 20 CFR 404, Subpart V; 20 CFR 416, Subpart V

Legal Deadline: None.

Abstract: Public Law 98-460 created 2 new provisions under which SSA will pay vocational rehabilitation (VR) agencies for the costs of services provided to disabled or blind social security beneficiaries or SSI recipients. Under the first new provision, SSA will allow payment to VRA's for the costs of VR services provided to individuals continuing to receive payment because they are participating in a VR program after their period of disability has ceased due to their medical recovery. The second new provision allows payment to VRA's for the costs of VR services provided to beneficiaries/recipients who refuse without good cause to continue or to cooperate in a VR program in such a way as to preclude their successful rehabilitation with such refusal resulting in the nonpayment of their disability or blindness payments. It is estimated that the first year costs of this program will be less than 1 million dollars.

Timetable:

Action	Date	FR Cite
NPRM	10/10/86	51 FR 36510
NPRM Comment Period End	12/09/86	
Final Action	05/00/88	

Small Entity: No

Agency Contact: **Dave Smith**, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1758**

RIN: 0960-AB37

648. OLD AGE, SURVIVORS, DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; DETERMINING DISABILITY AND BLINDNESS; MULTIPLE IMPAIRMENTS

Legal Authority: PL 98-460, Sec 4; 42 USC 405; 42 USC 423; 42 USC 1302; 42 USC 1382c

CFR Citation: 20 CFR 404.1520; 20 CFR 404.1521; 20 CFR 404.1522; 20 CFR 404.1523; 20 CFR 416.920; 20 CFR 416.921; 20 CFR 416.922; 20 CFR 416.923

Legal Deadline: None.

Abstract: This provision of the law requires us to consider the combined effect of all of a person's impairments in determining disability regardless of whether any single impairment, if considered separately, would be of sufficient severity. If we do find a medically severe combination of impairments, the combined impact of the impairments must be considered throughout the disability determination process. We are revising regulations to reflect that we will now consider the combined effect of impairments to determine severity. When the combined effect is found to be severe, the person's impairments are evaluated throughout the full sequential evaluation process.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/05/85	50 FR 08726
Final Action	00/00/00	

Small Entity: No

Agency Contact: **William Ziegler**, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1759**

RIN: 0960-AB39

649. SUPPLEMENTAL SECURITY INCOME PROGRAM; SPOUSAL DEEMING COMPUTATION INVOLVING STATE SUPPLEMENTATION

Legal Authority: Bouchard v. Secretary, USDC (Mass 1984); Livermore v. Heckler, 743 F.2d 1396 (9th Cir. 1984); 42 USC 1382e

CFR Citation: 20 CFR 416.1163(d); 20 CFR 416.2025(b)

Legal Deadline: None.

Abstract: This proposed rule would use the Livermore decision as the basis for a nationwide policy providing that for purposes of calculating State supplementary payments an optional State supplementary rate for a couple would be used instead of the rate for an individual in spousal deeming cases.

Timetable:

Action	Date	FR Cite
NPRM	08/13/87	52 FR 30169
NPRM Comment Period End	10/13/87	
Final Action	07/00/88	

Small Entity: No

Agency Contact: Dave Smith, Legal Assistant, Department of Health and Human Services, Social Security Administration, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1758**

RIN: 0960-AB95

650. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; DECISIONS BY ADMINISTRATIVE LAW JUDGES IN CASES REMANDED BY COURTS

Legal Authority: 42 USC 405; 42 USC 1302; 42 USC 1383; 42 USC 401; 42 USC 421

CFR Citation: 20 CFR 404.953; 20 CFR 404.983; 20 CFR 404.984; 20 CFR 416.1453; 20 CFR 416.1483; 20 CFR 416.1484; 20 CFR 404.955; 20 CFR 404.986; 20 CFR 416.1455; 20 CFR 416.1486, (New)

Legal Deadline: None.

Abstract: If the court remands a case and the SSA Appeals Council remands it to an administrative law judge (ALJ), under current regulations the ALJ returns the case to the Appeals Council with a recommended decision, and the Appeals Council must review that decision and take further action in every case before the decision becomes final. This can involve delay. The proposed regulation would permit the ALJ to make a decision which would become final unless, within 30 days after the decision is received, the claimant files exceptions or within that period requests an extension of time to file exceptions, or within 60 days after the date of the decision the Appeals Council decides to review the decision on its own. The change will permit prompter final decisions and some administrative savings. It will not affect program cost.

Timetable:

Action	Date	FR Cite
NPRM	10/16/87	52 FR 38466
NPRM Comment Period End	12/15/87	
Final Action	09/00/88	

Small Entity: No

Agency Contact: Phil Berge, Legal Assistant, Department of Health and Human Services, Social Security Administration, 6401 Security Blvd., Baltimore, MD 21235, **301 965-1769**

RIN: 0960-AC07

651. SUPPLEMENTAL SECURITY INCOME PROGRAM; PROHIBITION ON DIRECT PAYMENT OF FEES TO REPRESENTATIVES

Legal Authority: 42 USC 1302; 42 USC 1383

CFR Citation: 20 CFR 416.1520; 20 CFR 416.1525; 20 CFR 416.1528; 20 CFR 416.1335

Legal Deadline: None.

Abstract: In these proposed rules, we will state explicitly our policy of not withholding money from a claimant's retroactive SSI benefits to pay a fee directly to the claimant's representative. We believe that no authority exists under the Social Security Act for such withholding. Furthermore, such withholding is prohibited by the assignment provisions of section 207 of the Social Security Act. We expect no costs. The issue is now pending in Supreme Court in Galbreath, No. 86-1146, and any final regulation will be based on the Court's decision.

Timetable:

Action	Date	FR Cite
NPRM	03/17/87	52 FR 8309
NPRM Comment Period End	05/18/87	

Next Action Undetermined

Small Entity: No

Agency Contact: Jack Schanberger, Legal Assistant, Department of Health and Human Services, Social Security Administration, 6401 Security Blvd., Baltimore, MD 21235, **301 965-8471**

RIN: 0960-AC08

652. SUPPLEMENTAL SECURITY INCOME PROGRAM; DEFINE OUT OF RESOURCES FOR ONE MONTH CERTAIN CASH PAYMENTS FOR MEDICAL/SOCIAL SERVICES

Legal Authority: 42 USC 1382(a)(1)(B)

CFR Citation: 20 CFR 416.1201(a)

Legal Deadline: None.

Abstract: The proposed revision would provide that, for one calendar month following receipt, money paid by a medical or social services program to enable someone to pay for an approved service would not be a resource. If still unexpended after a month, the money would be considered available for basic living expenses and so would be a resource. This will allow people a reasonable time in which to pay for services without affecting their supplemental security income eligibility. (The change would not apply to money which simply reimburses a person for a service payment already made.)

Timetable:

Action	Date	FR Cite
NPRM	10/08/87	52 FR 36725
NPRM Comment Period End	12/07/87	
Final Action	06/00/88	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Henry Lerner, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-1756**

RIN: 0960-AC11

653. SUPPLEMENTAL SECURITY INCOME PROGRAM: FEDERAL ADMINISTRATION OF OPTIONAL STATE SUPPLEMENTATION

Legal Authority: 42 USC 1382e; 42 USC 1302

CFR Citation: 20 CFR 416.2030(a)(2); 20 CFR 416.2040(b)

Legal Deadline: None.

HHS—SSA

Final Rule Stage

Abstract: 42 USC 1382e provides that at the option of a State with a federally administered optional supplementation program, the supplementation agreement between such State and the Secretary of HHS may be modified to allow Federal administration of optional supplementary payments to any individual in a medical facility where more than 50 percent of the individual's care is covered by the Medicaid program (Living Arrangements (LA) "D" recipients). The proposed regulation will reflect the amendment to the statute discussed above.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/88	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: None

Government Levels Affected: State, Federal

Agency Contact: Irving Darrow, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-1755**

RIN: 0960-AC13

654. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; AGAINST EQUITY AND GOOD CONSCIENCE: DEFINED

Legal Authority: 42 USC 404; 42 USC 405; 42 USC 1302; 42 USC 1383(b)

CFR Citation: 20 CFR 404.509; 20 CFR 416.554

Legal Deadline: None.

Abstract: The proposed change would allow us to grant waiver of recovery of the overpayment to individuals who did not receive the overpayment, who are without fault, living in a separate household at the time of the overpayment, and who had no knowledge of the overpayment.

Timetable:

Action	Date	FR Cite
NPRM	03/30/87	52 FR 10116
NPRM Comment Period End	05/29/87	
Final Action	06/00/88	

Small Entity: No

Agency Contact: Duane Heaton, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-8470**

RIN: 0960-AC33

655. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE PROGRAM; ADDITION OF DOWN SYNDROME TO THE LISTING OF IMPAIRMENTS

Legal Authority: 42 USC 1302; 42 USC 405

CFR Citation: 20 CFR 404P

Legal Deadline: None.

Abstract: We propose to add Down Syndrome to the multiple body systems, category of impairments, in Part B of the Listing of Impairments to provide for evaluation of Down syndrome claims according to the impairment criteria for the major system affected. The Listing of Impairments describes, for each of the major body systems, a level of severity which is considered sufficient to find a person disabled or blind under the disability program. Part B contains additional medical criteria that apply only to the evaluation of impairments of persons under age 18.

Timetable:

Action	Date	FR Cite
NPRM	10/05/87	52 FR 37161
NPRM Comment Period End	12/04/87	
Final Action	09/00/88	

Small Entity: No

Agency Contact: Harry J. Short, Legal Assistant, Department of Health and Human Services, Social Security Administration, Office of Regulations, 6401 Security Boulevard, Baltimore, MD 21235, **301 965-1757**

RIN: 0960-AC35

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Social Security Administration (SSA)

Completed Actions

656. SUPPLEMENTAL SECURITY INCOME PROGRAM; MANDATORY PASS THROUGH UNDER STATE SUPPLEMENTATION PROVISIONS

Significance: Agency Priority

CFR Citation: 20 CFR 416, Subpart T

Completed:

Reason	Date	FR Cite
Final Action	09/28/87	52 FR 36235

Small Entity: No

Agency Contact: David Smith 301 594-7460

RIN: 0960-AA05

657. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE, SUPPLEMENTAL SECURITY INCOME, AND BLACK LUNG PROGRAMS; REPRESENTATION OF CLAIMANTS

CFR Citation: 20 CFR 404R; 20 CFR 410F; 20 CFR 416O

Completed:

Reason	Date	FR Cite
Regulation action discontinued	01/00/88	

Small Entity: No

Agency Contact: Ellan Hylton 202 235-2963

RIN: 0960-AA64

658. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE; EFFECT OF PENSION FROM NONCOVERED EMPLOYMENT

Significance: Regulatory Program

CFR Citation: 20 CFR 404, Subpart C

Completed:

Reason	Date	FR Cite
Final Action	12/17/87	52 FR 47914

Small Entity: No

HHS—SSA

Completed Actions

Agency Contact: Duane Heaton 301 594-6624

RIN: 0960-AA65

659. SUPPLEMENTAL SECURITY INCOME PROGRAM; RESOURCE LIMITS FOR CONDITIONAL SSI PAYMENTS

CFR Citation: 20 CFR 416, Subpart L

Completed:

Reason	Date	FR Cite
Final Action	08/24/87	52 FR 31757

Small Entity: No

Agency Contact: Henry D. Lerner 301 594-7463

RIN: 0960-AA75

660. SUPPLEMENTAL SECURITY INCOME PROGRAM; PRESUMPTIVE DISABILITY AND PRESUMPTIVE BLINDNESS; CATEGORIES OF IMPAIRMENTS-AIDS

Significance: Agency Priority

CFR Citation: 20 CFR 416.934

Completed:

Reason	Date	FR Cite
Final Action	02/09/88	53 FR 03739

Small Entity: No

Agency Contact: William Ziegler 301 965-1759

RIN: 0960-AA79

661. OLD AGE SURVIVORS DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; QUALIFICATIONS OF MEDICAL PROFESSIONALS EVALUATING MENTAL IMPAIRMENTS

Significance: Regulatory Program

CFR Citation: 20 CFR 404.1503; 20 CFR 404.1526; 20 CFR 404.1546; 20 CFR 404.1615; 20 CFR 404.1616; 20 CFR 404.1617; 20 CFR 416.903; 20 CFR 416.926; 20 CFR 416.946; 20 CFR 416.1015; 20 CFR 414.1016; 20 CFR 416.1017

Completed:

Reason	Date	FR Cite
Final Action	09/09/87	52 FR 33921

Small Entity: No

Agency Contact: William Ziegler 301 965-1759

RIN: 0960-AB31

662. DISCLOSURE OF PERSONAL INFORMATION TO LAW ENFORCEMENT AGENCIES AND COURTS (PRERULEMAKING ACTIVITY)

Significance: Regulatory Program

CFR Citation: 20 CFR 401.315

Completed:

Reason	Date	FR Cite
Regulation action discontinued	01/00/88	

Small Entity: No

Agency Contact: Larry Dudar 301 594-7459

RIN: 0960-AB66

663. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; USE OF WORK EVALUATIONS TO EVALUATE INDIVIDUALS WITH MENTAL IMPAIRMENTS

Significance: Regulatory Program

CFR Citation: 20 CFR 404.1548; 20 CFR 416.948

Completed:

Reason	Date	FR Cite
Regulation action discontinued	01/00/88	

Small Entity: Undetermined

Agency Contact: Harry Short 301 965-1757

RIN: 0960-AB92

664. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE, BLACK LUNG, AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; APPOINTING ALJ'S TO HEAR AND DECIDE CASES

CFR Citation: 20 CFR 404.929; 20 CFR 416.1429; 20 CFR 410.630; 20 CFR 410.634

Completed:

Reason	Date	FR Cite
Regulation action discontinued	01/00/88	

Small Entity: No

Agency Contact: Jack Schanberger 301 594-6785

RIN: 0960-AB97

665. OLD-AGE, SURVIVORS, AND DISABILITY INSURANCE AND SUPPLEMENTAL SECURITY INCOME PROGRAMS; APPLICATION OF DEPENDENCY TEST TO ADOPTED GREAT-GRANDCHILDREN; DEMONSTRATION PROJECTS

CFR Citation: 20 CFR 404.362; 20 CFR 404.1599; 20 CFR 416.250

Completed:

Reason	Date	FR Cite
Final Action	10/08/87	52 FR 37603

Small Entity: No

Agency Contact: Henry Lerner 301 594-7463

RIN: 0960-AC23

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Completed Actions

Public Health Service (PHS)—Office of Assistant Secretary for Health (OASH)

666. STATUTORY PROHIBITION ON USE OF APPROPRIATED FUNDS IN PROGRAMS WHERE ABORTION IS A METHOD OF FAMILY PLANNING

Significance: Agency Priority

CFR Citation: 42 CFR 59

Completed:

Reason	Date	FR Cite
Final Action	02/02/88	53 FR 2922
Final Action Effective	03/03/88	53 FR 2922

Small Entity: No

Agency Contact: Nabers Cabaniss 202 245-0152

RIN: 0905-AC64

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Public Health Service (PHS)—Centers for Disease Control (CDC)

Final Rule Stage

667. PROJECT GRANTS FOR HEALTH PROGRAMS FOR REFUGEES

Legal Authority: 8 USC 1522(b) Section 412(b)(5) Immigration and Nationality Act; PL 96-212 Refugee Act of 1980; PL 97-363 Refugee Assistance Amendments of 1982

CFR Citation: 42 CFR 51e

Legal Deadline: None.

Abstract: Regulations are required by Department policy for this project grant program administered by the Centers for Disease Control (CDC) under an intra-agency agreement with the Office of Refugee Resettlement (ORR). The project grants are awarded to State and local health agencies to assist them in providing initial health assessments to arriving refugees. These health assessments specifically address conditions of public health concerns, like tuberculosis, and also identify personal health problems that could impair the effective resettlement of the refugee. CDC has established the program requirements, guidelines, and standards for evaluation.

Timetable:

Action	Date	FR Cite
NPRM	05/06/86	51 FR 16724
NPRM Comment Period End	07/07/86	
Final Action	06/00/88	

Small Entity: No

Additional Information: FTS 236-1802

Agency Contact: **Anthony M. Scardaci,** Associate Dir., Ctr. for Prevention Services, Department of Health and Human Services, Centers for Disease Control, 1600 Clifton Road, N.E., Atlanta, GA 30333, **404 329-1802**

RIN: 0905-AB43

668. NIOSH REVISION OF TESTS AND REQUIREMENTS OF CERTIFICATION OF PERMISSIBILITY OF RESPIRATORY PROTECTIVE DEVICES USED IN MINES AND MINING

Significance: Regulatory Program

Legal Authority: 30 USC 801; 30 USC 844; 30 USC 957

CFR Citation: 30 CFR 11; 42 CFR 84

Legal Deadline: None.

Abstract: There are three major problems that the proposed regulatory action is intended to solve. First, the current regulatory provisions in 30 CFR 11 in some instances date back almost fifty years. As a result the provisions are not current with many of the extensive changes in respirator technology. Second, the current regulations do not provide for testing of respirators under either actual or simulated use conditions prior to certification. Third, the resources required to conduct routine respirator certification testing has made it difficult for NIOSH to keep respirator performance standards current with advances in respirator technology and with new knowledge on respirator performance characteristics. Alternatives considered: (1) the Federal government could relinquish the field entirely to the private sector. (2) The Federal government could promulgate performance standards but not be involved in assuring compliance with those standards. (3) The Federal government could continue to be the certifier of respirators but have manufacturers conduct testing. (4) The Federal government could continue its present role of total operation of the respirator system. NIOSH (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/27/87	52 FR 32402
Final Action	10/00/88	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: selected alternative number (3). Cost is yet to be determined. Public hearings on the proposal were held on January 20, 1988 in San Francisco, and on January 27-28 in Washington D.C. The record for these hearings closed February 27, 1988.

Agency Contact: **Dr. Nelson A. Leidel,** Senior Science Advisor, Department of Health and Human Services, Public Health Service, Office of the Director, NIOSH 404 639-3901, Centers for Disease Control, **404 329-3773**

RIN: 0905-AB58

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Public Health Service (PHS)—Food and Drug Administration (FDA)

Prerule Stage

669. DRUG EXPORTS

Significance: Agency Priority

Legal Authority: PL 99-660 Drug Export Amendment Act of 1986

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: The Drug Export Amendment Act of 1986 authorizes the export for commercial marketing abroad of veterinary and human drugs not approved for marketing in the United States. Under previous law, the export of new human and animal drugs for marketing was confined to drugs that were approved by FDA for domestic use. The law establishes three separate pathways for the export of unapproved products. Under each pathway, FDA approval is required before export is permitted. As a prerulemaking activity, FDA is developing guidance material for manufacturers instructing them as to what information must be submitted to the agency to obtain approval for the export of unapproved products. The guidance material will also identify FDA sources of information on agency practices and policies concerning the implementation of the Drug Export Amendment Act of 1986. The agency will then decide what, if any, regulations are necessary for the efficient implementation of the amendment, and establish timeframes for the development of those regulations.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: **Wayne Mitchell,** Regulatory Counsel, Division of Regulatory Affairs, Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research (HFN-362), 5600 Fishers Lane, Rockville, MD 20857, **301 295-8046**

RIN: 0905-AC44

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) **Proposed Rule Stage**
Public Health Service (PHS)—Food and Drug Administration (FDA)

670. OVER-THE-COUNTER (OTC) DRUG REVIEW

Significance: Agency Priority

Legal Authority: 21 USC 321(p) Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 310; 21 CFR 330; 21 CFR 333; 21 CFR 334; 21 CFR 335; 21 CFR 336; 21 CFR 337; 21 CFR 338; 21 CFR 339; 21 CFR 340; 21 CFR 341; 21 CFR 342; 21 CFR 343; 21 CFR 344; 21 CFR 345; ...

Legal Deadline: None.

Abstract: The OTC drug review establishes conditions under which OTC drugs are considered generally recognized as safe and effective and not misbranded. After a final monograph (i.e., final rule) is issued, only OTC drugs meeting the conditions of the monograph, or having an approved new drug application, may be legally marketed. NOTE: NPRM for "Antidotes, Toxic Ingestion Products" to be combined with NPRM for "Emetic Products" and reproposed as "Poison Treatment Products." NPRM for "Astringent (Wet Dressings) Products" to be included in NPRMs for "External Analgesic" & "Skin Protectant Products." NPRM for "Diaper Rash Products" to be included in NPRMs for "Antifungal," "Antimicrobial," "External Analgesic" and "Skin Protectant Products." NPRM for "Fever Blister/Cold Sore Products (External)" to be included in NPRMs for "External Analgesic" and "Skin Protectant Products." NPRM for "Insect Bites and Stings (Relief) Products" to be included in NPRMs for "External Analgesic" and "Skin Protectant Products." "Poison Ivy/Oak/Sumac Prevention" to be included in NPRMs for "External Analgesic" and "Skin Protectant Products." NPRM for "Mercurial (Topical) Products" to be included in NPRM (cont)

Timetable:

Acne (Topical) Products
ANPRM 03/23/82 (47 FR 12430)
NPRM 01/15/85 (50 FR 2172)
Final Action 00/00/00

Alcohol (Topical) Products
ANPRM 05/21/82 (47 FR 22324)

Anorectal Products
ANPRM 05/27/80 (45 FR 35576)
NPRM 09/00/88

Antacid Drug Products
ANPRM 04/05/73 (38 FR 8714)
NPRM 11/12/73 (38 FR 31260)
Final Action 06/04/74 (39 FR 9862)

Anthelmintic Products
ANPRM 09/09/80 (45 FR 59541)
NPRM 08/24/82 (47 FR 37062)
Final Action 08/01/86 (51 FR 27756)

Antibiotic First Aid Products
ANPRM 04/01/77 (42 FR 17642)
NPRM 07/09/82 (47 FR 29986)
Final Action 12/11/87 (52 FR 47312)

Anticaries Products
ANPRM 03/28/80 (45 FR 20666)
NPRM 09/30/85 (50 FR 39854)
NPRM 09/00/88

Antidiarrheal Products
ANPRM 03/21/75 (40 FR 12924)
NPRM 04/30/86 (51 FR 16138)
Final Action 00/00/00

Antidotes, Toxic Ingestion Prdts (Now Poison Treatment Prdts)
ANPRM 01/05/82 (47 FR 444)

Antiemetic Products
ANPRM 03/21/75 (40 FR 12934)
NPRM 07/13/79 (44 FR 41064)
Final Action 04/30/87 (52 FR 15886)

Antiflatulent Drug Products
NPRM 11/12/73 (38 FR 31260)
Final Action 06/04/74 (39 FR 19877)
NPRM (Amendment) 01/29/88 (53 FR 2716)

Antifungal (Topical) Products
ANPRM 03/23/82 (47 FR 12480)
NPRM 09/00/88

Antimicrobial Products
ANPRM 09/13/74 (39 FR 33103)
NPRM 01/06/78 (43 FR 1210)
Revised NPRM-final 09/00/88

Antiperspirant Products
ANPRM 10/10/78 (43 FR 46694)
NPRM 08/20/82 (47 FR 36492)
Final Action 00/00/00

Aphrodisiac Products
ANPRM 10/01/82 (47 FR 43572)
NPRM 01/15/85 (50 FR 2168)
Final Action 00/00/00

Astringent (Wet Dressings) Prdts (To be merged w/other rulemkg)
ANPRM 09/07/82 (47 FR 39436)

Benign Prostatic Hypertrophy Products
ANPRM 10/01/82 (47 FR 43566)
NPRM 02/20/87 (52 FR 5406)

Boil Ointments
ANPRM 06/29/82 (47 FR 28306)
NPRM 01/26/88 (53 FR 2198)
Final Action 00/00/00

Camphorated Oil Drug Products
ANPRM 09/26/80 (45 FR 63869)
Final Action 09/21/82 (47 FR 41716)

Cholecystokinetic Products
ANPRM 02/12/80 (45 FR 9286)
NPRM 08/24/82 (47 FR 37068)
Final Action 06/10/83 (48 FR 27004)

Corn and Callus Remover Products
ANPRM 01/05/82 (47 FR 522)
NPRM 02/20/87 (52 FR 5412)
Final Action 00/00/00

Cough/Cold (Anticholinergic) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 07/09/82 (47 FR 30002)
Final Action 11/08/85 (50 FR 46582)

Cough/Cold (Antihistamine) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 01/15/85 (50 FR 2200)
NPRM (Amendment) 08/24/87 (52 FR 31892)
Final Action 00/00/00

Cough/Cold (Antitussive) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 10/19/83 (48 FR 48576)
Final Action 08/12/87 (52 FR 30042)

Cough/Cold (Bronchodilator) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 10/26/82 (47 FR 47520)
Final Action 10/02/86 (51 FR 35326)

Cough/Cold (Combination) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 09/00/88

Cough/Cold (Expectorant) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 07/09/82 (47 FR 30002)
Final Action 09/00/88

Cough/Cold (Nasal Decongestant) Products
ANPRM 09/09/76 (41 FR 38312)
NPRM 01/15/85 (50 FR 2220)
Final Action 00/00/00

Dandruff, Seborrheic Dermatitis and Psoriasis Control Products
ANPRM 12/03/82 (47 FR 54646)
NPRM 07/30/86 (51 FR 27346)
Final Action 00/00/00

Diaper Rash Products (To be merged w/other rulemkg)
ANPRM 09/07/82 (47 FR 39406)

Digestive Aid Products
ANPRM 01/05/82 (47 FR 454)
NPRM 01/29/88 (53 FR 2706)
Final Action 00/00/00

Emetic Products
ANPRM 03/21/75 (40 FR 12939)
NPRM 09/05/78 (43 FR 39544)

Exocrine Pancreatic Insufficiency Products
ANPRM 12/21/79 (44 FR 75666)
NPRM 11/08/85 (50 FR 46594)
Final Action 00/00/00

External Analgesic Products
ANPRM 12/04/79 (44 FR 69768)
NPRM 02/08/83 (48 FR 5852)
NPRM (Amendment) 07/30/86 (51 FR 27360)
Final Action 00/00/00

Fever Blister Products (Internal)
ANPRM 01/05/82 (47 FR 502)
NPRM 06/17/85 (50 FR 25156)
Final Action 00/00/00

Fvr Blister/Cold Sore Prdts (Ext.) (To be merged w/other rulemkg)
ANPRM 09/07/82 (47 FR 39436)

Hair Grower and Hair Loss Prevention Products
ANPRM 11/27/80 (45 FR 73955)
NPRM 01/15/85 (50 FR 2190)
Final Action 00/00/00

Hormone (Topical) Products
ANPRM 01/05/82 (47 FR 430)
NPRM 09/00/88

Hypo/Hyperphosphatemia Products
ANPRM 12/09/80 (45 FR 81154)
NPRM 01/15/85 (50 FR 2160)
Final Action 00/00/00

Ingrown Toenail Relief Products
ANPRM 10/17/80 (45 FR 69128)
NPRM 09/03/82 (47 FR 39120)
Final Action 00/00/00
Insect Bite & Sting (Relief) Prdts (To be merged w/other rulemkg)
ANPRM 09/07/82 (47 FR 39412)
Insect Repellent Drug Products (Internal)
ANPRM 01/05/82 (47 FR 424)
NPRM 06/10/83 (48 FR 26986)
Final Action 06/17/85 (50 FR 25170)
Internal Analgesic Products
ANPRM 07/08/77 (42 FR 35346)
NPRM 09/00/88
Internal Deodorant Products
ANPRM 01/05/82 (47 FR 512)
NPRM 06/17/85 (50 FR 25162)
Final Action 00/00/00
Laxative Products
ANPRM 03/21/75 (40 FR 12902)
NPRM 01/15/85 (50 FR 2124)
NPRM (Amendment) 10/01/86 (51 FR 35136)
Final Action 00/00/00
Leg Muscle Cramps (Nocturnal Relief) Products
ANPRM 10/01/82 (47 FR 43562)
NPRM 11/08/85 (50 FR 46588)
Final Action 00/00/00
Male Genital Desensitizer Products
ANPRM 09/07/82 (47 FR 39412)
NPRM 10/02/85 (50 FR 40260)
Final Action 00/00/00
Menstrual Products
ANPRM 12/07/82 (47 FR 55075)
NPRM 09/00/88
Mercurial (Topical) Products (To be merged w/other rulemkg)
ANPRM 01/05/82 (47 FR 436)
Nailbiting/Thumbsucking Deterrent Products
ANPRM 10/17/80 (45 FR 69122)
NPRM 09/03/82 (47 FR 39096)
Final Action 00/00/00
Nighttime Sleep Aid Products
ANPRM 12/08/75 (40 FR 57292)
NPRM 06/13/78 (43 FR 25544)
Final Action 04/00/88
Ophthalmic Products
ANPRM 05/06/80 (45 FR 30002)
NPRM 06/28/83 (48 FR 29788)
Final Action 04/00/88
Oral Discomfort (Relief) Products
ANPRM 05/25/82 (47 FR 22712)
NPRM 00/00/00
Oral Health Care Products
ANPRM 05/25/82 (47 FR 22760)
NPRM 01/27/88 (53 FR 2436)
Final Action 00/00/00
Oral Mucosal Injury Products (Merged w/Oral Health Care)
ANPRM 11/02/79 (44 FR 63270)
NPRM 07/26/83 (48 FR 33984)
Oral Wound Healing Products
ANPRM 11/02/79 (44 FR 63270)
NPRM 07/26/83 (48 FR 33984)
Final Action 07/18/86 (51 FR 26112)
Otic Products
ANPRM 12/16/77 (42 FR 63556)
NPRM 07/09/82 (47 FR 30012)
Final Action 00/00/00
Otic Products (Earwax)
ANPRM 12/16/77 (42 FR 63556)
NPRM 07/09/82 (47 FR 30012)
Final Action 08/08/86 (51 FR 28656)
Overindulgence Remedies
ANPRM 10/01/82 (47 FR 43540)
NPRM 00/00/00
Pediculicide Products
ANPRM 06/29/82 (47 FR 28312)
NPRM 04/00/88
Poison Ivy/Oak/Sumac Prevention (To be merged w/other rulemkg)
ANPRM 09/07/82 (47 FR 39412)
Poison Treatment Products
NPRM 01/15/85 (50 FR 2244)
Final Action 00/00/00
Skin Bleaching Products
ANPRM 11/03/78 (43 FR 51546)
NPRM 09/03/82 (47 FR 39108)
Final Action 09/00/88
Skin Protectant Products
ANPRM 08/04/78 (43 FR 34628)
NPRM 02/15/83 (48 FR 6820)
Final Action 00/00/00
Smoking Deterrent Products
ANPRM 01/05/82 (47 FR 490)
NPRM 07/03/85 (50 FR 27552)
Final Action 00/00/00
Stimulant Products
ANPRM 12/08/75 (40 FR 57292)
NPRM 06/13/78 (43 FR 25544)
Final Action 04/00/88
Stomach Acidifier Products
ANPRM 10/19/79 (44 FR 60316)
NPRM 01/15/85 (50 FR 2184)
Final Action 00/00/00
Vaginal Contraceptive Products
ANPRM 12/12/80 (45 FR 82014)
NPRM 00/00/00
Vaginal Drug Products
ANPRM 10/13/83 (48 FR 46694)
NPRM 00/00/00
Wart Remover Products
ANPRM 10/03/80 (45 FR 65609)
NPRM 09/03/82 (47 FR 39102)
NPRM (Amendment) 03/27/87 (52 FR 9992)
Final Action 00/00/00
Weight Control Products
ANPRM 02/26/82 (47 FR 8466)
NPRM 00/00/00

Small Entity: No

Additional Information: ABSTRACT CONT: for "Antimicrobial Products." NPRM for "Alcohol (Topical) Products" to be included in revised NPRM for "Antimicrobial Products." The NPRM for "Antimicrobial Products" is being revised because it is being updated and split into two sections: first aid products and health care products.

SMALL BUSINESSES CONT: The effects, if any, vary depending on the individual rulemaking. However, the agency anticipates that the rules would not have a significant economic impact on a substantial number of small entities as defined by the Regulatory Flexibility Act.

Agency Contact: William E. Gilbertson, Director, Division of OTC Drug Evaluation, Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research (HFN-210), 5600 Fishers Lane, Rockville, MD 20857, **301 295-8000**

RIN: 0905-AA06

671. CURRENT GOOD MANUFACTURING PRACTICE FOR FINISHED PHARMACEUTICALS; RETROSPECTIVE REVIEW

Significance: Agency Priority

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 360b Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 211

Legal Deadline: None.

Abstract: As part of its retrospective review, FDA plans to determine the need for any changes in the current GMPs to eliminate unnecessary requirements and to allow flexibility without undermining protection of the public health.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Agency Contact: Robert J. Meyer, Consumer Safety Officer, Division of Regulatory Affairs, Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research (HFN-362), 5600 Fishers Lane, Rockville, MD 20857, **301 295-8049**

RIN: 0905-AA73

672. CURRENT GOOD MANUFACTURING PRACTICE (CGMP) FOR BLOOD AND BLOOD COMPONENTS; RETROSPECTIVE REVIEW

Significance: Agency Priority

Legal Authority: 21 USC 321 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 42 USC 262 Public Health Service Act; 5 USC 553 Administrative Procedures Act; 5 USC 702 Administrative Procedures Act; 5 USC 703 Administrative Procedures Act; 5 USC 704 Administrative Procedures Act

CFR Citation: 21 CFR 606

Legal Deadline: None.

Abstract: FDA is responsible for issuing regulatory standards for blood and blood components to ensure the continued safety, purity, and potency of such products. Since 1975, CGMP regulations have been in effect that provide standards for facilities, personnel, and manufacturing procedures for blood and blood components. In accordance with the Regulatory Flexibility Act, FDA has conducted a retrospective review of its CGMP regulations for blood and blood components, to determine how the regulations may be revised to relieve regulatory burdens and increase flexibility without adversely affecting the public health. Part of the retrospective review of the CGMP will be completed through FDA's implementation of an efficacy review of blood and blood derivatives which responds to recommendations of a Committee of scientific experts--the Panel on Review of Blood and Blood Derivatives. To complete the remainder of the retrospective review program regarding the CGMP, FDA will issue a proposed rule to revise the CGMP regulations.

Timetable:

Blood & Blood Components; Retrospective Review
NPRM 01/00/89
Final Action 00/00/00

Blood & Blood Derivatives; Implementation of Efficacy Review
NPRM 12/24/85 (50 FR 52602)
Comment Period Ends 03/24/86 (50 FR 52602)
Final Action 03/00/89

Small Entity: No

Agency Contact: Steven F. Falter, Consumer Safety Officer, Division of Regulatory Affairs, Department of Health and Human Services, Food and Drug Administration, Center for Biologics Evaluation and Research (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, **301 295-8046**

RIN: 0905-AA75

673. NEW ANIMAL DRUG APPROVAL PROCESS

Significance: Agency Priority

Legal Authority: 21 USC 360(b) Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 514.1; 21 CFR 514.8

Legal Deadline: None.

Abstract: Based upon an evaluation of an action issues report, the agency has concluded that it will recommend that the Secretary propose revision of the existing regulations in a manner consistent with the current procedural regulations for human drugs where appropriate. The New Animal Drug Application (NADA) revisions would articulate general requirements in regulations containing performance standards and would complement them through detailed guidelines on, among other matters, appropriate ways of meeting requirements for submission of chemistry, pharmacology, and statistical data that would better address the intricate scientific issues involved. Although the guidelines would not establish regulatory requirements, persons would be able to rely on them with confidence that action taken under a guideline would be acceptable to the agency. A separate proposed rule would provide for reporting requirements for marketed animal drugs.

Timetable:

New Animal Drug Approval Process
NPRM 03/00/89

Rptg. Requirements for Marketed Animal Drugs
NPRM 12/00/88

Small Entity: Undetermined

Additional Information: AGENCY CONTACT CONT: For Information Concerning Reporting Requirements for Marketed Animal Drugs Contact: Andrew J. Beaulieu, Director, Division of Surveillance, Center for Veterinary Medicine, Food and Drug Administration, 5600 Fishers Lane, Rockville, Maryland 20857, (301) 443-3044

Agency Contact: Frank G. Pugliese, Supervisory Consumer Safety Officer, Office of New Animal Drug Evaluation, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-102), 5600 Fishers Lane, Rockville, MD 20857, **301 443-4500**

RIN: 0905-AA96

674. POLICIES CONCERNING USES OF SULFITING AGENTS

Significance: Regulatory Program

Legal Authority: 21 USC 342 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; 21 USC 321(s) Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 182.3616; 21 CFR 182.3637; 21 CFR 182.3739; 21 CFR 182.3766; 21 CFR 182.3798; 21 CFR 182.3862; 21 CFR 100

Legal Deadline: None.

Abstract: Acceptable evidence and information exists to show that a subgroup of asthmatics is at moderate to severe risk for a severe reaction upon exposure to sulfites. The agency's primary tool for handling a situation where population subgroups may be at increased risk from a food ingredient that is safe for most people is to use labeling to inform those persons who need or want to avoid the ingredient. The agency issued a final rule, effective January 7, 1987, that requires that when a sulfiting agent is present in a finished food at 10 parts per million or greater, the sulfiting agent must be declared on the label. In addition, FDA issued a final rule, effective August 8, 1986, prohibiting the use of sulfiting agents on raw fruits and vegetables intended to be served or sold raw to consumers (e.g., in salad bars). The agency is now considering what it options are with regard to the GRAS status of 1) sulfiting agents used on "fresh" potatoes and 2) other food uses of sulfiting agents. Options being considered are: 1) affirming all uses of sulfiting agents as GRAS with specific limitation: 2) affirming most uses of (cont)

Timetable:

Food Labeling; Declaration of Sulfiting Agents
NPRM 04/03/85 (50 FR 13306)
Final Action 07/09/86 (51 FR 25012)
EFFECTIVE DATE 01/09/87 (51 FR 25012)

GRAS Status of the Use of Sulfiting Agents on Potatoes
NPRM 12/10/87 (52 FR 46968)
Final Action 12/00/88

GRAS Status of Certain Other Food Uses of Sulfiting Agents, Etc.
NPRM 10/00/88
Final Action 00/00/00
Revoking Use of Sulfiting Agents on Fruits & Vegetables, Etc.
NPRM 08/14/85 (50 FR 32836)
Final Action 07/09/86 (51 FR 25021)
Final Action Effective 08/09/86 (51 FR 25021)

Small Entity: No

Additional Information: ABSTRACT CONT: sulfiting agents as GRAS (excluding certain potato products) with specific limitations; and 3) revoking the GRAS status of all uses of sulfiting agents in food.

Agency Contact: Robert L. Martin, Division of Food and Color Additives, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition (HFF-334), 200 C Street, S.W., Washington, DC 20204, **202 426-9463**

RIN: 0905-AB52

675. REQUIREMENTS FOR ADVERSE EXPERIENCE REPORTING FOR LICENSED BIOLOGICAL PRODUCTS

Significance: Agency Priority

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 21 USC 374 Federal Food, Drug, and Cosmetic Act; 42 USC 262 Public Health Service Act

CFR Citation: 21 CFR 211; 21 CFR 310; 21 CFR 600

Legal Deadline: None.

Abstract: This regulatory action is being taken to improve the safety of marketed drug products by a reporting scheme that will require serious adverse reactions associated with licensed biological products to be reported to the Food and Drug Administration (FDA).

The purpose of the regulatory action is to require prompt reporting to the agency of serious adverse experiences for all licensed biological products.

The regulatory action being considered by FDA would be consistent with the agency's requirements regarding adverse reactions reporting for approved new drugs under 21 CFR 314.80 (see February 22, 1985; 50 FR 7452). These biologic regulations would require that all "serious and unexpected" adverse experiences and any "significant increase in frequency" of a serious expected event be reported to the agency within 15 working days. Known and nonserious adverse biological product experiences would be required to be reported to the agency at quarterly or annual intervals, depending on the length of marketing experience with the product. This information (cont)

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: permits the agency to monitor effectively the safety of all licensed biological products.

Agency Contact: Robert D. Bradley, Consumer Safety Officer, Division of Regulatory Affairs, Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research (HFN-364), 5600 Fishers Lane, Rockville, MD 20857, **301 295-8046**

RIN: 0905-AB53

676. PROPOSED RULE TO IMPLEMENT THE ORPHAN DRUG AMENDMENTS TO THE FEDERAL FOOD, DRUG, AND COSMETIC ACT

Significance: Regulatory Program

Legal Authority: PL 97-414 Orphan Drug Act

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: The Orphan Drug Act is intended to provide incentives for drug companies to invest in the development of drugs for rare diseases or conditions. Certain incentives are necessary because "orphan drugs" are unlikely to be profitable. The agency is required to carry out provisions of the Orphan Drug Act, e.g., by designating a drug as an orphan drug, by providing protocol assistance, and by granting seven years of exclusive approval status. The proposed rule would establish procedures whereby drug sponsors can take advantage of the incentives to encourage development of orphan drugs. While several provisions of the Orphan Drug Act call for promulgation of regulations, the agency is considering the extent to which regulations will be needed to provide the framework and guidance for implementing a program of incentives to drug sponsors and manufacturers.

Timetable:

Action	Date	FR Cite
Interim Guidelines	09/09/83	48 FR 40784
Revised Interim Guidelines	05/09/85	50 FR 19583
NPRM	12/00/88	

Small Entity: Undetermined

Agency Contact: Emery J. Sturniolo, Assistant to the Director, Department of Health and Human Services, Food and Drug Administration, Office of Orphan Products Development (HF-35), 5600 Fishers Lane, Rockville, MD 20857, **301 443-4718**

RIN: 0905-AB55

677. IMPLEMENTATION OF TITLE I OF THE "DRUG PRICE COMPETITION AND PATENT TERM RESTORATION ACT OF 1984" (TITLE I)

Significance: Agency Priority

Legal Authority: PL 98-417, (Title I)

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: Until the passage of Title I of the "Drug Price Competition and Patent Term Restoration Act of 1984," abbreviated new drug application (ANDA) procedures were only available for generic products equivalent to pioneer drugs approved before 1962. Title I opened up the ANDA policy to generic copies of products approved after 1962. This rulemaking is intended to establish clear and uniform procedures for the review and timely approval of ANDAs. This should assist the generic drug industry by ending considerable confusion about the procedures governing review of ANDAs. In turn, with the availability of lower-cost generic products, it is estimated that consumers may save millions of dollars. The statute calls for promulgation of implementing regulations, however, the agency also expects to develop guidelines and other policy statements to assist in developing approvable applications. Revised target dates for this regulatory action are appropriate because many new issues have been identified in petitions and letters to the agency from trade associations and

attorneys representing individual manufacturers concerning exclusivity, patent coverage, (cont)

Timetable:

Action	Date	FR Cite
NPRM	04/00/89	
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: and some of the complex provisions of the act. The resolution of these many minor issues will be reflected in the NPRM and will permit the agency to develop a comprehensive proposed rule.

Agency Contact: Marilyn Watson, Special Asst. to the Division Director, Division of Regulatory Affairs, Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research (HFN-360), 5600 Fishers Lane, Rockville, MD 20857, **301 295-8038**

RIN: 0905-AB63

678. ABBREVIATED NEW ANIMAL DRUG APPLICATIONS FOR POST-1962 ANIMAL DRUGS

Significance: Agency Priority

Legal Authority: 21 USC 360b Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 514.1; 21 CFR 514.2; 21 CFR 514.3; 21 CFR 514.11

Legal Deadline: None.

Abstract: This proposed rule would permit applicants to file abbreviated new animal drug applications (ANADAs) for products identical to approved post-1962 drugs and to omit certain reports that are required in full NADAs to show safety and effectiveness of the product. It would apply only to certain drug products specified by FDA. If adopted, the proposed rule would reduce duplicative testing of drugs and also reduce the cost to the manufacturer of getting the affected drugs on the market. This issue is currently under Congressional review. Further agency action contingent upon Congressional review.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Richard A. Carnevale, Deputy Director, Office of New Animal Drug Evaluation, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-120), 5600 Fishers Lane, Rockville, MD 20857, **301 443-4314**

RIN: 0905-AB72

679. INFANT FORMULA ACT

Significance: Regulatory Program

Legal Authority: 21 USC 371(a) Federal Food, Drug, and Cosmetic Act; PL 99-570 Infant Formula Act of 1986

CFR Citation: 21 CFR 7; 21 CFR 106

Legal Deadline: None.

Abstract: The agency is preparing two proposals and one final rule which will implement the Infant Formula Act of 1986. The final rule will amend FDA's Infant Formula Recall regulations. These amended regulations will mandate the recall of infant formulas that are in violation of the Act and which have been determined by the Secretary to pose a health hazard. The first proposal will establish current good manufacturing practice regulations and strengthen the agency's existing quality control procedures for infant formulas. The second proposal will establish infant formula microbiological testing, consumer complaints, and record retention requirements.

Timetable:

Infant Form Cons Comp, Micro Test & Recd Retention Reg
NPRM 06/00/88
Infant Formula Current Good Practices; Qual Control Proc
NPRM 00/00/00
Infant Formula Recall
NPRM 08/14/87 (52 FR 30171)
Comment Period Ends 10/13/87 (52 FR 30171)
Final Action 10/00/88

Small Entity: No

Additional Information: AGENCY CONTACT CONT: For Information Concerning Infant Formula, Microbiological Testing, Consumer Complaints, Record Retention Requirements, Good Manufacturing Practices, and Quality Control Procedures Contact: Nicholas Duy, Consumer Safety Officer, Center for Food Safety and Applied Nutrition (HFF-204), Department of Health and Human Services, Food and Drug Administration, 200 C Street, SW, Washington, DC 20204, (202) 245-3117

Agency Contact: Curtis Coker, Consumer Safety Officer, (For Info Concerning Infant Formula Recalls), Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition (HFF-314), 200 C Street, SW, Washington, DC 20204, **202 485-0024**

RIN: 0905-AC46

680. PROTECTION OF HUMAN SUBJECTS; INFORMED CONSENT; STANDARDS FOR INSTITUTIONAL REVIEW BOARDS FOR CLINICAL INVESTIGATIONS

Significance: Regulatory Program

Legal Authority: 21 USC 346(a) Federal Food, Drug and Cosmetic Act; 21 USC 351 to 357 Federal Food, Drug and Cosmetic Act; 21 USC 360 Federal Food, Drug and Cosmetic Act; 21 USC 360c to 360f Federal Food, Drug and Cosmetic Act; 21 USC 360h to 360j Federal Food, Drug and Cosmetic Act; 21 USC 371(a) Federal Food, Drug and Cosmetic Act; 21 USC 376 Federal Food, Drug and Cosmetic Act; 21 USC 381 Federal Food, Drug and Cosmetic Act; 42 USC 216 Public Health Service Act; 42 USC 241 Public Health Service Act; 42 USC 262 Public Health Service Act; 42 USC 263b to 263n Public Health Service Act

CFR Citation: 21 CFR 50; 21 CFR 56

Legal Deadline: None.

Abstract: In the FEDERAL REGISTER of June 3, 1986 (51 FR 20204), the Office of Science and Technology Policy (OSTP) issued for public comment a proposed Model Federal Policy for the Protection of Human Research Subjects. This Model Policy is to enhance uniformity in the implementation of a common core of regulations governing research with human subjects. FDA has concurred in the proposed Model Policy to the extent permitted by law. FDA will propose to amend its regulations to eliminate certain inconsistencies with the proposed Model Policy. OSTP has advised the Agency that concurrent publication of the final Model Policy and FDA's proposed rule is needed.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

HHS—PHS—FDA

Proposed Rule Stage

Small Entity: No

Agency Contact: Bonnie M. Lee, Public Health Advisor, Health Assessment Policy Staff, Department of Health and Human Services, Food and Drug Administration, Office of Health Affairs (HFY-20), 5600 Fishers Lane, Rockville, MD 20857, **301 443-1382**

RIN: 0905-AC52

681. MENSTRUAL TAMPONS; PROPOSED USER LABELING

Significance: Regulatory Program

Legal Authority: 21 USC 321; 21 USC 352; 21 USC 360; 21 USC 371; 21 USC 374

CFR Citation: 21 CFR 801.430

Legal Deadline: None.

Abstract: FDA is considering a proposal to require tampon manufacturers to include on the package label information to describe absorbency of the tampon. The NPRM would also propose requiring that absorbency be determined in accordance with a specific test method.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Les Weinstein, Office of Standards and Regulations, Department of Health and Human Services, Food and Drug Administration, Center for Devices and Radiological Health (HFZ-84), 5600 Fishers Lane, Rockville, MD 20857, **301 443-4874**

RIN: 0905-AC58

682. ● GRANTS FOR FACULTY TRAINING PROJECTS ON GERIATRIC MEDICINE AND DENTISTRY

Legal Authority: 42 USC 216; 42 USC 295g to 8

CFR Citation: 42 CFR 57, Subpart PP (proposed)

Legal Deadline: None.

Abstract: These proposed rules would govern grants made to schools of medicine, schools of osteopathy, teaching hospitals and graduate medical education programs for the purpose of providing support, including traineeships and fellowships, for geriatric medicine training projects to train physicians and dentists who plan to teach geriatric medicine or geriatric dentistry, in accordance with PL 100-177, the Public Health Amendments of 1987.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Agency Contact: Donald L. Weaver, M.D., Director, Division of Medicine, BHPr, Department of Health and Human Services, Public Health Service, Room 4c-25 Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 295-8049**

RIN: 0905-AC71

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Public Health Service (PHS)—Food and Drug Administration (FDA)

Final Rule Stage

683. AVAILABILITY OF BULK NEW ANIMAL DRUG SUBSTANCES FOR USE BY LICENSED VETERINARIANS

Significance: Agency Priority

Legal Authority: 21 USC 360b Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 514.1

Legal Deadline: None.

Abstract: This proposed rule would permit veterinarians to obtain bulk new animal drug substances for compounding products for use in their own practice. A number of veterinarians have requested that the regulations be revised in order that bulk new animal drug substances may be legally obtained by them for use in their practices. Seventeen comments were received in response to the proposed rule, five from pharmaceutical companies, six from trade/professional associations, three from consultants, two from veterinary practitioners, and one from a Federal agency. Only three of those commenting supported the proposal. The remaining 14 comments opposed the proposal. The agency is reevaluating the proposal in light of the comments received.

Timetable:

Action	Date	FR Cite
NPRM	07/01/85	50 FR 27016
NPRM Comment Period End	09/30/85	50 FR 27016

Next Action Undetermined

Small Entity: No

Agency Contact: Donald A. Gable, Director, Division of Therapeutic Drugs for Food Animals, Department of Health and Human Services, Food and Drug Administration, Center for Veterinary Medicine (HFV-130), 5600 Fishers Lane, Rockville, MD 20857, **301 443-1414**

RIN: 0905-AB01

684. PROPOSED USER CHARGE; NEW DRUG APPLICATIONS, ABBREVIATED NEW DRUG APPLICATIONS, NEW DEVICE APPLICATIONS, AND ANTIBIOTIC APPLICATIONS REVIEW

Significance: Agency Priority

Legal Authority: 21 USC 351 Federal Food, Drug, and Cosmetic Act; 21 USC 352 Federal Food, Drug, and Cosmetic Act; 21 USC 353 Federal Food, Drug, and Cosmetic Act; 21 USC 355 Federal Food, Drug, and Cosmetic Act; 21 USC 356 Federal Food, Drug, and Cosmetic Act; 21 USC 357 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act; 31 USC 9701 Independent Offices Appropriation Act

CFR Citation: 21 CFR 314

Legal Deadline: None.

Abstract: The proposed rule would initiate a program that would require drug manufacturers (as beneficiaries of special services that the agency provides) to bear the costs that the agency incurs in reviewing and approving new drug and antibiotic applications, abbreviated new drug applications, "class III" device applications, and certain supplemental applications. The agency would set fees for different types of applications. The benefit accruing to an applicant under the agency's new drug, antibiotic, and device application review and approval activity is that the applicant may lawfully market its new drug, antibiotic,

or class III device upon gaining agency approval. Review by the agency also benefits applicants by helping ensure that they will market only safe and effective drug products or devices. This, in turn, enhances public confidence in applicants' drug products or medical devices. Congress has prohibited FDA from implementing user charges in FY 1988. Legislation has been submitted to Congress to implement user charges for both drugs and devices. The future of this proposed rule is dependent on the outcome of Congressional action.

Timetable:

Action	Date	FR Cite
NPRM	08/06/85	50 FR 31726
NPRM Comment Period End	09/05/85	50 FR 31726

Next Action Undetermined

Small Entity: No

Agency Contact: Marilyn Watson, Special Asst. to the Division Director, Division of Regulatory Affairs, Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research (HFN-360), 5600 Fishers Lane, Rockville, MD 20857, 301 295-8038

RIN: 0905-AB56

685. PROVISIONALLY LISTED COLOR ADDITIVES

Significance: Regulatory Program

Legal Authority: 21 USC 371 Federal Food, Drug, and Cosmetic Act; 21 USC 376(b) to (d) Federal Food, Drug, and Cosmetic Act; 21 USC 376 note Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 81.1; 21 CFR 81.27

Legal Deadline: None.

Abstract: Substantial progress has been made in reducing the number of provisionally listed additives and only 3 color additives remain on the provisional list. The agency is presently reviewing petitions to list these color additives permanently. Because FD&C Red No. 3 animal feeding studies have shown a treatment-related increased incidence of tumor bearing animals, the agency considered the use of quantitative risk assessment as a basis for assessing the safety of this color additive in external drugs and cosmetics. As a preliminary step in its consideration of this approach, the agency formed a scientific peer review panel of government scientists to consider whether it is possible to quantify the risk presented by the use of FD&C Red No. 3 based on the scientific data available to the agency and, if so, what level of risk is presented by the use of this color additive. The agency has received the report from the scientific review panel in which the panel estimates the risk of cancer from use of FD&C Red No. 3 in external drugs and cosmetics. Furthermore, for FD&C Red No. 3 the industry has postulated a secondary mechanism for the observed tumorigenic response in the animal feeding (cont)

Timetable:

D&C Orange No. 17
Final Action 08/07/86 (51 FR 28331)
D&C Red No. 19
Final Action 08/07/86 (51 FR 28346)
D&C Red No. 37
Final Action 06/06/86 (51 FR 20786)
D&C Red No. 8 and D&C Red No. 9
Final Action 12/05/86 (51 FR 43877)
D&C Red Nos. 33 and 36
Final Action 04/00/88
FD&C Red No. 3
Final Action 05/00/88
FD&C Yellow No. 5
Final Action 07/07/86 (51 FR 24517)
FD&C Yellow No. 6
Final Action 11/19/86 (51 FR 41765)

Small Entity: No

Additional Information: ABSTRACT CONT: study. The agency asked a second scientific peer review panel of government scientists to consider data relating to the issue of a possible secondary mechanism and implications for risk assessment. The panel was also asked to determine what, if any, further studies or analyses may be necessary to resolve the issues. The panel submitted its report to the Commissioner in July 1987. The report was made available to the public in August 1987. D&C Red Nos. 33 and 36 present concern about their possible carcinogenicity, as well as concern about carcinogenic impurities.

Agency Contact: Donna A. Dennis, Supervisor, Division of Food and Color Additives, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition (HFF-330), 200 C Street, SW, Washington, DC 20204, 202 426-9463

RIN: 0905-AB60

686. PATENT TERM RESTORATION FOR CERTAIN REGULATED PRODUCTS (TITLE II OF "DRUG PRICE COMPETITION AND PATENT TERM RESTORATION ACT OF 1984")

Significance: Regulatory Program

Legal Authority: 21 USC 348 Federal Food, Drug and Cosmetic Act; 21 USC 355 Federal Food, Drug and Cosmetic Act; 21 USC 357 Federal Food, Drug and Cosmetic Act; 21 USC 360e Federal Food, Drug and Cosmetic Act; 21 USC 376 Federal Food, Drug and Cosmetic Act; 42 USC 216 Public Health Service Act; 42 USC 241 Public Health Service Act; 42 USC 262 Public Health Service Act; 42 USC 263b to 263h Public Health Service Act; 35 USC 156 Drug Price Competition and Patent Term; Restoration Act, Title II; 35 USC 271 Drug Price Competition and Patent Term; Restoration Act, Title II; 35 USC 282 Drug Price Competition and Patent Term; Restoration Act, Title II

CFR Citation: 21 CFR 60

Legal Deadline: None.

Abstract: On July 11, 1986, the agency proposed regulations to implement the patent term restoration provisions (Title II) of the Drug Price Competition and Patent Term Restoration Act of 1984 (Pub. L. 98-417). Patent term restoration extending patent life, is available for certain patents related to human drug products, and to medical devices, food additives, or color additives subject to regulation under the Federal Food, Drug, and Cosmetic Act or the Public Health Service Act.

Timetable:

Action	Date	FR Cite
Request for Public Comments on Implementing Title II	06/28/85	50 FR 26791
NPRM	07/11/86	51 FR 25338
NPRM Comment Period End	10/09/86	51 FR 25338
Final Action	04/00/88	

Small Entity: No

Agency Contact: Philip L. Chao, Regulatory Counsel, Health Assessment Policy Staff, Department of Health and Human Services, Food and Drug Administration, Office of Health Affairs (HFY-20), 5600 Fishers Lane, Rockville, MD 20857, 301 443-1382

RIN: 0905-AB65

687. FOOD LABELING INFORMATION REGARDING GOOD NUTRITION AND HEALTH

Significance: Regulatory Program

Legal Authority: 15 USC 1453 Fair Packaging and Labeling Act; 15 USC 1455 Fair Packaging and Labeling Act; 21 USC 321 Federal Food, Drug, and Cosmetic Act; 21 USC 343 Federal Food, Drug, and Cosmetic Act; 21 USC 348 Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 101

Legal Deadline: None.

Abstract: In the FEDERAL REGISTER of August 4, 1987, the Food and Drug Administration (FDA) discussed an initiative concerning health-related claims or information on food labeling and the criteria it will apply in evaluating the propriety of such labeling. Consistent with this initiative, FDA proposed to amend certain regulations on food labeling to codify and to clarify its policy on the appropriate use of health-related messages. The agency also announced its intention to form a Public Health Service (PHS) committee that will attempt to develop "health messages" appropriate for use on food labeling.

FDA recognizes that this initiative represents a substantive change in past agency policy, and because of the complexity of the matter and the broad public interest, wishes to proceed cautiously and deliberately in its regulatory approach.

Pending this rulemaking proceeding, the agency will employ the criteria discussed in the preamble to the notice in evaluating the propriety of bringing enforcement action against products bearing health messages on food labeling.

Timetable:

Action	Date	FR Cite
NPRM	08/04/87	52 FR 28843
NPRM - Comment Period Ends	11/02/87	52 FR 28843
NPRM - Extension of Comment Period	11/02/87	52 FR 42003
NPRM - Correction of Extension of Comment Period	11/16/87	52 FR 43772
NPRM - Extension of Comment Period Ends	01/04/88	52 FR 43772
Final Action	07/00/88	

Small Entity: No

Agency Contact: David G. Hattan, Chief, Regulatory Affairs Staff, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition (HFF-204), 200 C Street, SW, Washington, DC 20204, 202 245-3117

RIN: 0905-AB67

688. FOOD LABELING: DEFINITIONS OF CHOLESTEROL FREE, LOW CHOLESTEROL, AND REDUCED CHOLESTEROL

Significance: Regulatory Program

Legal Authority: 21 USC 343 Federal Food, Drug, and Cosmetic Act; 21 USC 321(n) Federal Food, Drug, and Cosmetic Act; 21 USC 371 Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 101.9; 21 CFR 101.25

Legal Deadline: None.

Abstract: In the FEDERAL REGISTER of November 25, 1986, the agency published a proposed rule that would provide a mechanism to allow relevant, truthful, and nonmisleading claims about cholesterol and fatty acid on product labeling for consumers. This proposed rule resulted from the medical and consumer interest in the association between dietary fat and cholesterol and the occurrence of coronary heart disease, the leading cause of death and disability in the United States today. The proposed rule would allow industry voluntarily to provide consumers with cholesterol and fatty acid information currently prohibited by regulations by permitting the use of meaningful descriptors of the cholesterol content of foods as established by regulation (e.g., "cholesterol free," "low cholesterol," and "reduced cholesterol"). Additionally, the proposal would allow the use of comparative claims (e.g., 50 percent less cholesterol than our original product), provided quantitative cholesterol content information is supplied. Public comments submitted in response to the proposed rule are being reviewed.

Timetable:

Action	Date	FR Cite
NPRM	11/25/86	51 FR 42584
NPRM Extension of Comment Period	01/23/87	52 FR 2558
NPRM Comment Period End	03/27/87	52 FR 2558
Final Action	12/00/88	

Small Entity: No

Agency Contact: David G. Hattan, Chief, Regulatory Affairs Staff, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition (HFF-204), 200 C Street, SW, Washington, DC 20204, 202 245-3117

RIN: 0905-AB68

689. METHYLENE CHLORIDE

Significance: Regulatory Program

Legal Authority: 21 USC 361 Federal Food, Drug, and Cosmetic Act; 21 USC 362 Federal Food, Drug, and Cosmetic Act; 21 USC 371(a) Federal Food, Drug, and Cosmetic Act

CFR Citation: 21 CFR 700.19

Legal Deadline: None.

Abstract: Methylene chloride is used as a solvent in aerosol cosmetic products (hair sprays). Recent carcinogenicity bioassay studies, however, have shown that methylene chloride is an animal carcinogen. These studies indicate that the continued use of methylene chloride, in functional amounts, in such cosmetic products may pose a significant risk to the public health, especially in specific segments of the population that are continually exposed to aerosol cosmetics containing methylene chloride. The agency has been informed of voluntary efforts by the cosmetic industry to replace methylene chloride but believes that prohibiting its use in cosmetics is the only approach that will assure that the public health will be fully safeguarded from all such products, both foreign and domestic. FDA announced in the December 18, 1985, NPRM its conclusion that methylene chloride used as a solvent to extract caffeine from green coffee beans was not a danger under the Delaney Clause to the Food Additives Amendment because the risk was so miniscule as to be considered

de minimis. FDA is reconsidering this conclusion in light of a recent appeals court (cont)

Timetable:

Action	Date	FR Cite
NPRM	12/18/85	50 FR 51551
NPRM - Comment Period Ends	02/18/86	50 FR 51551
NPRM - Comment Period Extended	02/24/86	51 FR 6494
NPRM - Extended Comment Period Ends	04/04/86	51 FR 6494
NPRM - Comment Period Reopened	12/05/86	51 FR 43935
NPRM - Reopened Comment Period Ends	01/05/87	51 FR 43935
Final Action	11/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: decision that struck down a similar interpretation of the color additive Delaney Clause.

Agency Contact: Terry C. Troxell, Division of Regulatory Guidance, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition (HFF-312), 200 C Street, SW, Washington, DC 20204, 202 485-0229

RIN: 0905-AC00

690. COMMON OR USUAL NAME FOR DILUTED FRUIT OR VEGETABLE JUICE BEVERAGES OTHER THAN DILUTED ORANGE JUICE BEVERAGES

Significance: Regulatory Program

Legal Authority: 21 USC 321(n) Federal Food, Drug and Cosmetic Act; 21 USC 343 Federal Food, Drug and Cosmetic Act; 21 USC 371(a) Federal Food, and Cosmetic Act

CFR Citation: 21 CFR 102.33

Legal Deadline: None.

Abstract: In 1980, FDA published a regulation (21 CFR 102.33) to require the declaration of the percent of juice contained in all diluted juice beverages. This regulation was published to extend the percent juice declaration required for diluted orange juice beverages (21 CFR 102.32) to all other diluted juice beverages. These two regulations were developed to provide consumers with information as to the various amounts of juice in the diluted juice beverages offered for sale. The regulation regarding percentage juice declaration for diluted orange juice beverages had been in effect for several years and functioning well before the regulation addressing all other diluted juice beverages was published. With publication of 21 CFR 102.33, a controversy developed over the applicability of the regulation to diluted cranberry juice beverages. The controversy centered around the fact that cranberry juice is a high acid juice and is not normally consumed as a single strength juice. Due to this unresolved controversy, 21 CFR 102.33 has not been made effective. In the FEDERAL REGISTER of July 16, 1987 (52 FR 26690), the agency proposed to revoke the common or usual (cont)

Timetable:

Action	Date	FR Cite
NPRM - To Revoke Regulation	07/16/87	52 FR 26690
NPRM - Comment Period Ends	09/14/87	52 FR 26690
NPRM - Extension of Comment Period	09/25/87	52 FR 36046
NPRM - Extended Comment Period Ends	12/13/87	52 FR 36046
NPRM - Comment Period Reopened	01/22/88	53 FR 1795
NPRM - Reopened Comment Period Ends	01/27/88	53 FR 1795
Final Action	10/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: name regulation (21 CFR 102.33) for diluted fruit or vegetable juice beverages other than diluted orange juice beverages. The revocation of this regulation will allow voluntary percentage labeling of these diluted juice beverages at the discretion of the manufacturer and according to the demands of the marketplace. Diluted orange juice beverages would continue to be subject to the percentage labeling requirement that has been in effect for diluted orange juice beverages since 1973. This proposed action also withdraws the proposed rule published in the FEDERAL REGISTER of June 1, 1984 (49 FR 22831), which, among other things, exempted cranberry juice products from percentage ingredient labeling requirements.

Agency Contact: Evelyn Osman, Division of Regulatory Guidance, Department of Health and Human Services, Food and Drug Administration, Center for Food Safety and Applied Nutrition (HFF-312), 200 C Street, SW, Washington, DC 20204, 202 485-0229

RIN: 0905-AC48

691. ● TAMPER-RESISTANT PACKAGING REQUIREMENTS FOR OVER-THE-COUNTER (OTC) DRUGS

Significance: Regulatory Program

Legal Authority: 21 USC 321(n); 21 USC 351; 21 USC 352; 21 USC 355; 21 USC 356; 21 USC 357; 21 USC 371

CFR Citation: 21 CFR 211.132

Legal Deadline: None.

Abstract: The agency is considering amending the current tamper-resistant packaging regulations and updating information it previously made available on tamper-resistant packaging technologies. Under this approach, the agency is considering revisions to require special precautions against tampering for two-piece, hard, gelatin capsules, the dosage form that has been the subject of fatal tamperings.

The agency is also considering other measures to provide additional guidance to manufacturers regarding tamper-resistant packaging technology and public education to improve consumer's alertness to tampering.

Any action taken would reflect the Administration policy that the consumer is the key to tamper resistance, and the ultimate goal of tamper-resistant packaging is that it should offer a signal to consumers about tampering.

Timetable:

Action	Date	FR Cite
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Adele S. Seifried, Division of Regulatory Affairs.

HHS—PHS—FDA

Final Rule Stage

Department of Health and Human Services, Food and Drug Administration, Center for Drug Evaluation and Research (HFN-362), 5600 Fishers Lane, Rockville, MD 20857, **301 295-8046**

RIN: 0905-AC70

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Completed Actions

Public Health Service (PHS)—Food and Drug Administration (FDA)

692. GOOD LABORATORY PRACTICE FOR NONCLINICAL LABORATORY STUDIES

Significance: Regulatory Program

CFR Citation: 21 CFR 58

Completed:

Reason	Date	FR Cite
Final Action	09/04/87	52 FR 33768
Final Action Effective	10/05/87	52 FR 33768

Small Entity: No

Agency Contact: Paul D. Lepore **301 443-2390**

RIN: 0905-AA84

693. ANIMAL DRUG SAFETY POLICY

Significance: Regulatory Program

CFR Citation: 21 CFR 70.50; 21 CFR 500.80; 21 CFR 500.82; 21 CFR 500.84; 21 CFR 500.86; 21 CFR 500.88; 21 CFR 500.90; 21 CFR 514.1; 21 CFR 514.111; 21 CFR 514.115

Completed:

Reason	Date	FR Cite
Final Action	12/31/87	52 FR 49572
Final Action Effective	02/29/88	52 FR 49572

Small Entity: No

Agency Contact: Robert Benson **301 443-4500**

RIN: 0905-AB04

694. GENERAL BIOLOGICAL PRODUCTS STANDARDS; ADDITIONAL STANDARDS FOR HUMAN BLOOD AND BLOOD PRODUCTS; TEST FOR ANTIBODY TO HUMAN IMMUNODEFICIENCY VIRUS (HIV)

Significance: Regulatory Program

CFR Citation: 21 CFR 610.45, (New); 21 CFR 640.2(f), (Revision); 21 CFR 640.5, (New); 21 CFR 640.14, (Revision); 21 CFR 640.23(a), (Revision); 21 CFR 640.33(a), (Revision); 21 CFR 640.53(a), (Revision); 21 CFR 640.67, (Revision); 21 CFR 640.70(a)(11), (New); 21 CFR 640.71(a)(4), (New); 21 CFR 640.72(a)(2), (Revision)

Completed:

Reason	Date	FR Cite
Final Action	01/05/88	53 FR 111
Final Action Effective	02/04/88	53 FR 111

Small Entity: No

Agency Contact: Steven F. Falter **301 295-8046**

RIN: 0905-AB62

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Proposed Rule Stage

Public Health Service (PHS)—Health Resources and Services Administration (HRSA)

695. GRANTS FOR RESIDENCY TRAINING AND FACULTY DEVELOPMENT IN GENERAL INTERNAL MEDICINE AND/OR GENERAL PEDIATRICS

Legal Authority: 42 USC 216; 42 USC 295g-4; 42 USC 295g-4(a)

CFR Citation: 42 CFR 57, Subpart FF

Legal Deadline: None.

Abstract: These regulations propose to amend the existing regulations for residency training in general internal medicine and general pediatrics and to implement section 784 (a)(3) and (4) to plan, develop, and operate a program and provide financial assistance to physicians who plan to teach in general internal medicine and general pediatrics.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Donald L. Weaver, M.D., Director, Division of Medicine, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Public Health Service, 5600 Fishers Lane, Room 4C-25, Rockville, MD 20857, **301 443-6190**

RIN: 0905-AB50

696. HEALTH EDUCATION ASSISTANCE LOAN (HEAL) PROGRAM: IMPLEMENTATION OF PUB. L. 99-129

Legal Authority: 42 USC 216; 42 USC 294 to 294l

CFR Citation: 42 CFR 60

Legal Deadline: None.

Abstract: This rule proposes to implement provisions of the Health Professions Training Assistance Act of 1985 (Pub. L. 99-129) which require public comment before being published as final regulations.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	

Small Entity: No

Agency Contact: Ms. Peggy Washburn, Chief, Program Devel. Br., DSA, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Room 8-48, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 443-4540**

RIN: 0905-AC28

697. GRANTS FOR NURSE PRACTITIONER AND NURSE MIDWIFERY TRAINEESHIP PROGRAMS

Legal Authority: 42 USC 216; 42 USC 296m

CFR Citation: 42 CFR 57, Subpart AA

Legal Deadline: None.

Abstract: These proposed regulations would implement the provisions of the Nurse Education Amendments of 1985 (Pub. L. 99-92) and add debt management provisions of the Debt Collection Act of 1982 (Pub. L. 97-365).

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: Jo Eleanor Elliott, R.N., M.A., Director, Division of Nursing, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Room 5C-26, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 443-5786**

RIN: 0905-AC30

698. GRANTS FOR HEALTH PROFESSIONS PROJECTS IN GERIATRICS

Legal Authority: 42 USC 216; 42 USC 295g-8

CFR Citation: 42 CFR 57, Subpart 00 (Proposed)

Legal Deadline: None.

Abstract: These proposed regulations would implement provisions for 788 (d) of the Public Health Service Act relating to geriatric education of the Health Professions Training Assistance Act of 1985 (Pub. L. 99-129).

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: Thomas L. Louden, D.D.S., Director, Div. of Associated and Dental Health Professions, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Room 8-101, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 443-6853**

RIN: 0905-AC33

699. POST-BACCALAUREATE FACULTY FELLOWSHIP PROGRAM

Legal Authority: 42 USC 216; 42 USC 297

CFR Citation: 42 CFR 57, Subpart BB (Proposed)

Legal Deadline: None.

Abstract: These proposed regulations would implement section 830 (b) of the Public Health Service Act relating to post-baccalaureate fellowships for faculty to conform with the Nurse Education Amendments of 1985 (Pub. L. 99-92).

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: No

Agency Contact: Ms. Jo Eleanor Elliott, R.N., M.A., Director, Division of Nursing, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Room 5C-26, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 443-5786**

RIN: 0905-AC34

700. GRANTS FOR COMMUNITY HEALTH SERVICES CRITERIA AND PROCEDURE FOR DETERMINING MEDICALLY UNDERSERVED POPULATIONS (MUP)

Legal Authority: PL 99-280, Sec 2; 42 USC 254c(b)

CFR Citation: 42 CFR 51c102(e)

Legal Deadline: None.

Abstract: Section 330(b) of the Public Health Service Act was amended by Section 2 of the Health Services Amendments Act of 1986 (P.L. 99-280). The amendment requires the Secretary to publish, in regulation, criteria for the designation of areas or population groups with shortages of personnel health services. These designated areas are eligible for the award of grants for planning and operating Community Health Centers. The amendment requires that the Secretary consult with the Chief Executive Officer of a State and local officials in publishing MUP designation criteria and in designating or dedesignating MUP. The amendment also requires the Secretary to consult with State organizations representing a majority of Community Health Centers in the State.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: James P. Purvis, Director, Office of Program and Policy, Development, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 7-15, Rockville, MD 20857, **301 443-1034**

RIN: 0905-AC35

701. IMPLEMENTATION OF HEALTH CARE QUALITY IMPROVEMENT ACT OF 1986 (TITLE IV, PUBLIC LAW 99-660)

Significance: Regulatory Program

Legal Authority: 42 USC 11136; 42 USC 11137

CFR Citation: 45 CFR 60, (Proposed)

Legal Deadline: None.

Abstract: This rule proposes to implement the Health Care Quality Improvement Act of 1986, Title IV of PL 99-660, specifically related to section 426 for the disclosure and correction of information and section 427(b) for confidentiality of information .

Timetable:

Action	Date	FR Cite
NPRM	03/21/88	53 FR 9260
NPRM Comment Period End	05/20/88	
Final Action	10/00/88	

Small Entity: No

Agency Contact: J. Jarrett Clinton, M.D., Director, Bureau of Health Professions, Department of Health and Human Services, Public Health Service, Room 8-05, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, **301 443-5796**

RIN: 0905-AC51

702. ● NATIONAL HEALTH SERVICE CORPS LOAN REPAYMENT PROGRAM AND SPECIAL REPAYMENT PROVISIONS PROVISIONS PROGRAM

Significance: Regulatory Program

Legal Authority: PL 100-177

CFR Citation: 42 CFR 62.21 to 62.2/; 42 CFR 62.51 to 62.56; 42 CFR 62.71 to 62.76

Legal Deadline: Statutory, May 28, 1988.

HHS—PHS—HRSA

Proposed Rule Stage

Abstract: The National Health Service Corps Amendments of 1987 , PL 100-177 amends the Public Health Service Act adding a new section at 338B of the Act authorizing the Secretary to establish the NHSC Loan Repayment Program. PL 100-177 also amends the PHS Act by adding a new section 338H authorizing the Secretary to establish a program of matching grants to support state loan repayment programs similar to the Federal Loan Repayment Program. PL100- 177 also establishes a new program which is not part of the PHS Act which provides a time limited opportunity for person in default of their scholarship obligation as of November 1, 1987 to repay these obligations through service or through a combination of service and monetary payment. The statute requires that the Secretary issue regulations for the Loan Repayment Program with in 180 days of enactment of PL 100-177 .

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: James P. Purvis, Director, Office Of Program and Policy, Development, BHCDA, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 7-05, Rockville, MD 20857, **301 443-1034**

RIN: 0905-AC65

703. ● AREA HEALTH EDUCATION CENTER (AHEC) PROGRAM

Legal Authority: 42 USC 216; 42 USC 295g to l

CFR Citation: 42 CFR 57 Subpart MM

Legal Deadline: None.

Abstract: This NPRM proposes to amend the existing regulations governing the Area Health Education Center (AHEC) Program, under section 781 of the Public Health Service Act, to incorporate provisions that would: 1) limit involvement by the Federal Government in the support of any new project to a maximum of 5 years; 2) require an applicant to submit a plan describing how the center will continue operations after a maximum of 5 years of support by the Federal Government; and 3) add an evaluation criteria to include the extent to which minorities or low-income individuals reside in the area served by the Center.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Agency Contact: Donald L. Weaver, M.D., Director, Division of Medicine, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Room 4C-25, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 443-6190**

RIN: 0905-AC67

704. ● DESIGNATION OF MENTAL HEALTH MANPOWER SHORTAGE AREAS

Legal Authority: 42 USC 216; 42 USC 254e

CFR Citation: 42 CFR Pat 5

Legal Deadline: None.

Abstract: This notice proposes an amendment to the existing regulations, governing the Designation of Health Manpower Shortage Areas authorized by section 332 of the Public Health Service Act, which would replace the current criteria for designations of areas having shortages of psychiatrists, with criteria for mental health manpower shortage areas to include not only psychiatrists but also other core mental health professionals (clinical psychologists, psychiatric social workers and psychiatric nurses) in a geographic area.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Agency Contact: Richard C. Lee, Chief, Distribution & Shortage Analysis Br, ODAM, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Room 8-57, Parklawn Building, Rockville, MD, 20857, **301 443-6932**

RIN: 0905-AC68

705. ● HEALTH EDUCATION ASSISTANCE LOAN (HEAL) PROGRAM

Legal Authority: 42 USC 216; 42 USC 2941

CFR Citation: 42 CFR 60

Legal Deadline: None.

Abstract: This NPRM would amend the HEAL regulations, 42 CFR Part 60, to clarify the litigation requirement for all lenders and holders and to clarify the applicability of various sections of the regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Ms. Peggy Washburn, Chief, Program Development Branch, DSA, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Room 8-48, Parklawn Building, 5600 Fishers Lane , Rockville, MD 20857, **301 443-4540**

RIN: 0905-AC69

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Final Rule Stage

Public Health Service (PHS)—Health Resources and Services Administration (HRSA)

706. GRANTS FOR NURSE ANESTHETIST TRAINEESHIPS

Legal Authority: 42 USC 216; 42 USC 297-1

CFR Citation: 42 CFR 57, Subpart F (Proposed)

Legal Deadline: None.

Abstract: These rules implement section 831 of the Public Health Service Act to make grants to public or private nonprofit institutions to cover the costs of traineeships for the training, in programs which meet such requirements as the Secretary shall by regulation prescribe and which are accredited by an entity or entities designated by the Secretary of Education, of licensed registered nurses to be nurse anesthetists.

Timetable:

Action	Date	FR Cite
NPRM	12/16/86	51 FR 45000
NPRM Comment Period End	02/17/87	
Final Action	05/00/88	

Small Entity: No

Agency Contact: Dr. Thomas P. Phillips, Chief, Advanced Nurse Training Res. Br., Division of Nursing, BHPr, Department of Health and Human Services, Health Resources and Services Administration, 5600 Fishers Lane, Room 5C-25, Rockville, MD 20857, **301 443-6333**

RIN: 0905-AB33

707. HEALTH PROFESSIONS STUDENT LOAN (HPSL) PROGRAM: DEFERMENT REVISIONS

Significance: Agency Priority

Legal Authority: 42 USC 216; 42 USC 294m to 294q

CFR Citation: 42 CFR 57, Subpart C

Legal Deadline: Statutory, January 22, 1986. Within 90 days after the Act's enactment, the Secretary of HHS shall promulgate regulations to carry out Sec. 741(c)(2) of the Public Health Service Act. Although the regulations will not be published until after the legal deadline, no requests for new deferments are expected until after publication.

Abstract: This rule amends existing regulations governing the Health Professions Student Loan (HPSL) Program to include the revised deferment provisions enacted on October 22, 1985, as part of the Health Professions Training Assistance Act of 1985 (Pub. L. 99-129).

Timetable:

Action	Date	FR Cite
NPRM	10/28/86	51 FR 39460
NPRM Comment Period End	12/29/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Ms. Peggy Washburn, Chief, Program Devel. Br., DSA, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Room 8-48, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 443-4540**

RIN: 0905-AC06

708. HEALTH EDUCATION ASSISTANCE LOAN (HEAL) PROGRAM: DEFERMENT REVISIONS

Significance: Agency Priority

Legal Authority: 42 USC 216; 42 USC 294 to 294l

CFR Citation: 42 CFR 60

Legal Deadline: Statutory, January 22, 1986. Within 90 days after the Act's enactment, the Secretary of HHS shall promulgate regulations to carry out clause (ii) of Sec. 731(a)(2)(B) of the Public Health Service Act. Although the regulations will not be published until after the legal deadline, no requests for new deferments are expected until after pub.

Abstract: This rule amends existing regulations governing the Health Education Assistance Loan (HEAL) Program to include the revised deferment provisions enacted on October 22, 1985, as part of the Health Professions Training Assistance Act of 1985 (Pub. L. 99-129).

Timetable:

Action	Date	FR Cite
NPRM	10/28/86	51 FR 39464
NPRM Comment Period End	12/29/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Ms. Peggy Washburn, Chief, Program Devel. Br., DSA, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Room 8-48, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 443-4540**

RIN: 0905-AC07

709. NURSING SPECIAL PROJECT GRANTS

Legal Authority: 42 USC 216; 42 USC 296k

CFR Citation: 42 CFR 57, Subpart T

Legal Deadline: None.

Abstract: This regulation would implement the provisions of the Nursing Education Amendments of 1985 (Pub. L. 99-92) and the Health Professions Training Assistance Act of 1985 (Pub. L. 99-129) to bring the existing regulations into compliance with the law.

These amendments add four new purposes to the Nursing Special Projects Program and revise the existing regulations to add project requirements for each of the new purposes along with an additional project requirement for one of the original grant projects.

Timetable:

Action	Date	FR Cite
NPRM	06/05/87	52 FR 21490
NPRM Comment Period End	08/04/87	
Final Action	04/00/88	

Small Entity: No

Agency Contact: Ms. Jo Eleanor Elliott, R.N., M.A., Director, Division of Nursing, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Room 5C-26, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 443-5786**

RIN: 0905-AC18

710. AREA HEALTH EDUCATION CENTERS (AHEC)

Legal Authority: 42 USC 216; 42 USC 295g-1

CFR Citation: 42 CFR 57, Subpart MM

Legal Deadline: None.

Abstract: These regulations would implement provisions of the Health Professions Training Assistance Act of 1985 (Pub.L. 99-129) to bring the existing regulations into compliance with the law.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Donald L. Weaver, M.D., Director, Division of Medicine, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Room 4C-25, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 443-6190**

RIN: 0905-AC22

711. NURSING STUDENT LOAN (NSL) PROGRAM: IMPLEMENTATION OF THE LAW (PUB. L. 99-92)

Legal Authority: 42 USC 216; 42 USC 297a to 297h

CFR Citation: 42 CFR 57, Subpart D

Legal Deadline: None.

Abstract: These regulations propose to implement provisions of the Nurse Education Amendments of 1985 (Pub. L. 99-92) which require public comment

before being published in final regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/05/87	52 FR 21486
NPRM Comment Period End	07/20/87	
Final Action	09/00/88	

Small Entity: No

Agency Contact: Ms. Peggy Washburn, Chief, Program Devel. Br., DSA, BHPr, Department of Health and Human Services, Public Health Service, Room 8-48, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 443-4540**

RIN: 0905-AC31

712. HEALTH PROFESSIONS STUDENT LOAN (HPSL) PROGRAM: IMPLEMENTATION OF THE LAW (PUB. L. 99-129)

Legal Authority: 42 USC 216; 42 USC 294m to 294q

CFR Citation: 42 CFR 57, Subpart C

Legal Deadline: None.

Abstract: These regulations propose to implement provisions of the Health Professions Training Assistance Act of 1985 (Pub. L. 99-129) which require public comment before they can be published in final regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/03/87	52 FR 20989
NPRM Comment Period End	07/20/87	
Final Action	09/00/88	

Small Entity: No

Agency Contact: Richard C. Lee, Chief, Distribution & Shortage Analysis Br., Office of Data Analysis & Management, BHPr, Department of Health and Human Services, Public Health Service, Room 8-57, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, **301 443-6932**

RIN: 0905-AC50

713. HEALTH MANPOWER SHORTAGE AREA DESIGNATION CRITERIA

Legal Authority: 42 USC 216; 42 USC 254e

CFR Citation: 42 CFR 5

Legal Deadline: None.

Abstract: This notice proposes an amendment to the existing regulations governing the criteria for Designation of Health Manpower Shortage Areas required by Section 332 of the P.H.S Act. This amendment would revise the definition for the term "internees" used in the criteria for designating those Federal and State institutions which have a shortage of primary medical care, dental care, or psychiatric manpower.

Timetable:

Action	Date	FR Cite
NPRM	10/29/87	52 FR 41594
NPRM Comment Period End	12/28/87	
Final Action	07/00/88	

Small Entity: No

Agency Contact: Richard C. Lee, Chief, Distribution & Shortage Analysis Br., Office of Data Analysis & Management, BHPr, Department of Health and Human Services, Public Health Service, Room 8-57, Parklawn Building, 5600 Fishers Lane, Rockville, Maryland 20857, **301 443-6932**

RIN: 0905-AC32

714. ● GRANTS FOR CONSTRUCTION OF TEACHING FACILITIES, EDUCATIONAL IMPROVEMENTS, SCHOLARSHIPS, AND STUDENT LOANS

Legal Authority: 42 USC 295g to 3(a)(1); 42 USC 295G TO 6(a); 42 USC 296m; 42 USC 296l; 42 USC 295h to 1c; 42 USC 295g to 4; 42 USC 295g to 1

CFR Citation: 42 CFR Pat 57

Legal Deadline: None.

Abstract: This final regulation removes all non-statutory funding preferences from regulations governing various PHS health professions training grant programs. This action is necessary to provide more flexibility in program management by enabling these training grant programs to be more responsive to the emerging and changing public health care needs of the nation.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Ms. Rosemary Havill, Program Coordination Branch, OPS, BHPr, Department of Health and Human Services, Health Resources and Services Administration, Rm 7-74, Parklawn Building, 5600 Fishers Lane, Rockville, MD 20857, **301 443-1530**

RIN: 0905-AC66

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Public Health Service (PHS)—Health Resources and Services Administration (HRSA)

Completed Actions

715. INDIAN HEALTH SERVICE, 42 CFR PART 36 SUBPART I, CONTRACTS UNDER THE INDIAN SELF-DETERMINATION ACT: AMENDMENTS

CFR Citation: 42 CFR 36, Subpart I

Completed:

Reason	Date	FR Cite
Withdrawn A general revision is not called for at this time.	12/11/87	

Small Entity: Undetermined

Agency Contact: Lloyd Fagg 301 443-6344

RIN: 0905-AB31

716. REASONABLE VOLUME OF UNCOMPENSATED SERVICES TO PERSONS UNABLE TO PAY (HILL-BURTON)

Significance: Regulatory Program

CFR Citation: 42 CFR 124, Subpart F

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 46022
Final Action Effective	02/01/88	

Small Entity: No

Agency Contact: Roger McClung 301 443-4273

RIN: 0905-AB35

HHS—PHS—HRSA **Completed Actions**

717. GENERAL REVIEW AND REVISION OF PUBLIC LAW 93-638 PROGRAM AND CONTRACTING REGULATIONS

Significance: Regulatory Program

CFR Citation: 41 CFR 3 to 4; 42 CFR 36, Subpart H and I

Completed:

Reason	Date	FR Cite
Withdrawn A general revision is not called for at this time.	12/11/87	

Small Entity: Undetermined

Agency Contact: Richard J. McCloskey 301 443-1116

RIN: 0905-AB98

718. CHANGES IN PUBLIC LAW 93-638. REGULATIONS TO REVISE THE DECLINATION APPEALS PROCESS AND CLARIFY ITS SCOPE

CFR Citation: 42 CFR 36

Completed:

Reason	Date	FR Cite
Withdrawn General revision of regulation is not called for at this time.	12/11/87	

Small Entity: Undetermined

Agency Contact: Les Morris 301 443-1116

RIN: 0905-AB99

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) Proposed Rule Stage

Public Health Service (PHS)—National Institutes of Health (NIH)

719. MISCONDUCT IN SCIENCE

Significance: Regulatory Program

Legal Authority: 42 USC 241; 42 USC 289b

CFR Citation: 42 CFR 50

Legal Deadline: None.

Abstract: Recipients of Public Health Service research and research training funds do not presently have sufficient guidance regarding their responsibility to investigate and report possible misconduct in PHS-funded research or research training. While many institutions have voluntarily established procedures for dealing with misconduct in science, they are not required to do so and in many recent instances the lack of defined procedures has delayed or compromised awardees' investigations. Institutional policies regarding reports to funding agencies vary considerably. The proposed regulation will define the point at which funding agencies are notified and will require awardees to develop procedures for dealing with misconduct in science. Section 493 of the PHS Act requires that the HHS Secretary issue regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	10/00/88	

Small Entity: No

Agency Contact: George J. Galasso, Ph.D., Associate Director for Extramural Affairs, Department of Health and Human Services, Public Health Service, National Inst. of Health, Bldg. 1, Rm. 111, 9000 Rockville Pike, Bethesda, MD 20892, 301 496-5356

RIN: 0905-AB91

720. CHANGES IN NIH PROGRAM REGULATIONS DUE TO P.L. 99-158,P.L. 99-499 AND TITLE X OF P.L. 99-660

Legal Authority: PL 99-158, Sec 2; PL 99-499, Sec 126; PL 99-499, Sec 209; PL 99-660, Title X

CFR Citation: 42 CFR 4; 42 CFR 52 to 52h; 42 CFR 59a; 42 CFR 64; 42 CFR 66

Legal Deadline: None.

Abstract: The regulations of the National Institutes of Health will be revised to show changed section numbers in the PHS Act and reflect program changes under the Health Research Extension Act of 1985 (P.L. 99-158), the Superfund Amendments and Reauthorization Act of 1986 (P.L. 99-499), and the provisions of Title X of P.L. 99-660 concerning Alzheimer's Disease and Related Dementias Research.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Agency Contact: Lowell D. Peart, NIH Regulations Officer, Department of Health and Human Services, National Institutes of Health, 9000 Rockville Pike, 31/3B07, Bethesda, MD 20892, 301 496-4606

RIN: 0905-AC02

721. NATIONAL INSTITUTES OF HEALTH CENTER GRANTS 42 CFR PART 52A

Legal Authority: 42 USC 216; 42 USC 285a-3; 42 USC 285b-4; 42 USC 285c-5; 42 USC 285d-6; 42 USC 285e-2

CFR Citation: 42 CFR 52a

Legal Deadline: None.

Abstract: The NIH Center Grants Regulations will be revised to incorporate changes necessitated by the Health Research Extension Act of 1985 (P.L. 99-158).

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Not Applicable

Agency Contact: Lowell D. Peart, NIH Regulations Officer, Department of Health and Human Services, National Institutes of Health, 9000 Rockville Pike, 31/3B07, Bethesda, MD 20892, 301 496-4606

RIN: 0905-AC27

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Public Health Service (PHS)—National Institutes of Health (NIH)

Final Rule Stage

722. NATIONAL LIBRARY OF MEDICINE PROGRAMS. REVISION OF GENERAL RULES FOR THE NATIONAL LIBRARY OF MEDICINE AND NATIONAL LIBRARY OF MEDICINE GRANTS

Legal Authority: 42 USC 216; 42 USC 286; 42 USC 286b-2; 42 USC 286b-3; 42 USC 286b-5; 42 USC 286b-6; 42 USC 284

CFR Citation: 42 CFR 4; 42 CFR 59a; 42 CFR 63; 42 CFR 64

Legal Deadline: None.

Abstract: All of the regulations are being substantially clarified and reduced in size by eliminating out of date or otherwise available information. The regulations at 42 CFR Part 4 pertain to the access of facilities and library collections. Those at 42 CFR Part 59a deal with NLM extramural programs. Part 59a is being amended to remove the requirement that photocopies of biomedical material be provided without charge to users. The regulations at 42 CFR Part 63 deal with both NIH and NLM traineeships. Part 63 is proposed to be revised to reflect authority in section 405, PHS Act. The regulations at 42 CFR Part 64 govern the training grants of NIH and NLM.

Timetable:

Action	Date	FR Cite
NPRM	02/11/85	50 FR 05638
Final Action	06/00/88	

Small Entity: No

Agency Contact: Kenneth Carney, Executive Officer, Department of Health and Human Services, Public Health Service, National Library of Medicine, Bethesda, MD 20894, **301 496-6491**

RIN: 0905-AA66

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Health Care Financing Administration (HCFA)

Prerule Stage

723. DISCONTINUATION OF PREVAILING CHARGE DIFFERENTIALS FOR SPECIALISTS

Legal Authority: 42 USC 1395u(b)(3)

CFR Citation: 42 CFR 405.504(b)

Legal Deadline: None.

Abstract: This notice requests comments on a possible change to the regulations that govern determinations of the reasonable charges that Medicare pays for physician services. We are considering discontinuing the establishment of separate prevailing charge screens for physicians' services based on specialty practice, with the possible exception of specified medical visits and consultations.

Timetable:

Action	Date	FR Cite
Notice of Request For Comments	04/00/88	

Small Entity: Undetermined

Agency Contact: Bernard Patashnik, Director, Division of Medical Services, Reimbursement, Department of Health and Human Services, Health Care Financing Administration, Rm. 1-H-5 ELR, 6325 Security Blvd., Baltimore, MD, 21207, **301 597-1334**

RIN: 0938-AD26

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Health Care Financing Administration (HCFA)

Proposed Rule Stage

724. AMENDING COST REPORTS AND REOPENING INTERMEDIARY PAYMENT DETERMINATIONS AND ADMINISTRATIVE REVIEW DECISIONS

Legal Authority: 42 USC 1302; 42 USC 1395f(b); 42 USC 1395g; 42 USC 1395l; 42 USC 1395x(v); 42 USC 1395hh; 42 USC 1395rr; 42 USC 1395ww; 42 USC 1395xx; 42 USC 405; 42 USC 1395ii; 42 USC 1395oo

CFR Citation: 42 CFR 405.453; 42 CFR 405.1833; 42 CFR 405.1885; 42 CFR 405.1887; 42 CFR 405.1803(b); 42 CFR 405.1811(a); 42 CFR 405.1813; 42 CFR 405.1837(b); 42 CFR 405.1841; 42 CFR 405.1863; 42 CFR 405.1877; 42 CFR 405.1889

Legal Deadline: None.

Abstract: This proposal would establish rules to govern and distinguish between the amending of cost reports and the reopening of Medicare intermediary payment determinations and administrative review decisions. This proposal would provide guidance to intermediaries and the Provider Reimbursement Review Board concerning the circumstances under which those actions may be taken.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Harold Fishman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medicare Eligibility Policy, Room 323 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9077**

RIN: 0938-AA33

725. MEDICAID ELIGIBILITY

Legal Authority: 42 USC 1396a(a)(10); 42 USC 1302; 42 USC 1396a(f); 42 USC 1396a(a)(17); 42 USC 1396b(f)(1); 42 USC 1396d(a)

CFR Citation: 42 CFR 435; 42 CFR 436

Legal Deadline: None.

Abstract: This regulation would conform the current regulations to changes with respect to Medicaid eligibility groups and coverage criteria made by the Tax Equity and Fiscal Responsibility Act of 1982 (TEFRA). Most of these changes affect the provisions of September 30, 1981 regulations concerning Medicaid eligibility for the optional categorically needy and the medically needy, published as a result of the Omnibus Budget Reconciliation Act of 1981. The regulations would also respond to

public comments received on the September 30 regulations and make some administrative changes to clarify policy and enhance the efficient operation of the Medicaid program (for example, clarification of policy on establishing the medically needy income level for one person).

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Agency Contact: Marinos Svolos, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div of Medicaid Eligibility, Room 416, East High Rise Bldg, 6325 Security Blvd, Baltimore, MD 21207, **301 594-9050**

RIN: 0938-AA58

726. MMIS: DEFINITION OF "MECHANIZED CLAIMS PROCESSING AND INFORMATION RETRIEVAL SYSTEM"

Legal Authority: 42 USC 1302; 42 USC 1396b(a)(3); 42 USC 1396b(r)

CFR Citation: 42 CFR 433.111; 42 CFR 433.112; 42 CFR 433.113; 42 CFR 433.119; 42 CFR 433.120; 42 CFR 433.121; 42 CFR 433.122; 42 CFR 433.131

Legal Deadline: None.

Abstract: This rule would change the definition of "mechanized claims processing and information retrieval systems" to clarify under what circumstances we will pay Federal financial participation at a percentage higher than 50 percent for a Medicaid Management Information System.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Guy Harriman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medicaid Procedures, G-C-7 Meadows East, 6300 Security Blvd., Baltimore, MD 21207, **301 594-4880**

RIN: 0938-AA63

727. DEDUCTION OF INCURRED MEDICAL EXPENSES (SPENDDOWN)

Significance: Agency Priority

Legal Authority: 42 USC 1302; 42 USC 1396a(a)(10); 42 USC 1396a(a)(17)

CFR Citation: 42 CFR 435.732; 42 CFR 435.831; 42 CFR 436.831

Legal Deadline: None.

Abstract: These regulations permit States to revise the process by which medical expenses are considered in determining Medicaid eligibility. This process applies when an individual's income level during a budget period would ordinarily preclude eligibility except that incurred medical expenses reduce income to the eligibility level.

Timetable:

Action	Date	FR Cite
NPRM	09/02/83	48 FR 39959
NPRM Comment Period End	11/01/83	
Developing detailed study of issues	00/00/00	

Small Entity: No

Agency Contact: Marinos Svolos, Director, Div. of Medicaid Eligibility, Department of Health and Human Services, Health Care Financing Administration, Room 416 East High Rise Bldg., 6325 Security Boulevard, Baltimore, MD 21207, **301 594-9050**

RIN: 0938-AB07

728. PAYMENT FOR CLINICAL DIAGNOSTIC LABORATORY SERVICES

Legal Authority: 42 USC 1395l(a)(1)(D); 42 USC 1395l(a)(2)(D); 42 USC 1395l(b)(4); 42 USC 1395l(h); 42 USC 1395cc(a)(2)(A); 42 USC 1396b(i)(7); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.439; 42 CFR 405.501; 42 CFR 405.502; 42 CFR 405.505; 42 CFR 405.511; 42 CFR 405.516; 42 CFR 405.1672; 42 CFR 405.1675; 42 CFR 405.1684; 42 CFR 431.54; 42 CFR 447.10; 42 CFR 447.300; 42 CFR 447.321; 42 CFR 447.342

Legal Deadline: None.

Abstract: These regulations would implement provisions of Pub.L. 98-369, 99-272, and 99-509 relating to payment and "assignment" for diagnostic laboratory tests, establishing in regulations the methods for implementing fee schedules. This rule would set forth the methods by which the fee schedules would be updated and would allow certain adjustment or exceptions to the fee schedules. In accordance with the statute, the regulations would provide that on January 1, 1990 and thereafter, fees will be determined on a nationwide basis.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Bernard Patashnik, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medical Services Reimbursement, Room 1-A-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1334**

RIN: 0938-AB50

729. PHYSICIAN CERTIFICATION AND PLAN OF CARE REQUIREMENTS AND INSPECTION OF CARE REVIEWS

Legal Authority: 42 USC 1302; 42 USC 1396a(a)(26); 42 USC 1396a(a)(30)(B); 42 USC 1396a(a)(31); 42 USC 1396a(a)(44); 42 USC 1396b(g)

CFR Citation: 42 CFR 400; 42 CFR 440; 42 CFR 441; 42 CFR 456

Legal Deadline: None.

Abstract: These rules would revise the regulations to incorporate changes made by sections 2363 and 2368 of the Deficit Reduction Act of 1984. These statutes made the requirements for physician certification and development of a plan of care (formerly utilization control requirements) State plan requirements. States are no longer required to make the quarterly showings of compliance for those requirements or for utilization review. A quarterly demonstration to the Secretary of a satisfactory utilization control program is, under sections 2363 and 2368, limited to inspections of care in participating mental hospitals, skilled nursing facilities and intermediate care facilities, including intermediate care facilities for the mentally retarded.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Yes

Agency Contact: Thomas E. Hoyer, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Provider Services & Coverage Pol.,

Room 405 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9446**

RIN: 0938–AB55

730. MEDICARE: HEALTH MAINTENANCE ORGANIZATIONS AND COMPETITIVE MEDICAL PLANS: COORDINATED OPEN ENROLLMENT

Significance: Agency Priority

Legal Authority: 42 USC 1395mm(c)(3)(A)(iii); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 417

Legal Deadline: None.

Abstract: These regulations would implement section 2350 of Pub. L. 98-369 by requiring that HMOs and CMPs hold coordinated open enrollment periods in geographic areas that encompass two or more organizations.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Stanley Katz, Division Director, Department of Health and Human Services, Health Care Financing Administration, Div. of Medical Services Coverage Policy, Room 489 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-8561**

RIN: 0938–AB57

731. PAYMENT FOR THE SERVICES OF PHYSICIANS FURNISHED IN TEACHING SETTINGS AND OTHER PROVIDERS

Legal Authority: 42 USC 1395u; 42 USC 1395x; 42 USC 1395xx; 42 USC 1302; 42 USC 1395l(a); 42 USC 1395hh

CFR Citation: 42 CFR 405.465; 42 CFR 405.466; 42 CFR 405.480; 42 CFR 405.481; 42 CFR 405.482; 42 CFR 405.522; 42 CFR 405.523; 42 CFR 405.524; 42 CFR 405.525; 42 CFR 405.550; 42 CFR 405.551; 42 CFR 405.552; 42 CFR 405.553; 42 CFR 405.554; 42 CFR 405.555; ...

Legal Deadline: None.

Abstract: These regulations would implement provisions of section 948 of P.L. 96-499 and section 2307 of P.L. 98-369. This legislation deals with certain problems that have arisen in the Medicare program with respect to payment for physicians in the teaching setting. Specifically addressed by Congress is the problem of distinguishing between the services a physician furnishes to individual patients as a teaching physician and services furnished to the provider, as well as the method of reimbursement for these services. This proposed rule sets forth the conditions under which physicians in teaching settings would be reimbursed on a reasonable cost basis or, alternatively, on a reasonable charge basis. It also describes the methods used to determine the customary charges for the services of those physicians. This rule would also clarify related issues of physician reimbursement.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Bernard Patashnik, Director, Division of Medical Services Reimbursement, Department of Health and Human Services, Health Care Financing Administration, Room 1-H-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1334**

RIN: 0938–AB61

732. REVIEW OF CURRENT RULES AFFECTING CLINICAL LABORATORIES

Significance: Regulatory Program

Legal Authority: 42 USC 1395x; 42 USC 1302; 42 USC 1395hh; 42 USC 263a

CFR Citation: 42 CFR 405.1310 to 405.1317; 42 CFR 482.27; 42 CFR 74

Legal Deadline: None.

Abstract: Currently, hospital-based and independent laboratories are subject to varying State Licensure requirements and to Medicare regulations that vary from requirements of private accreditation entities and from regulations governing laboratories performing tests under interstate commerce. One consequence is that the quality of laboratories' services is adjudged using different standards. Inconsistent standards not only create confusion regarding necessary performance levels, but may permit laboratories with substandard performance to continue furnishing covered services. This proposed rule would establish better measures of performance and amend requirements to improve the quality of laboratory services.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Yes

Additional Information: Taken from the Regulatory Program of the United States Government 1987 - 1988 which projected final action in October 1987.

Agency Contact: Wayne Smith, Director, Office of Survey and Certification, Department of Health and Human Services, Health Care Financing Administration, 2-D-2 ME, 6300 Security Blvd., Baltimore, MD 21207, **301 594-5547**

RIN: 0938–AB96

733. MEDICARE SECONDARY PAYOR AND MEDICARE RECOVERY AGAINST THIRD PARTIES

Significance: Agency Priority

Legal Authority: 42 USC 1302; 42 USC 1395y(b); 42 USC 1395hh

CFR Citation: 42 CFR 405; 42 CFR 411; 42 CFR 489

Legal Deadline: None.

Abstract: This proposed rule would revise regulations to reflect recent statutory provisions regarding HCFA's right to bring an action directly against certain third parties or to join or intervene in an action against a third party. It would also place certain requirements on hospitals regarding the identification and billing of potential Medicare secondary payor cases. Additionally, it would include requirements regarding timely refunds to Medicare when collections have been made from another insurer. The proposal would also clarify rules for Medicare payment for services furnished to an end-stage renal disease (ESRD) patient who is also covered under an employer group health plan. It would include the changes pertaining to Medicare conditional payments for ESRD beneficiaries made by section 4036(a) of the Omnibus Budget Reconciliation Act of 1987. It would update policies pertaining to Medicare payment for services covered under a workers' compensation law or plan, or under no-fault or liability insurance. It would make Medicare secondary to all kinds of no-fault insurance, not just automobile no-fault insurance.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Yes

Agency Contact: Herbert Pollock, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Medicare Claims Payment Policy Branch, Rm. 323 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-4978**

RIN: 0938-AC05

734. CHANGES IN PAYMENT POLICY FOR DIRECT GRADUATE MEDICAL EDUCATION COSTS

Significance: Regulatory Program

Legal Authority: 42 USC 1302; 42 USC 1395hh; 42 USC 1395ww(h)

CFR Citation: 42 CFR 405.521; 42 CFR 405.522; 42 CFR 412.113; 42 CFR 413.85; 42 CFR 413.86

Legal Deadline: None.

Abstract: This rule sets forth proposed changes in Medicare Policy concerning payment for direct graduate medical education costs of providers associated with approved residency programs. These changes are necessary in order to implement section 1886(h) of the Social Security Act which was added by section 9202 of the Consolidated Omnibus Budget Reconciliation Act of 1985 and amended by section 9314 of the Omnibus Budget Reconciliation Act of 1986. The changes in this rule are effective for cost reporting periods beginning on or after July 1, 1985.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Yes

Agency Contact: Linda Magno, Director, Div. of Hospital Payment Policy, Office of Reimbursement Policy, Department of Health and Human Services, Health Care Financing Administration, 1-H-1 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9343**

RIN: 0938-AC27

735. EFFECT OF APPEALS ON HOSPITAL-SPECIFIC PORTION OF THE PROSPECTIVE PAYMENT RATE

Significance: Agency Priority

Legal Authority: 42 USC 1302; 42 USC 1395hh; 42 USC 1395ww

CFR Citation: 42 CFR 412.71; 42 CFR 412.72; 42 CFR 412.73; 42 CFR 412.76; 42 CFR 412.128

Legal Deadline: None.

Abstract: This proposed rule would amend and clarify the prospective payment regulations governing administrative and judicial review of payment amounts in order to resolve confusion concerning interpretation of those regulations. In particular, the rule would amend and clarify the provisions pertaining to adjustment of the hospital-specific rate under the prospective payment system.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Yes

Agency Contact: Edward Rees, Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Payment Determination Policy Branch, Rm. 1-H-1 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-6403**

RIN: 0938-AC40

736. USE OF THE HCFA HOSPITAL WAGE INDEX FOR DETERMINING PAYMENT TO HOSPICES

Legal Authority: 42 USC 1395f(i); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 418.306(c)

Legal Deadline: None.

Abstract: This notice would replace the current wage index used to determine payment for hospice care furnished to Medicare beneficiaries with the HCFA survey-based hospital wage index.

Timetable:

Action	Date	FR Cite
Proposed Notice	00/00/00	

Small Entity: No

Agency Contact: Anthony Lovecchio, Director, Div. of Alternative Reimbursement Systems, Department of Health and Human Services, Health Care Financing Administration, 1-A-3 East Low Rise, 6325 Security Blvd., Baltimore, MD 21207, **301 594-4011**

RIN: 0938-AC49

737. HOSPICE/CASE MANAGEMENT

Legal Authority: 42 USC 1396d(a)(18); 42 USC 1396d(o); 42 USC 1396b(a)(13)(C); 42 USC 1396o(a)(2)(E); 42 USC 1396o(b)(2)(E); 42 USC 1302; 42 USC 1396n(g); PL 99-509; PL 99-514; PL 99-272

CFR Citation: 42 CFR 418.32; 42 CFR 431.50; 42 CFR 435.218; 42 CFR 435.231; 42 CFR 440.185; 42 CFR 440.190; 42 CFR 440.250; 42 CFR 441; 42 CFR 447.53; 42 CFR 447.327; 42 CFR 447.381 to 384; 42 CFR 435.726; 42 CFR 435.735; 42 CFR 436.231; 42 CFR 441.18; ...

Legal Deadline: None.

Abstract: These regulations would implement 3 provisions of Pub. L. 99-272: (1) under section 9505, Medicare coverage of hospice care at State option, the regulations would establish eligibility requirements, covered services, reimbursement procedures and conditions of participation; (2) under section 9508, Medicaid coverage of case management services, at State option case management services may be furnished to specific Medicaid groups or geographic areas within a State; (3) under section 9123 there is an indefinite extension of the Medicare hospice benefit, which was scheduled to end on 09/30/86. These regulations would also implement sections 9411, 9412, and 9435d of Pub. L. 99-509, and section 1895(c) of Pub. L. 99-514, all relating to optional State coverage of case management and hospice services for the Medicaid population.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Yes

Agency Contact: Thomas Hoyer, Director, Div. of Provider Services & Coverage Policy, Department of Health and Human Services, Health Care Financing Administration, Room 405 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9446**

RIN: 0938-AC52

738. HOME AND COMMUNITY-BASED SERVICES AND RESPIRATORY CARE FOR VENTILATOR-DEPENDENT INDIVIDUALS

Legal Authority: 42 USC 1302; 42 USC 1396n(c)

CFR Citation: 42 CFR 435.726; 42 CFR 435.735; 42 CFR 440.180; 42 CFR 441.301; 42 CFR 441.302; 42 CFR 441.303; 42 CFR 441.304; 42 CFR 441.305; 42 CFR 441.306; 42 CFR 441.307; 42 CFR 441.308; 42 CFR 441.310; 42 CFR 440.185; 42 CFR 440.250

Legal Deadline: None.

Abstract: This rule would revise the regulations for home and community based services as required by section 9502 of Pub.L. 99-272 and sections 9408 and 9411 of Pub.L. 99-509. Also, this proposal would provide for respiratory care services as medical assistance under the State plan, in accordance with section 9408 of Pub.L. 99-509.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Thomas Hoyer, Director, Division of Provider Services Coverage Pol., Department of Health and Human Services, Health Care Financing Administration, Room 405 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9446**

RIN: 0938-AC55

739. ● BILLING AND VERIFICATION ADD-ON RELATING TO HOME HEALTH AGENCIES COST PER VISIT LIMITS FOR COST REPORTING PERIODS BEGINNING JULY 1, 1986 AND JULY 1, 1987

Legal Authority: 42 USC 1395x(v)(1)(A); 42 USC 1395x(v)(1)(L)

CFR Citation: 42 CFR 413.30

Legal Deadline: None.

Abstract: This notice responds to the public comments we received concerning the billing and verification add-on factors that were included in the two schedules of limits on home health agency costs that were published in the Federal Register on July 7, 1987 (52 FR 25562). The first schedule of limits was applicable to cost reporting periods beginning on or after July 1, 1986 but before July 1, 1987, and the second to cost reporting periods beginning on or after July 1, 1987.

Timetable:

Action	Date	FR Cite
Final Notice	00/00/00	

Small Entity: No

Agency Contact: William J. Goeller, Director, Division of Payment and Reporting Policy, Department of Health and Human Services, Health Care Financing Administration, Room 1-F-5 ELR, 6325 Security Blvd, Baltimore, MD 21207, **301 597-1803**

RIN: 0938-AC56

740. PARTICIPATION IN CHAMPUS AND CHAMPVA, HOSPITAL ADMISSIONS FOR VETERANS, DISCHARGE RIGHTS NOTICE, AND HOSPITAL RESPONSIBILITY FOR EMERGENCY CARE

Significance: Agency Priority

Legal Authority: 42 USC 1395x; 42 USC 1395cc; 42 USC 1395dd; 42 USC 1395hh; 42 USC 1302

CFR Citation: 42 CFR 405.1903; 42 CFR 489.20; 42 CFR 489.24; 42 CFR 489.25; 42 CFR 489.26; 42 CFR 489.27; 42 CFR 489.53; 42 CFR 1001.202; 42 CFR 1001.203; 42 CFR 1001.211; 42 CFR 1001.221; 42 CFR 1003.100; 42 CFR 1003.101; 42 CFR 1003.102; 42 CFR 1003.103; ...

Legal Deadline: None.

Abstract: This proposed rule would implement sections 9121 and 9122 of PL 99-272 as amended by PL 100-203. Specifically, under section 9121, Medicare participating hospitals with emergency departments would be required to provide upon request medical examinations and treatments for individuals with emergency medical conditions and women in active labor. Hospitals failing to meet those requirements may have their Medicare provider agreements suspended or terminated. In addition, the hospital and the responsible physician may each be subject to a civil money penalty for each such violation. Under section 9122, Medicare participating hospitals would be required to accept CHAMPUS and CHAMPVA payment as payment in full for services provided to CHAMPUS and CHAMPVA beneficiaries. These regulations would also implement section 233 of PL 99-576, which requires Medicare hospitals to admit veterans. They would also implement section 9305(b)(1) of PL 99-509, which requires Medicare hospitals to give patients a notice of their discharge rights. section 9305(b)(1) of PL 99-509 which requires Medicare hospitals to give patients a written notice of their discharge rights.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Thomas Hoyer, Director, Div. of Provider Services & Coverage Policy, Department of Health and Human Services, Health Care Financing Administration, Room 405 EHR Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-9446**

RIN: 0938-AC58

741. PAYMENT FOR KIDNEYS SENT TO FOREIGN COUNTRIES OR TRANSPLANTED IN NON-MEDICARE BENEFICIARIES

Legal Authority: 42 USC 1395rr; 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 413.179

Legal Deadline: None.

Abstract: These regulations will exclude the costs associated with kidneys sent to foreign countries or transplanted in non-Medicare recipients from Medicare payments made to organ procurement agencies.

Timetable:

Action	Date	FR Cite
NPRM	03/02/88	53 FR 6672
NPRM Comment Period End	05/02/88	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Mark Horney, Program Analyst, Office of Reimbursement Policy, Department of Health and Human Services, Health Care Financing Administration, 1-A-5 ELR, 6325 Security Boulevard, Baltimore, MD 21207, **301 597-6939**

RIN: 0938-AC59

742. MEDICARE BENEFICIARY APPEALS

Legal Authority: 42 USC 1302; 42 USC 1395ff; 42 USC 1395hh; 42 USC 1395 et seq; 42 USC 1395ii; 42 USC 1395pp; 42 USC 1395u; 42 USC 405(a); 42 USC 405(d); 42 USC 1320(c); 42 USC 1395i; 42 USC 1395cc; PL 100-203, Sec 4307

CFR Citation: 42 CFR 405.701; 42 CFR 405.708; 42 CFR 405.716; 42 CFR 405.717; 42 CFR 405.718a through d; 42 CFR 405.719; 42 CFR 405.720; 42 CFR 405.722; 42 CFR 405.724; 42 CFR 405.730; 42 CFR 405.801; 42 CFR 426; 42 CFR 405.702

Legal Deadline: None.

Abstract: These regulations would establish a new Part 426, setting forth the procedures under which HCFA Administrative Law Judges (ALJs) would conduct hearings of certain Medicare appeals, which are now heard by ALJs of the Social Security Administration. These hearings involve appeals under section 1869 and 1879 of the Social Security Act concerning the amount of benefits payable under Part A and Part B. Prior to enactment of the Omnibus Reconciliation Act of 1986, ALJ hearings were not available for appeals of Part B payments, except for certain matters arising under section 1876 of the Act (payment to health maintenance organizations and competitive medical plans). Part 426 also would establish procedures for a Medicare Review Board, judicial review, reopening of ALJ and Board decisions, representation of parties and payment of certain travel expenses.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Harold Shaffer, Special Assistant, AAO, Department of Health and Human Services, Health Care Financing Administration, Room 784 EHR Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 597-4854**

RIN: 0938-AC81

743. MEDICAID ELIGIBILITY FOR QUALIFIED SEVERELY IMPAIRED INDIVIDUALS

Legal Authority: 42 USC 1302; 42 USC 1396a(f); 42 USC 1396a(10)(A)(i)(II); 42 USC 1396a(O); 42 USC 1396d(q); 42 USC 1382h; 42 USC 1382h note; 42 USC 1396a note

CFR Citation: 42 CFR 435.120; 42 CFR 435.121; 42 CFR 435.725; 42 CFR 435.733

Legal Deadline: None.

Abstract: This proposed rule would amend the Medicaid regulations to specify for Medicaid, mandatory categorically needy eligibility for individuals who, although severely impaired, work and demonstrate ability to perform substantial gainful activity and who are considered to be Supplemental Security Income (SSI) beneficiaries by virtue of 1619 of the Act. It also specifies how States electing the option under Section 1902 to provide Medicaid under criteria more restrictive than SSI, will treat the "1619" individuals. It also would specify how SSI payments made to certain institutionalized individuals are to be disregarded as income under Medicaid for up to two months. The amendments would conform the regulations to provisions of the Omnibus Budget Reconciliation Act of 1986 and the Employment Opportunities for Disabled Americans Act.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Richard Strauss, Program Analyst, Division of Medicaid Eligibility Policy, Department of Health and Human Services, Health Care Financing Administration, Room 448 East High Rise Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-6529**

RIN: 0938-AC82

744. DENIAL OF PAYMENT FOR SUBSTANDARD QUALITY CARE, REVIEW OF BENEFICIARY COMPLAINTS

Significance: Regulatory Program

Legal Authority: 42 USC 1320c-3(a); 42 USC 1395cc(a)(1)(K); 42 USC 1395u; 42 USC 1395pp(b); PL 99-272, Sec 9403; PL 99-509, Sec 9353(c); PL 100-203, Sec 4096(a)(1)(A)

CFR Citation: 42 CFR 462.105; 42 CFR 466.70; 42 CFR 466.74; 42 CFR 466.83; 42 CFR 466.88; 42 CFR 466.93; 42 CFR 466.94; 42 CFR 466.98; 42 CFR 466.100; 42 CFR 466.106; 42 CFR 473.12; 42 CFR 473.14; 42 CFR 473.40; 42 CFR 476.133; 42 CFR 489.21; ...

Legal Deadline: None.

Abstract: The purpose of this proposed rule is to implement section 9403 of PL 99-272 and 9353(c) of PL 99-509 and PL 100-203, section 4096(a)(1)(A). Under section 9403 of PL 99-272, Peer Review Organizations (PROs) are authorized to deny Medicare payment to a physician or hospital for services furnished that are of substandard quality. The PRO determinations to deny Medicare payment for these services would be made on the basis of criteria that are consistent with guidelines established by the Secretary. Under section 9353(c) of PL 99-509, PROs would conduct an appropriate review of all written complaints from beneficiaries or their representatives about the quality of services not meeting professionally recognized standards of health care. Under PL 100-203 beneficiaries are protected from liability for the cost of physician services where payment is denied because services were of substandard quality.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Yes

Agency Contact: Patricia Booth, Acting Director, Division of Review Program, Department of Health and Human Services, Health Care Financing Administration, 2-D-2 Meadows East Bldg., 6300 Security Blvd., Baltimore, MD 21207, **301 594-7909**

RIN: 0938-AC84

745. REVISED EFFECTIVE DATE OF MEDICARE/MEDICAID PROVIDER AGREEMENT AND SUPPLIER PARTICIPATION

Legal Authority: 42 USC 1302; 42 USC 1395cc; 42 USC 1393ff(c); 42 USC 1395hh; 42 USC 1396i

CFR Citation: 42 CFR 440.10; 42 CFR 440.70; 42 CFR 442.13; 42 CFR 488.40; 42 CFR 489.13; 42 CFR 498.3

Legal Deadline: None.

Abstract: This proposed rule would revise Medicare and Medicaid rules to provide for a 60-day conditional certification period for facilities seeking participation in the Medicare and Medicaid program to apply uniform effective rules to all Medicare or Medicaid providers, including Medicare Suppliers, and Medicaid only hospitals and home health agencies; and to specify that effective date decisions are precluded from Medicare reconsiderations and hearings.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Yes

Agency Contact: Peter Burdette, Program Analyst, Office of Survey and Certification, Department of Health and Human Services, Health Care Financing Administration, Room 2-D-2 Meadows East Bldg., 6300 Security Blvd., Baltimore, MD 21207, **301 594-3222**

RIN: 0938-AC88

746. RECOGNITION OF COLLEGE OF AMERICAN PATHOLOGISTS LABORATORY ACCREDITATION PROGRAM

Legal Authority: 42 USC 1395bb

CFR Citation: 42 CFR 405.1310; 42 CFR 482.27

Legal Deadline: None.

Abstract: This notice proposes that the Health Care Financing Administration recognize the accreditation program of the College of American Pathologists for clinical laboratories participating in the Medicare program. As a result of HCFA's recognition, these laboratories would not ordinarily be subject to an inspection by State survey agencies to determine their compliance with Federal requirements. They would be "deemed" to meet the Medicare Conditions of Participation for Hospital-Based Laboratories (42 CFR 482.27) or conditions for coverage of services of independent laboratories (42 CFR 405.1310).

Timetable:

Action	Date	FR Cite
Final Notice	00/00/00	
Proposed Notice	00/00/00	

Small Entity: No

Agency Contact: Mike Goldman, Chief, Laboratory and Ambulatory Services Branch, Department of Health and Human Services, Health Care Financing Administration, 2-D-2 Meadows East Building, 6300 Security Boulevard, Baltimore, MD 21207, **301 594-9737**

RIN: 0938 AC89

747. PRO REVIEW OF SURGICAL PROCEDURES AND REQUIREMENTS FOR SECOND OPINIONS

Legal Authority: 42 USC 1320c-13; 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 466.150 to 190; 42 CFR 473.12; 42 CFR 473.14; 42 CFR 473.40

Legal Deadline: None.

Abstract: This proposed rule would implement section 9401 of Pub.L. 99-272, which provides that, under Medicare, a physician must request from the Peer Review Organization (PRO) preadmission review for certain surgical procedures. Under section 9401, if the PRO determines that the procedure is not appropriate and medically necessary, the PRO will deny payment under Medicare If the PRO cannot determine whether a surgical procedure is medically necessary and appropriate, the beneficiary would obtain an opinion from a second physician, or where the opinion of the second physician differs from the first physician, the beneficiary may obtain an opinion from a third physician.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Richard Husk, Director, Office of Medical Review, Department of Health and Human Services, Health Care Financing Administration, Room 2-D-2 Meadows East Bldg., 6300 Security Blvd., Baltimore, MD 21207, **301 594-7909**

RIN: 0938-AC90

748. PAYMENT FOR THE COST OF MALPRACTICE INSURANCE FOR HOSPITALS EXCLUDED FROM THE PROSPECTIVE PAYMENT SYSTEM

Legal Authority: 42 USC 1302; 42 USC 1395f(b); 42 USC 1395g; 42 USC 1395l(a); 42 USC 1395x(v); 42 USC 1395hh; 42 USC 1395rr; 42 USC 1395ww; 42 USC 1395xx

CFR Citation: 42 CFR 413.56

Legal Deadline: None.

Abstract: Medicare's share of payment for the cost of a hospital's malpractice insurance is determined in part through the use of a scaling factor formula. In this notice, we are undertaking to develop a separate set of values for use in the scaling factor formula for hospitals excluded from the prospective payment system.

Timetable:

Action	Date	FR Cite
Notice	00/00/00	

Small Entity: Undetermined

Agency Contact: Paul Trimble, Special Assistant, Office of Reimbursement Policy, Department of Health and Human Services, Health Care Financing Administration, 1-F-5 East Low Rise Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-8640**

RIN: 0938-AC97

749. CHANGES CONCERNING DETERMINATION OF ALLOWABLE INTEREST EXPENSE AND SUSPENSION OF PAYMENTS

Legal Authority: 42 USC 1320b-4; 42 USC 1395g; 42 USC 1395u; 42 USC 1395x(v)(1)(A); 42 USC 1395hh; 42 USC 1302

CFR Citation: 42 CFR 413.153; 42 CFR 405.370; 42 CFR 413.5(c)(3)

Legal Deadline: None.

Abstract: This rule proposes changes to the Medicare regulations to provide for the following: (1) elimination of the requirement that in case of overpayments to health care provider's, the contractor makes a determination that a suspension of payment is needed to protect the program against financial loss before the payment can be suspended; (2) elimination of the requirement that investment income of providers from gifts, grants, and endowments be offset against allowable interest expenses if that investment income is not held separately (that is, commingled with other funds); and (3) extension of the list of exceptions to the interest expense reduction provision to include investment income from deferred compensation plans and self-insurance funds.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: William Goeller, Director, Division of Payment and Reporting Policy, Department of Health and Human Services, Health Care Financing Administration, 1-F-5 East Low Rise Building, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1803**

RIN: 0938-AC99

750. CHANGES CONCERNING THE DEFINITION OF ACCRUAL BASIS OF ACCOUNTING

Legal Authority: 42 USC 1395x(v)

CFR Citation: 42 CFR 413.24

Legal Deadline: None.

Abstract: This rule proposes to revise the Medicare regulations to clarify the definition of "accrual basis of accounting" to indicate that expenses must be incurred by provider of health care services before Medicare will pay its share of those expenses. This change

is intended to conform the regulations with the law and to promote economy and efficiency in the administration of the Medicare program.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: William Goeller, Director, Division of Payment and Reporting Policy, Department of Health and Human Services, Health Care Financing Administration, Room 1-F-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1802**

RIN: 0938-AD01

751. OPTIONAL PAYMENT SYSTEM FOR LOW MEDICARE VOLUME SKILLED NURSING FACILITIES

Significance: Regulatory Program

Legal Authority: 42 USC 1395yy(d)

CFR Citation: 42 CFR 413.30

Legal Deadline: None.

Abstract: This rule proposes to establish optional prospective payment rates for routine services furnished by certain skilled nursing facilities. The prospective rate would be on a per diem basis and would include payment for the cost of furnishing general inpatient routine services and associated capital-related costs. As specified in the Conference Committee Report accompanying PL 99-272, the rates paid to proprietary SNFs would include a component for the routine service portion of the return on equity capital. As specified in section 1861(v)(1)(B) of the Act, the return on equity component would only be included in the rate paid to proprietary SNFs. This rule would propose instructions for determining eligibility for payment under this system, and the methodology for calculating the prospective payment rates.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Yes

Agency Contact: William Goeller, Director, Division of Payment and Reporting Policy, Department of Health and Human Services, Health Care Financing Administration, Room 1-F-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1802**

RIN: 0938-AD02

752. CRITERIA AND PROCEDURES FOR MEDICAL SERVICES COVERAGE DECISIONS

Significance: Agency Priority

Legal Authority: 42 USC 1395y; 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.202; 42 CFR 405.407; 42 CFR 405.408

Legal Deadline: None.

Abstract: The proposed rule would establish in regulations generally applicable standards and procedures for HCFA determinations as to whether and under what circumstances specific medical items and services should be paid for under Medicare. It establishes and explains the criteria relied upon for determining whether an item or service is "reasonable and necessary." The objective of the criteria and procedures set forth in this proposed rule is to assure that Federal funds are expended only for medical services that are covered under the Medicare program.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Bart McCann, M.D., Chief, Special Coverage Issues Branch, Department of Health and Human Services, Health Care Financing Administration, 455 East High Rise Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-9370**

RIN: 0938-AD07

753. REVISIONS TO CONDITIONS OF PARTICIPATION FOR HOSPITALS AND CONDITIONS FOR COVERAGE OF SERVICES OF INDEPENDENT LABORATORIES AND SUPPLIERS OF ESRD SERVICES

Significance: Regulatory Program

Legal Authority: 42 USC 1395x(e)(6)(B); PL 99-509, Sec 9339(d); 42 USC 1395x(ee); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.1312; 42 CFR 405.2171; 42 CFR 482.21; 42 CFR 405.2135; 42 CFR 405.2137; 42 CFR 482.27; 42 CFR 482.43

Legal Deadline: None.

Abstract: These revisions would (a) require hospitals to provide a discharge planning process; and (b) allow a laboratory director to meet State standards for qualifications, rather than federal, if they differ. These revisions would conform our regulations with requirements of Pub.L. 99-509.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Robert Wren, Director, Office of Coverage Policy, Department of Health and Human Services, Health Care Financing Administration, Room 401 East High Rise, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9690**

RIN: 0938-AD11

754. RECOGNITION OF JOINT COMMISSION ON ACCREDITATION OF HEALTHCARE ORGANIZATIONS' HOME CARE PROGRAM STANDARDS AND THE NATIONAL LEAGUE FOR NURSING'S STANDARDS FOR HOME HEALTH AGENCIES

Significance: Agency Priority

Legal Authority: 42 USC 1395bb(a); 42 USC 1302; 42 USC 1395hh

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: Under this proposed notice, hospital-based home health agencies accredited by the Joint Commission on Accreditation for Healthcare Organizations' and home health agencies accredited by the National League for Nursing would be considered or "deemed" to meet the Medicare conditions of participation. Thus, these agencies would not ordinarily be subject to an inspection by State survey agencies to determine their compliance with Federal requirements. As a result of the home health agency's deemed status, a State also could choose to permit the agency to participate as a provider under the Medicaid program.

Timetable:

Action	Date	FR Cite
Proposed Notice	12/31/87	52 FR 49510
Public Comment Period End	02/29/88	
Final Notice	00/00/00	

Small Entity: No

Agency Contact: Anita Heygster, Program Analyst, Long Term Care Branch, Department of Health and Human Services, Health Care Financing Administration, Room 431 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9825**

RIN: 0938-AD13

755. EXPLANATION OF RIGHTS AND OTHER HMO/CMP PROVISIONS

Legal Authority: 42 USC 1395mm; PL 99-509, Sec 9312(a); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 417.413; 42 CFR 417.428; 42 CFR 417.432; 42 CFR 417.436; 42 CFR 417.446; 42 CFR 417.448; 42 CFR 417.460; 42 CFR 417.640; 42 CFR 417.494

Legal Deadline: None.

Abstract: This proposed rule would revise Medicare regulations to repeal the "two-for-one" rule for Medicare enrollees; expand required information and require annual notice of HMO/CMP enrollees rights; and add a provision to terminate a contract for noncompliance pertaining to restrictions on waivers of 50 percent for Medicare enrollment. These revisions would implement provisions of the Omnibus Budget Reconciliation Act of 1986.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Yes

Agency Contact: Joan Mahanes, Program Analyst, Office of Coverage Policy, Department of Health and Human Services, Health Care Financing Administration, Room 463 East High Rise Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-8046**

RIN: 0938-AD14

756. ELIGIBILITY OF ALIENS FOR MEDICAID

Significance: Regulatory Program

Legal Authority: 42 USC 1396b(u); PL 99-603, Sec 201; PL 99-509

CFR Citation: 42 CFR 435.402; 42 CFR 436.402; 42 CFR 440.200; 42 CFR 440.250; 42 CFR 436.128; 42 CFR 436.406; 42 CFR 436.408; 42 CFR 436.2; 42 CFR 440.255; 42 CFR 435.139; 42 CFR 435.406; 42 CFR 435.408; 42 CFR 435.1; 42 CFR 435.3; 42 CFR 436.128; ...

Legal Deadline. None.

Abstract: This proposed rule would revise Medicaid regulations applicable for aliens who meet eligibility requirements as categorically needy or medically needy. It would establish in the regulations that aliens lawfully admitted for permanent residence or permanently residing in the United States under color of law may be eligible for all Medicaid services. It also would identify those aliens who may be eligible only for limited services.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Marinos T. Svolos, Director, Division of Medicaid Eligibiltiy Policy, Department of Health and Human Services, Health Care Financing Administration, Room 400 East High Rise Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-9051**

RIN: 0938-AD15

757. MEDICAID: ELIGIBILITY GROUPS EXTENDED COVERAGE OF SERVICES, AND CONDITIONS OF ELIGIBILITY: COBRA AND TEFRA

Legal Authority: 42 USC 1396a(a)(10); 42 USC 1302; 42 USC 1396d(a); 42 USC 1396k(a); 42 USC 1396s; 42 USC 1383c; 42 USC 673; 42 USC 675; 42 USC 672; 42 USC 1396a(a)(25)(b); 42 USC 1396a(e)(3)

CFR Citation: 42 CFR 435; 42 CFR 436

Legal Deadline: None.

Abstract: This proposed rule would amend the Medicaid regulations to incorporate numerous mandatory eligibility groups for Medicaid coverage: pregnant women; children in adoption and foster care; certain disabled widows and widowers; and certain disabled children being cared for at home. The rule would also provide for extended care for pregnant women after termination of pregnancy and add a condition of eligibility relating to third party liability. The amendments would conform the regulations to provisions of the Consolidated Omnibus Reconciliation Act of 1985 and the Tax Equity and Fiscal Responsibility Act of 1982. States have been informed that these provisions of the statute are self-implementing. Manual instructions containing procedures for States to implement the requirements have been issued.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Marinos Svolos, Director, Division of Medicaid Eligibility Policy, Department of Health and Human Services, Health Care Financing Administration, Room 416 East High Rise Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-6050**

RIN: 0938-AD16

758. MEDICAID ELIGIBILITY OF POVERTY LEVEL GROUPS AND EXTENDED COVERAGE OF SERVICES

Legal Authority: 42 USC 1396a(a)(10); 42 USC 1396a(l); 42 USC 1396a(f); 42 USC 1396a(b)(2); 42 USC 1302; 42 USC 1396a(m); 42 USC 1396a(n); 42 USC 1396b(f); 42 USC 1396b(u); 42 USC 1396d(p); 42 USC 1396r-1; 42 USC 1396a(a)(47); 42 USC 1396a(e)(6); 42 USC 1396a(e)(8); 42 USC 1396a(a)(17)

CFR Citation: 42 CFR 431; 42 CFR 435; 42 CFR 436; 42 CFR 440; 42 CFR 447

Legal Deadline: None.

Abstract: This proposed rule would amend the Medicaid regulations to incorporate changes relating to Medicaid eligibility groups and coverage of services made by the Omnibus Budget Reconciliation Act of 1987 (P.L. 100-203), the Omnibus Budget Reconciliation Act of 1986 (P.L. 99-509), and the Homeless Eligibility Clarification Act of 1986 (P.L. 99-570). This rule would add optional eligibility groups of pregnant women, infants and children, and aged and disabled individuals with incomes up to a specified percentage of the Federal poverty line; provide for optional Medicaid coverage of Medicare cost-sharing expenses for qualified Medicare beneficiaries with incomes at or below the Federal poverty line; clarify eligibility of homeless individuals; add provisions for a presumptive eligibility period for pregnant women who, based on preliminary information, appear to meet income requirements under Medicaid, and clarify coverage of and services to pregnant women and children.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Marinos Svolos, Director, Division of Medicaid Eligibility, Department of Health and Human Services, Health Care Financing Administration, Room 416 East High Rise, 6325 Security Blvd., Baltimore, MD 21207, **301 966-4452**

RIN: 0938-AD17

759. TRANSFER OF ASSETS

Legal Authority: 42 USC 1302; 42 USC 1396p(c)

CFR Citation: 42 CFR 435; 42 CFR 436

Legal Deadline: None.

Abstract: These regulations would conform the regulations with the provisions of section 132 of P.L. 97-248 and provide guidance to State Medicaid agencies, which in determining an individual's eligibility for Medicaid, include as a resource the uncompensated value of assets such as cash or property that the individual has transferred to someone else for less than fair market value within the 24 months preceding a Medicaid application.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Marinos Svolos, Director, Division of Medicaid Eligibility, Department of Health and Human Services, Health Care Financing Administration, Room 416 East High Rise, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9050**

RIN: 0938-AD18

760. PAYMENT FOR SERVICES OF CERTIFIED REGISTERED NURSE ANESTHETISTS

Legal Authority: 42 USC 1395x(s)(II); 42 USC 1395l(l); 42 USC 1395x(bb); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.553

Legal Deadline: Statutory, January 1, 1989.

Abstract: Section 9320 of Pub. L. 99-509 provides for payment on a fee schedule basis for services of certified registered nurse anesthetists (CRNAs) furnished to Medicare beneficiaries on or after January 1, 1989. The payment amount would be equal to the lower of 80 percent of a fee schedule established by the Secretary (and adjusted annually by the change in the Medicare economic index) or 80 percent of the actual charge. CRNAs would be required to accept assignment for all Medicare services and civil monetary penalties could be imposed for violations of this requirement. Alternatively, the hospital or physician could bill for and receive payment for services of CRNAs where an employment relationship or contract so stipulates. The hospital or physician could not bill more for CRNA services than the amount the CRNA could bill directly.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Yes

Agency Contact: Bernard Patashnik, Director, Division of Medical Services, Reimbursement, Department of Health and Human Services, Health Care Financing Administration, 6325 Security Blvd., Baltimore, MD. 21207, **301 597-1334**

RIN: 0938-AD25

761. WITHDRAWAL OF COVERAGE OF SINGLE PHOTON ABSORPTIOMETRY

Legal Authority: 42 USC 1395y; 42 USC 1302; 42 USC 1395hh

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: This notice announces the Medicare program's intent to withdraw Medicare coverage (including coverage under the End-Stage Renal Disease (ESRD) program) for single photon absorptionmetry and radiographic absorptionmetry for measuring bone mineral density for either diagnostic or treatment purposes, and to continue noncoverage of dual photon absorptiometry.

Timetable:

Action	Date	FR Cite
Proposed Notice	00/00/00	

Small Entity: No

Agency Contact: Barton McCann, M.D., Chief, Special Coverage Issue Branch, Office of Coverage Policy, Department of Health and Human Services, Health Care Financing Administration, Rm. 455 EHR, 6325 Security Blvd., Baltimore, MD. 21207, **301 594-9370**

RIN: 0938-AD28

762. MODIFICATION OF CERTAIN REQUIREMENTS FOR HEALTH INSURING ORGANIZATIONS

Legal Authority: 42 USC 1302; 42 USC 1396b(m)(2)(A); PL 99-272, Sec 9517(c); PL 99-514, Sec 1895(c)(4); PL 99-509, Sec 9435(e)

CFR Citation: 42 CFR 434.14; 42 CFR 434.20; 42 CFR 434.40; 42 CFR 434.42; 42 CFR 434.44

Legal Deadline: None.

Abstract: The proposed rule describes the conditions under which a Health Insuring Organization (HIO) is subject to Medicaid Health Maintenance Organization (HMO) regulations. It would require that an HIO which becomes operational on or after January 1, 1986 and arranges for the delivery of services to recipients be subject to HMO requirements. The regulations would specify that exemptions from certain HMO requirements are permitted for HIOs which began operations on or after January 1, 1986 if the HIOs obtained a section 1915(b) waiver prior to that date, or if an HIO is otherwise identified in the law. The exemptions last only until the expiration of a section 1915(b) waiver.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Robert E. Wren, Office Director, Department of Health and Human Services, Health Care Financing Administration, Office of Coverage Policy, Rm. 401 EHR, 6325 Security Blvd., Baltimore, MD. 21207, **301 594-9690**

RIN: 0938-AD31

763. OCCUPATIONAL THERAPY, PHYSICIAN ASSISTANTS

Legal Authority: 42 USC 1302; 42 USC 1395x(g); 42 USC 1395cc; 42 USC 1395k; 42 USC 1395l; 42 USC 1395n; 42 USC 1395x(r); 42 USC 1395x(s); 42 USC 1395x(cc); 42 USC 1395hh; 42 USC 1395rr; 42 USC 1395x; 42 USC 1395aa

CFR Citation: 42 CFR 405.1634; 42 CFR 410.150; 42 CFR 486.1; 42 CFR 486.2; 42 CFR 486.3; 42 CFR 486.13; 42 CFR 486.14; 42 CFR 486.21; 42 CFR 486.22; 42 CFR 486.23; 42 CFR 486.24; 42 CFR 486.15; 42 CFR 486.16; 42 CFR 486.17; 42 CFR 486.19; ...

Legal Deadline: None.

Abstract: This proposed rule would implement sections 9337 and 9338 of Pub.L 99-509 which provides Medicare coverage for outpatient occupational therapy services furnished by providers and independent practitioners, identical to the coverage for outpatient physical therapy, and for physician assistant services.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Sheridan Gladhill, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Rm. 403, EHR, 6325 Security Blvd., Baltimore, MD. 21207, **301 594-9440**

RIN: 0938-AD32

764. PROHIBITION ON UNBUNDLING OF HOSPITAL OUTPATIENT SERVICES

Legal Authority: 42 USC 1302; 42 USC 1395y(a)(14); 42 USC 1395cc(a)(1)(H); 42 USC 1395cc(g); 42 USC 1395hh

CFR Citation: 42 CFR 405; 42 CFR 410; 42 CFR 489; 42 CFR 1003

Legal Deadline: None.

Abstract: This proposed rule, issued jointly by HCFA and OIG, would prohibit Medicare payment for nonphysician services furnished to a hospital outpatient by a provider or supplier other than the hospital, unless the services are furnished under an arrangement with the hospital. The hospital would be obligated by its provider agreement to furnish the services directly or under an arrangement. These regulations would also authorize OIG to impose a civil money penalty, not to exceed $2,000, against any individual who knowingly and willfully presents, or causes to be presented, a bill or request for payment for a hospital outpatient service under Part B of Medicare in violation of an arrangement. These regulations would implement sections 9343(c)(1), (c)(2), and (c)(3) of the Omnibus Budget Reconciliation Act of 1986.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Tom Hoyer, Director, Division of Provider Services and, Coverage Policy, Department of Health and Human Services, Health Care Financing Administration, Rm. 405 EHR, 6325 Security Blvd., Baltimore, MD. 21207, **301 594-9446**

RIN: 0938-AD33

765. PHYSICIAN LIABILITY ON NON-ASSIGNED CLAIMS

Legal Authority: PL 99-509, Sec 9332; 42 USC 1395u; 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.339

Legal Deadline: None.

Abstract: This regulation would implement Section 9332(c) of the Omnibus Budget Reconciliation Act of 1986 under which nonparticipating physicians who provide on an unassigned basis services which are determined to be medically unnecessary are required to refund to the beneficiary any amounts collected for such services. Exceptions to the refund requirement would be granted only if the physician did not know and could not reasonably have been expected to know that the service was not covered, or if the beneficiary, after being informed that Medicare will not pay for the service, agrees to pay.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Elmer Smith, Director, Office of Eligibility Policy, Department of Health and Human Services, Health Care Financing Administration, Rm. 400 EHR, 6325 Security Blvd., Baltimore, MD. 21207, **301 594-9682**

RIN: 0938-AD34

766. SOURCE OF STATE SHARE OF FINANCIAL PARTICIPATION

Significance: Agency Priority

Legal Authority: 42 USC 1302

CFR Citation: 42 CFR 433

Legal Deadline: None.

Abstract: This rule revises the current regulations concerning State's use of public and private donations as sources of the state share of financial participation in Medicaid.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Yes

Agency Contact: Thomas Ashman, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Rm. 350 ME Bldg., 6325 Security Blvd., Baltimore, MD. 21207, **301 594-7330**

RIN: 0938-AD36

767. CHANGES TO PEER REVIEW ORGANIZATION REGULATIONS

Legal Authority: 42 USC 1395y(a); 42 USC 1320(c); 42 USC 1395hh; 42 USC 1396a(a)(30)

CFR Citation: 42 CFR 405.310; 42 CFR 431.630; 42 CFR 433.15; 42 CFR 434.53; 42 CFR 456.2; 42 CFR 456.650; 42 CFR 462.101; 42 CFR 462.102; 42 CFR 462.106; 42 CFR 462.107; 41 CFR 466.71; 42 CFR 466.76; 42 CFR 466.78; 42 CFR 466.83; 42 CFR 466.93; ...

Legal Deadline: None.

Abstract: This proposed rule sets forth several changes to the Medicare regulations governing Peer Review Organizations. Some of these changes are the result of the passage of the Consolidated Omnibus Budget Reconciliation Act of 1985 and the Omnibus Budget Reconciliation Act of 1986. Other changes are of a technical nature and are intended to clarify and correct existing regulations on the Peer Review Organization Program. The proposed rule also sets forth the policy for reimbursement of costs incurred by hospitals for photocopying medical records needed by PROs during offsite reviews.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Richard Husk, Director, Office of Medical Review, Department of Health and Human Services, Health Care Financing Administration, Rm. 2-D-2 Meadows

East Bdlg., 6325 Security Blvd., Baltimore, MD. 21207, **301 594-7909**

RIN: 0938-AD38

768. ADMINISTRATIVE SANCTIONS FOR CIRCUMVENTING THE PROSPECTIVE PAYMENT SYSTEM AND PRO DISCLOSURE TO LICENSING AND CERTIFICATION BODIES

Legal Authority: 42 USC 1395hh; 42 USC 1395ww; 42 USC 1302

CFR Citation: 42 CFR 400; 42 CFR 412; 42 CFR 476; 42 CFR 498; 42 CFR 1001

Legal Deadline: None.

Abstract: This proposed rule would set forth the Secretary's authority to levy administrative sanctions against hospital providers who engage in fraudulent and abusive practices intended to circumvent the Prospective Payment System (PPS) under the Medicare program. The purpose of these proposed regulations is to clarify and strengthen the OIG's existing authority to protect the Medicare program from abuse by terminating any hospital who fails to correct abusive practices under PPS when directed to do so by the appropriate utilization and quality control Peer Review Organization (PRO). These regulations also revise and clarify HCFA's authority with respect to corrective action procedures and procedures for program payment denial against those hospital providers who circumvent PPS.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Richard Husk, Director, Office of Medical Review, Health Standards and Quality Bureau, Department of Health and Human Services, Health Care Financing Administration, 2-D-2 Meadows East, 6325 Security Boulevard, Baltimore, MD 21207, **301 594-7909**

RIN: 0938-AD42

769. REVISION OF THE MEDICARE ECONOMIC INDEX

Legal Authority: 42 USC 1302; 42 USC 1395hh; 42 USC 1395u(b)(3)

CFR Citation: 42 CFR 405.504

Legal Deadline: None.

Abstract: This proposed rule would establish in regulations the revised proxy measures which we believe have a sounder economic foundation than the current ones and meet the requirements of the Omnibus Budget Reconciliation Act of 1986.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Ross H. Arnett, III, Chief, Economics and Actuarial Analysis Branch, Department of Health and Human Services, Health Care Financing Administration, 1705 Equitable Building Room 100, 6325 Security Blvd. Baltimore, MD 21207, **301 594-6714**

RIN: 0938-AD43

770. UPDATE OF AMBULATORY SURGICAL CENTER PAYMENT RATES FOR JULY 1, 1988

Significance: Agency Priority

Legal Authority: 42 USC 1395l(a)(4); 42 USC 1395l(i); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 416.130

Legal Deadline: Statutory, July 1, 1988.

Abstract: We would state the methodology used to determine the payment amounts for ambulatory surgical services and update payment rates, effective July 1, 1988.

Timetable:

Action	Date	FR Cite
Proposed Notice	04/00/88	
Final Notice	06/01/88	

Small Entity: Yes

Agency Contact: Charles Booth, Director, Office of Reimbursement Policy, Department of Health and Human Services, Health Care Financing Administration, Health Care Financing Administration, Room 181 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9760**

RIN: 0938-AD44

771. ● MISCELLANEOUS CHANGES AFFECTING PAYMENT FOR INPATIENT HOSPITAL SERVICES

Significance: Agency Priority

Legal Authority: 42 USC 1395y(a); 42 USC 1395cc(a); 42 USC 1395ww(b); 42 USC 1395ww(d); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.310; 42 CFR 412.2; 42 CFR 412.50; 42 CFR 412.63; 42 CFR 412.92; 42 CFR 412.106; 42 CFR 412.210; 42 CFR 413.30; 42 CFR 413.40; 42 CFR 489.23

Legal Deadline: None.

Abstract: We would make several revisions to the regulations governing payment for inpatient hospital services which, in general, are necessary to conform the regulations to current policy. These changes would 1) clarify when the changes in urban/rural designations are recognized for purposes of the prospective payment system; 2) clarify the effective date of the revised payment rate for a hospital that is classified as a sole community hospital; 3) add a definition of patient days used in computing a hospital's disproportionate share patient percentage as well as clarify how we calculate the Supplemental Security Income/Medicare percentage based on Medicare patient days; and 4) clarify that provisions that govern requests for exceptions to and exemptions from a hospital's rate-of-increase ceiling also govern requests for adjustments to the ceiling and that we grant a hospital's request for an exception or adjustment only if its costs exceed its rate-of-increase ceiling. In addition, we would make two technical and conforming changes to the regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Linda Magno, Director, Division of Hospital Payment Policy, Department of Health and Human Services, Health Care Financing Administration, 1-H-1 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9343**

RIN: 0938-AD46

772. ● SCHEDULE OF LIMITS FOR SKILLED NURSING FACILITY INPATIENT ROUTINE SERVICE COSTS FOR REPORTING PERIODS BEGINNING ON OR AFTER OCTOBER 1, 1988

Significance: Agency Priority

Legal Authority: 42 USC 1395x(v)(1); 42 USC 1395yy; 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 413.30

Legal Deadline: None.

Abstract: This notice would set forth a revised schedule of limits on skilled nursing facility inpatient routine service costs that are reimbursed under Medicare. This schedule would apply to cost reporting periods beginning on or after October 1, 1988.

Timetable:

Action	Date	FR Cite
Notice	09/01/88	

Small Entity: Undetermined

Agency Contact: William Goeller, Director, Division of Payment and Reporting Policy, Department of Health and Human Services, Health Care Financing Administration, 1-F-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1802**

RIN: 0938-AD48

773. ● CHANGES TO THE INPATIENT HOSPITAL PROSPECTIVE PAYMENT SYSTEM AND FISCAL YEAR 1989 RATES

Significance: Agency Priority

Legal Authority: 42 USC 1395ww; 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 412

Legal Deadline: Statutory, June 1, 1988. In accordance with 42 USC 1395ww an NPRM must be published by 06/01/88. Final rule must be published by 09/01/88.

Abstract: This proposed rule will solicit public comments on various revisions to the inpatient hospital prospective payment system. It will also include proposed changes in the methods, amounts and factors used to determine the prospective payment rates applicable to discharges occurring during FY 1989. In addition, this proposed rule will propose amendments to implement relevant provisions of PL 100-203 that are applicable to discharges occurring during FY 1989.

Timetable:

Action	Date	FR Cite
NPRM	05/02/88	
Final Action	09/01/88	
Effective		

Small Entity: Yes

Agency Contact: Linda Magno, Director, Division of Hospital Payment Policy, Department of Health and Human Services, Health Care Financing Administration, 1-H-1 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9343**

RIN: 0938-AD49

774. ● APPLICATION OF THE COMPARABLE SERVICES LIMITATION IN DETERMINING REASONABLE CHARGES

Legal Authority: 42 USC 1395u(b)(3)(B); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.508

Legal Deadline: None.

Abstract: This proposed rule would clarify the circumstances under which Medicare carriers are to apply the comparable services limitation in making their determination of a reasonable charge for Medicare Part B services. Under section 1842(b)(3)(B) of the Act, carriers are prohibited from making a determination of a reasonable charge that would be higher than the charge upon which it would base payment to its own policyholders for a comparable service under comparable circumstances. Currently, there is a great deal of confusion among the carriers as to what constitutes comparable services and comparable circumstances, the result of which is that very few carriers are applying the comparable services limitation in their reasonable charge determination. We would revise the regulations to more clearly state how the comparable services limitation should be implemented by the carriers.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Bernard Patashnik, Director, Division of Medical Services Reimbursement, Department of Health and Human Services, Health Care Financing Administration, 1-H-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1334**

RIN: 0938-AD50

775. ● PROTOCOL FOR THE REUSE OF DIALYSIS BLOODLINES

Legal Authority: 42 USC 1395rr(a)(7), as amended by PL 100-203; 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.2150(d)

Legal Deadline: None. While the Secretary is not required to publish a regulation, ESRD facilities will not otherwise be permitted to reuse bloodlines after June 30, 1988.

Abstract: This rule would establish standards for safe and effective reuse of bloodlines. The statue forbids ESRD facilities to reuse bloodlines beginning July 1, 1988, unless the Secretary has established and the facilities follow, protocols for their reuse. Any protocols so established must be incorporated into conditions of coverage.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	07/01/88	

Small Entity: Undetermined

Agency Contact: Rita McGrath, Chief, Alternate Delivery Organization Branch, Department of Health and Human Services, Health Care Financing Administration, Room 469 EHR Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-6719**

RIN: 0938-AD52

776. ● FEES FOR APPEALS

Legal Authority: 42 USC 1302; 42 USC 1395hh(a); 31 USC 9701

CFR Citation: 42 CFR 405.701 to 42

Legal Deadline: None.

Abstract: This proposed rule would require that a filing fee accompany all requests for hearings and appeals involving coverage or reimbursement disputes involving individual claims, when filed by Medicare providers. (Beneficiaries would be exempt from the filing fee.) The fee would be refunded if the provider won the appeal or was found to have filed in good faith. The purpose of this rule is to discourage unnecessary and frivolous appeals.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: James Conrad, Chief, Premiums Entitlement Branch, Department of Health and Human Services, Health Care Financing Administration, Room G-E-7, Meadows

East Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-9656**

RIN: 0938-AD54

777. ● HOME AND COMMUNITY-BASED SERVICES FOR THE ELDERLY

Legal Authority: PL 100-203, Sec 4102; 42 USC 1396n(d)

CFR Citation: 42 CFR 441

Legal Deadline: Statutory, October 1, 1989. Regulation must be promulgated containing methodology.

Abstract: This regulation would implement section 4102 of PL 100-203. These rules would allow a State to provide skilled nursing facility (SNF), intermediate care facility (ICF), and home and community-based services to individuals 65 years of age and older, in exchange for a "cap" on the amount of money for which Medicaid Federal financial participation would be available. The program would be administered by means of waivers which a State could request. As currently constructed, the statute allows for waivers of statewideness, comparability, and income deeming. Home and community-based services could be made available to individuals age 65 or older who are shown by an evaluation to be likely to require the level of care provided in an SNF or ICF, the cost for which could be paid by Medicaid. For States electing this option, the waiver would replace the home and community-based services waivers available under section 1915(c) of the Act, for individuals in this age category.

Timetable:

Action	Date	FR Cite
NPRM	09/01/88	

Small Entity: Undetermined

Agency Contact: Thomas Hoyer, Director, Division of, Provider Services Coverage Policy, Department of Health and Human Services, Health Care Financing Administration, Room 405 EHR ., 6325 Security Blvd., Baltimore, MD 21207, **301 594-9446**

RIN: 0938-AD55

778. ● REVISIONS TO MEDICAID ELIGIBILITY QUALITY CONTROL PROGRAM REQUIREMENTS BASED ON FINDINGS OF COBRA STUDIES

Legal Authority: PL 99-272, Sec 12301(c)(1); PL 99-514, Sec 1710

CFR Citation: 42 CFR 431

Legal Deadline: Statutory, March 30, 1988. COBRA, PL 99-272, requires regulations to be published by March 30, 1988, with an implementation date of July 1, 1988.

Abstract: These proposed regulations would revise or restructure the requirements of the Medicaid Eligibility Quality Control (MEQC) program to reflect changes determined necessary as a result of the findings of the studies of the quality control systems of the AFDC and Medicaid programs that were mandated by section 12301 of the Consolidated Omnibus Budget Reconciliation Act. The changes would focus on improvements in the quality of administration of the MEQC system and methods of gathering reasonable data to be used as a basis for withholding Federal funds from States that have excessive levels of erroneous Medicaid payments.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Stephen A. Snyder, Analyst, Eligibility Assessment Branch, Department of Health and Human Services, Health Care Financing Administration, Room 233 EHR Bldg, 6325 Security Blvd., Baltimore, MD 21207, **301 594-8157**

RIN: 0938-AD56

779. ● PROCEDURES FOR TERMINATING PROGRAM PARTICIPATION OF PROVIDERS AND SUPPLIERS

Legal Authority: 42 USC 1395aa; 42 USC 1395bb; 42 USC 1395cc; 42 USC 1302; 42 USC 1396a; 42 USC 1396i; 42 USC 1395hh

CFR Citation: 42 CFR 405; 42 CFR 416.35; 42 CFR 431.154; 42 CFR 442; 42 CFR 488; 42 CFR 489.53; 42 CFR 498.53; 42 CFR 498.5; 42 CFR 498.20; 42 CFR 498.56

Legal Deadline: None.

Abstract: These proposed regulations reflect the urgency we believe is necessary in removing Medicare and Medicaid patients from potentially dangerous situations, and would provide incentives for the provider or supplier to take prompt remedial action to remove threats to patients safety. When we determine that Medicare and Medicaid providers and suppliers fail to meet the conditions of participation or coverage, and the deficiencies immediately jeopardize patients' health and safety, we would give providers and suppliers notice of termination not more than 2 days before the effective date of termination. Generally, administrative hearings would be held after the effective date of termination.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Yes

Agency Contact: Alfreda Staton, Program Analyst, Health Standards and Quality Bureau, Department of Health and Human Services, Health Care Financing Administration, 2-D-2 Meadows East Bldg., 6300 Security Blvd., Baltimore, MD 21207, **301 594-5014**

RIN: 0938-AD57

780. ● PART B PREMIUM FOR 12-MONTH PERIOD BEGINNING JANUARY 1, 1989

Legal Authority: 42 USC 1395r; 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.902

Legal Deadline: None.

Abstract: This notice announces the monthly actuarial rates for aged (age 65 and over) and disabled (under age 65) enrollees in the Medicare Supplementary Medical Insurance (SMI) program for the 12-months beginning January 1, 1989. It also announces the monthly SMI premium rate to be paid by all enrollees during the 12-months beginning January 1, 1989.

Timetable:

Action	Date	FR Cite
NOTICE	09/30/88	

Small Entity: Undetermined

Agency Contact: Solomon Mussey, Supervisory Actuary, Department of Health and Human Services, Health Care Financing Administration, Room M-1 1705 Equitable Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-2829**

RIN: 0938-AD58

781. ● REVISIONS TO THE FREEDOM OF INFORMATION REGULATIONS

Legal Authority: 42 USC 1306; 5 USC 552; 42 USC 1302

CFR Citation: 42 CFR 401.101; 42 CFR 401.102; 42 CFR 401.103; 42 CFR 401.104; 42 CFR 401.110; 42 CFR 401.111; 42 CFR 401.112; 42 CFR 401.120; 42 CFR 401.121; 42 CFR 401.122; 42 CFR 401.123; 42 CFR 401.124; 42 CFR 401.125; 42 CFR 401.130; 42 CFR 401.131; ...

Legal Deadline: None.

Abstract: This rule proposes changes to the regulations implementing the Freedom of Information Act. The regulations would be brought up-to-date in light of HCFA's experience with the FOIA and would conform HCFA's FOIA rules to the new HHS FOIA regulations, the guidelines from OMB and the Department of Justice, a Presidential Order, and the Freedom of Information Reform Act of 1986.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Rosario Cirrincione, Chief, Freedom of Information Branch, Department of Health and Human Services, Health Care Financing Administration, Room 100 Professional Bldg., 6660 Security Blvd., Baltimore, MD 21207, **301 594-4323**

RIN: 0938-AD60

782. ● MISCELLANEOUS AMENDMENTS TO THE HMO AND CMP REQUIREMENTS

Legal Authority: 42 USC 1302; 42 USC 1395(l); 42 USC 1395(x); 42 USC 1395hh; 42 USC 1395kk; 42 USC 216; 42 USC 300(e); 42 USC 9701; 42 USC 1395mm

CFR Citation: 42 CFR 417

Legal Deadline: None.

Abstract: In an earlier rulemaking (52 FR 36746) we redesignated rules from 42 CFR Part 110 to 42 CFR Part 417, subpart A. This redesignation resulted from HCFA assuming responsibility for a programmatic activity previously under the Public Health Service. This rule would make technical corrections and update cross-references to better integrate the relocated material with HCFA regulations.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Larry Sobel, Legal Adviser, Office of Prepaid Health Care, Department of Health and Human Services, Health Care Financing Administration, 424 H. Hubert H. Humphrey Bldg., 200 Independence Ave. S.W., Washington, D.C. 20201, **202 245-0197**

RIN: 0938-AD61

783. ● PAYMENT FOR RADIOLOGIST SERVICES

Significance: Agency Priority

Legal Authority: 42 USC 1395l(a)(1)(J); 42 USC 1395m(b); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.555

Legal Deadline: Statutory. August 1, 1988. Final Rule by 08/01/88 effective for services performed on or after 01/01/89.

Abstract: As a result of provisions included in section 4049 of PL 100-203, we are proposing a fee schedule for radiology services furnished by a board-certified or board eligible radiologist or by a physician whose charges for radiology services accounts for 50 percent or more of his or her total Medicare charges. These physicians would be paid at 80 percent of the lower of the actual charge or the appropriate fee schedule amount. The fee schedule amount for a nonparticipating physician would be 95 percent of the amount applicable to a participating physician. In addition, a nonparticipating physician's charges to beneficiaries would be capped. The proposed fee schedule would result in overall amount of payment to physicians for radiology services of 3 percent less than would have occurred without a fee schedule. The fee schedule would be updated annually in accordance with the annual increase in the Medicare Economic Index.

Timetable:

Action	Date	FR Cite
NPRM	07/15/88	
Final Action	12/01/88	
performed on or after		
Fee schedule in place for services 01/01/89		

Small Entity: Undetermined

Agency Contact: Bernard Patashnik, Director, Division of Medical Services Reimbursement, Department of Health and Human Services, Health Care Financing Administration, Room 1-H-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1334**

RIN: 0938-AD62

784. ● RELATIVE VALUE GUIDE FOR PHYSICIAN ANESTHESIA SERVICES

Legal Authority: PL 100-203, Sec 4048(b); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.553

Legal Deadline: Statutory, January 1, 1989. Under section 4048(b) of PL 100-203 the relative value guide is to be used for physician anesthesia services furnished on or after 01/01/89.

Abstract: This proposed rule will solicit public comments on a relative value guide for use by carriers in making payment for physician anesthesia services. Under section 4048(b) of PL 100-203 the relative value guide would be designed so as to not increase the overall amount of expenditures that would occur without use of the relative value guide.

Timetable:

Action	Date	FR Cite
Notice with 90 Day Comment Period	05/02/88	
Final Notice	10/01/88	

Small Entity: Undetermined

Agency Contact: Bernard Patashnik, Director, Division of, Medical Services Reimbursement, Department of Health and Human Services, Health Care Financing Administration, Room 1-H-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1334**

RIN: 0938-AD63

785. ● REVISED MEDICARE ECONOMIC INDEX FOR 1988 AND ESTABLISHMENT OF THE 1989 MEDICARE ECONOMIC INDEX

Legal Authority: 42 USC 1395u(b)(4); 42 USC 1395u(b)(4)(E); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.504

Legal Deadline: None.

Abstract: This notice will announce the percentage increase in the Medicare economic indices for primary care services of physicians as defined in section 1842(b)(4)(E)(iii) of the Social Security Act and for all other physicians services for 1988 and 1989.

HHS—HCFA **Proposed Rule Stage**

Timetable:

Action	Date	FR Cite
Notice	00/00/00	

Small Entity: Undetermined

Agency Contact: Paul Riesel, Technical Assistant, Office of Reimbursement Policy, Department of Health and Human Services, Health Care Financing Administration, Room 1-H-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1843**

RIN: 0938-AD64

---

786. ● PROPOSED FEE SCHEDULE FOR DURABLE MEDICAL EQUIPMENT EFFECTIVE FOR ITEMS AND SERVICES PROVIDED ON OR AFTER JANUARY 1, 1989

Legal Authority: PL 100-203, Sec 4062; 42 USC 1302; 42 USC 1395hh; 42 USC 1395m; 42 USC 1395zz

CFR Citation: 42 CFR 405(e)

Legal Deadline: None.

Abstract: This proposed rule would implement section 4062 of PL 100-203. It would establish fee schedules and payment methodologies that would govern payments for six categories of durable medical equipment as required by section 4062 of PL 100-203. The new payment rates would be effective for services provided on or after January 1, 1989.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Bernard Patashnik, Director of Medical Services Reimbursement, Office of Reimbursement Policy, Department of Health and Human Services, Health Care Financing Administration, Room 1-H-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1334**

RIN: 0938-AD65

---

787. ● ITEMS AND SERVICES NOT CHARGEABLE TO PATIENT PERSONAL FUNDS

Legal Authority: PL 100-203, Sec 4201(a)(3); PL 100-203, Sec 4211(a)(3)

CFR Citation: 42 CFR 483

Legal Deadline: Statutory, July 1, 1988.

Abstract: This proposed rule would define those costs which may be charged to the personal funds of Medicare and Medicaid patients in nursing facilities and the costs which are to be utilized in the payment amount for nursing facility services.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Samuel Kidder, Chief, Long Term Care Branch, Department of Health and Human Services, Health Care Financing Administration, 429 EHR Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 597-5909**

RIN: 0938-AD66

---

788. ● CRITERIA FOR STANDARD AND EXTENDED HOME HEALTH AGENCY SURVEYS

Legal Authority: PL 100-203, Sec 4022; 42 USC 1395hh

CFR Citation: 42 CFR 488

Legal Deadline: Statutory, January 1, 1989.

Abstract: This regulation would implement the requirements of PL 100-203, section 4022 which specify criteria for standard and extended home health agency surveys. The regulation would define each survey and the criteria for its use. It would additionally implement a new survey instrument and a home visit process. Finally, the regulation would require a Statewide 12 month average survey cycle.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Walter Merten, Director, Division of Survey Procedures and Training, Department of Health and Human Services, Health Care Financing Administration, Meadows East Building, 6325 Security Blvd., Baltimore, MD 21207, **301 594-3813**

RIN: 0938-AD67

---

789. ● INPATIENT HOSPITAL DEDUCTIBLE AND COINSURANCE AMOUNTS AND PART A PREMIUM FOR THE UNINSURED AGED FOR 1989

Legal Authority: 42 USC 1395e; 42 USC 1395i to 2(d)(2); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 408.22; 42 CFR 409.80; 42 CFR 409.82; 42 CFR 409.83; 42 CFR 409.85

Legal Deadline: Statutory, September 15, 1988.

Abstract: This notice announces the inpatient hospital deductible and coinsurance amounts and the monthly hospital insurance premium for the uninsured aged for calendar year 1989 under Medicare's hospital insurance program. The Medicare statute specifies the formulae to be used to determine these amounts.

Timetable:

Action	Date	FR Cite
Notice	09/30/88	

Small Entity: No

Agency Contact: Solomon Mussey, Supervisory Actuary, Department of Health and Human Services, Health Care Financing Administration, M-1 1705 Equitable Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-2829**

RIN: 0938-AD68

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Health Care Financing Administration (HCFA)

Final Rule Stage

790. PAYMENTS TO INSTITUTIONS

Significance: Agency Priority

Legal Authority: 42 USC 1302; 42 USC 1396a(a)(10); 42 USC 1396a(a)(17)

CFR Citation: 42 CFR 435.722; 42 CFR 435.725; 42 CFR 435.733; 42 CFR 435.832; 42 CFR 436.832

Legal Deadline: None.

Abstract: This regulation alleviates problems encountered by States in calculating patient income to be applied to the cost of care in institutions. It is intended to permit States greater

flexibility in administering their programs (Regulatory Reform). These regulations also implement a provision of Pub. L. 99-272. This provision requires that when States elect to use a special income standard for institutionalized individuals, Medicaid eligibility must begin with the first day of a period of not less than 30 consecutive days of institutionalization.

Timetable:

Action	Date	FR Cite
NPRM	03/19/85	50 FR 10992
NPRM Comment Period End	05/20/85	
Final Action	04/00/88	

Small Entity: Yes

Agency Contact: Marinos Svolos, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medicaid Eligibility, Room 416 East High Rise, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9050**

RIN: 0938-AB00

791. MISCELLANEOUS MEDICARE AND MEDICAID AMENDMENTS

Legal Authority: 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405; 42 CFR 409; 42 CFR 410; 42 CFR 416; 42 CFR 421; 42 CFR 441; 42 CFR 489

Legal Deadline: None.

Abstract: These rules amend existing Medicare and Medicaid regulations to conform them to statutory and policy changes that have occurred since those regulations were last published. The pertinent statutory changes are primarily those contained in the Omnibus Reconciliation Act of 1980 (P.L. 96-499).

Timetable:

Action	Date	FR Cite
NPRM	12/18/87	52 FR 48127
NPRM Comment Period End	02/16/88	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Luisa Iglesias, Technical Assistant, Department of Health and Human Services, Health Care Financing Administration, BERC Regulations Staff, Rm. 4243 North, 300 Independence Ave., S.W., Washington, DC 20201, **202 245-0383**

RIN: 0938-AB05

792. CHANGES TO THE LESSER OF COSTS OR CHARGES PROVISIONS

Significance: Regulatory Program

Legal Authority: 42 USC 1395f(b); 42 USC 1395f(k); 42 USC 1395l(a); PL 98-369, Sec 2308; 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 413.13

Legal Deadline: None.

Abstract: This regulation eliminates application of the lesser of costs or charges aggregation method for determining payment for services furnished under Part A or Part B of Medicare effective with cost reporting periods beginning on or after October 1, 1984 (section 2308(a) of Pub.L. 98-369). We also eliminate the accumulation and carryover of unreimbursed costs to subsequent cost reporting periods applicable with cost reporting periods beginning on or after the effective date of the final rule. It revises the nominal charge provisions for providers that furnish services either free of charge or at a nominal charge in accordance with section 2308(b) of Pub.L. 98-369. It also revises the payment provisions for durable medical equipment furnished by home health agencies effective on or after July 18, 1984.

Timetable:

Action	Date	FR Cite
NPRM	09/18/86	51 FR 33074
NPRM Comment Period End	11/17/86	
Final Action	04/00/88	

Small Entity: Yes

Agency Contact: William Goeller, Director, Division of Payment & Reporting Policy, Department of Health and Human Services, Health Care Financing Administration, Room 1-F-5 East Low Rise, 6325 Security Boulevard, Baltimore, MD 21207, **301 597-1803**

RIN: 0938-AB29

793. REVISIONS IN REPORTING AND RECORDKEEPING REQUIREMENTS

Legal Authority: 42 USC 1302; 42 USC 1395x(p); 42 USC 1395x(s)(3); 42 USC 1395x(s)(11); 42 USC 1395x(s)(12); 42 USC 1395aa; 42 USC 1395hh

CFR Citation: 42 CFR 405.1413(c); 42 CFR 405.1716(c); 42 CFR 405.1716(d); 42 CFR 405.1717(b); 42 CFR 405.1717(e); 42 CFR 405.1725(a); 42 CFR 405.1702; 42 CFR 405.1731(a); 42 CFR 405.1731(c); 42 CFR 434.36; 42 CFR 434.55; 42 CFR 405.1733(a); 42 CFR 405.1733(b); 42 CFR 434.27(a)

Legal Deadline: None.

Abstract: This final rule sets forth changes in several regulations containing collection of information requirements. The changes are HCFA's response to the Office of Management and Budget requirement to eliminate regulations that are overly prescriptive, duplicative, or lack practical utility. The requirements affect the providers and suppliers of outpatient physical therapy and speech pathology services; physical therapists in independent practice; portable X-ray services; and Medicaid contracts with health maintenance organizations and prepaid health plans.

Timetable:

Action	Date	FR Cite
NPRM	02/24/86	51 FR 6429
Final Action	04/00/88	

Small Entity: No

Agency Contact: Stanley Katz, Director Division of Medical Services Coverage Policy, Department of Health and Human Services, Health Care Financing Administration, 489 East High Rise Bldg., 6325 Security Blvd., Baltimore, Maryland 21207, **301 594-8561**

RIN: 0938-AB46

794. WAIVER OF CERTAIN MEMBERSHIP REQUIREMENTS FOR CERTAIN HEALTH MAINTENANCE ORGANIZATIONS (HMOS) AND STATE OPTION FOR DISENROLLMENT RESTRICTIONS FOR CERTAIN HMOS UNDER MEDICAID

Legal Authority: 42 USC 1903(m); 42 USC 1302

CFR Citation: 42 CFR 434.26; 42 CFR 434.27; 42 CFR 434.20; 42 CFR 435.212; 42 CFR 435.326

Legal Deadline: None.

Abstract: This proposal would revise current Medicaid rules to expand the waiver authority of the Secretary to permit certain health maintenance organizations (HMOs) meeting certain requirements, to exceed the composition of enrollment limit to allow certain organizations to contract on a risk basis, to permit continuation of benefits to recipients enrolled in certain

organizations after they have lost entitlement of Medicaid, and give a State the option of restricting a Medicaid enrollee's right to disenroll from certain types of risk HMOs and other organizations. These regulations would conform our regulations with authority provided in section 2364 of Pub.L. 98-369, the Deficit Reduction Act of 1984, as amended by section 9517 of Pub.L. 99-272, the Consolidated Omnibus Budget Reconciliation Act of 1985.

Timetable:

Action	Date	FR Cite
NPRM	01/12/88	53 FR 744
NPRM Comment Period End	03/14/88	53 FR 744
Final Action	12/00/88	

Small Entity: No

Agency Contact: Robert E. Wren, Office Director, Department of Health and Human Services, Health Care Financing Administration, Office of Coverage Policy, Room 401 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9690**

RIN: 0938-AB54

795. INDIRECT PART B PAYMENT PROCEDURE

Legal Authority: 42 USC 1395u(b)(6)(B); 42 USC 1395hh; 42 USC 1302

CFR Citation: 42 CFR 405.1672; 42 CFR 405.1679; 42 CFR 405.1685; 42 CFR 405.1686

Legal Deadline: None.

Abstract: This regulation implements provisions of Pub.L. 98-369 that allow payment for services furnished under Part B of Medicare to be made to a health benefits plan.

Timetable:

Action	Date	FR Cite
NPRM	07/01/86	51 FR 23792
NPRM Comment Period End	07/31/86	51 FR 23792
Final Action	00/00/00	

Small Entity: No

Agency Contact: Harold Fishman, Division Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medicare Eligibility, Room 448 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9077**

RIN: 0938-AB59

796. HOSPITAL INSURANCE ENTITLEMENT AND SUPPLEMENTARY MEDICAL INSURANCE ENROLLMENT AND ENTITLEMENT

Legal Authority: 42 USC 426; 42 USC 426-1; 42 USC 426a; 42 USC 1395c; 42 USC 1395i-2; 42 USC 1395p; 42 USC 1395q; 42 USC 1395r; 42 USC 1395v; 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405; 42 CFR 406; 42 CFR 407

Legal Deadline: None.

Abstract: This regulation would revise the Medicare rules that deal with hospital insurance entitlement and with supplementary medical insurance (SMI) enrollment and entitlement, as required by amendments to the Social Security Act. It would also revise Medicaid rules that deal with State buy-in agreements, under which States secure SMI benefits for certain Medicaid-eligible individuals, by paying their SMI premiums.

Timetable:

Action	Date	FR Cite
NPRM	02/19/88	53 FR 5008
Final Action	00/00/00	

Small Entity: No

Agency Contact: Denis Garrison, Chief, Medicare Eligibility and, Technical Issues Branch, Department of Health and Human Services, Health Care Financing Administration, Division of Medicare Eligibility Policy, Room 357 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 966-5643**

RIN: 0938-AB60

797. TREATMENT OF SOCIAL SECURITY COST OF LIVING INCREASES FOR INDIVIDUALS WHO LOSE SSI ELIGIBILITY

Significance: Agency Priority

Legal Authority: 42 USC 1302; 42 USC 1396a (Note)

CFR Citation: 42 CFR 435.135; 42 CFR 435.136

Legal Deadline: None.

Abstract: Notice clarifies a portion of the regulations published on April 10, 1986 dealing with Medicaid eligibility of certain individuals receiving title II (Social Security) benefits who lost SSI and are ineligible for SSI because of title II cost of living increase which had been subject to an appeal when the regulations were published.

Timetable:

Action	Date	FR Cite
NPRM	04/12/85	50 FR 14397
NPRM Comment Period End	06/11/85	
Interim Final Rule	04/10/86	51 FR 12325
Final Action	00/00/00	

Small Entity: No

Agency Contact: Roy Trudel, Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Division of Medicaid Eligibility Policy, Room 416 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 594-9128**

RIN: 0938-AB62

798. MEDICARE/MEDICAID REVALUATION OF ASSETS

Significance: Regulatory Program

Legal Authority: 42 USC 1302; 42 USC 1395hh; 42 USC 1395x(v)(1)(O); 42 USC 1396a(a)(13)(B)

CFR Citation: 42 CFR 413.130; 42 CFR 413.134; 42 CFR 447.250; 42 CFR 447.253

Legal Deadline: None.

Abstract: This final rule implements changes to the regulations as required by section 2314 of Pub. L. 98-369 and sections 9110 and 9509 of Pub. L. 99-272. This rule imposes new limitation on the valuation of assets acquired as the result of changes in ownership occurring on or after July 18, 1984. These changes will affect hospitals and skilled nursing facilities under the Medicare program and hospitals, skilled nursing facilities, intermediate care facilities, and intermediate care facilities for the mentally retarded under the Medicaid program.

Timetable:

Action	Date	FR Cite
NPRM	10/26/87	52 FR 39927
NPRM Comment Period End	12/28/87	52 FR 39927
Final Action	00/00/00	

Small Entity: Yes

Agency Contact: William J. Goeller, Director, Division of Payment and Reporting Policy, Department of Health and Human Services, Health Care Financing Administration, Room 1-F-5

ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1803**

RIN: 0938-AB64

799. OMB REVIEW OF INFORMATION COLLECTION AND RECORDKEEPING REQUIREMENTS FOR HOME HEALTH AGENCIES, INDEPENDENT LABORATORIES, AND PROVIDERS OF OUTPATIENT, PHYSICAL THERAPY AND/OR (CONT)

Legal Authority: 42 USC 1302; 42 USC 1395u; 42 USC 1395x; 42 USC 1395y; 42 USC 1395gg; 42 USC 1395hh; 42 USC 1395aa

CFR Citation: 42 CFR 405.1221(e); 42 CFR 405.1221(f); 42 CFR 405.1221(g); 42 CFR 405.1221(i); 42 CFR 405.1223(b); 42 CFR 405.1229(a); 42 CFR 405.1315(f); 42 CFR 405.1316(f); 42 CFR 405.1720(b); 42 CFR 405.1721; 42 CFR 405.1224; 42 CFR 405.1228; 42 CFR 405.1225(a); 42 CFR 405.1226; 42 CFR 405.1314; ...

Legal Deadline: None.

Abstract: The purpose of this final rule is to set forth changes in several regulations containing information collection requirements. We previously obtained public comments on proposed changes.

Timetable:

Action	Date	FR Cite
NPRM	12/31/86	51 FR 47266
NPRM Comment Period End	03/02/87	51 FR 47266
Final Action	12/00/88	

Small Entity: No

Additional Information: TITLE CONT: Speech Pathology Services

Agency Contact: **Stefan Miller,** Program Analyst, Department of Health and Human Services, Health Care Financing Administration, Office of Coverage Policy, Room 400 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-6394**

RIN: 0938-AB68

800. CLARIFICATION OF POLICY ON ADJUSTING THE HOSPITAL-SPECIFIC PORTION OF THE PROSPECTIVE PAYMENT RATE

Significance: Agency Priority

Legal Authority: 42 USC 1395ww(d); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 412.72

Legal Deadline: None.

Abstract: This final rule clarifies Medicare's policy on adjusting the hospital-specific portion of the prospective payment rate for inpatient hospital services as the result of adjustments to a hospital's target amount for events occurring in the year following its base year. It clarifies that exemptions, exceptions, or adjustments granted under section 1886(b)(4) of the Act or 42 CFR 413.30 or 413.40(e)-(h) for periods subsequent to the base year have no effect on the hospital-specific portion of the prospective payment rates.

Timetable:

Action	Date	FR Cite
NPRM	03/10/86	51 FR 8208
NPRM Comment Period End	04/19/86	51 FR 8208
Final Action	00/00/00	

Small Entity: No

Agency Contact: **Edward Rees,** Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Payment Determination Policy Branch, DHPP, R. 1-H-1 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-6403**

RIN: 0938-AB71

801. CONDITIONS FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED

Significance: Agency Priority

Legal Authority: 42 USC 1302; 42 USC 1396d(c); 42 USC 1396d(d)

CFR Citation: 42 CFR 435; 42 CFR 442; 42 CFR 431.610(f)(1); 42 CFR 440.150(c)(3); 42 CFR 483

Legal Deadline: None.

Abstract: This rule revises the format and content of the standards for intermediate care facilities for the mentally retarded and persons with related conditions (ICFs/MR). The new format will be that of "conditions of participation" and will make the regulations for ICFs/MR consistent with the organization of the Medicare and Medicaid regulations for skilled nursing facilities. Revisions to the content of the regulations are intended to shift the focus away from facility-oriented requirements to client-oriented requirements. Thus, the rule is designed to increase the focus on the provision of active treatment services for clients, clarify Federal requirements, and maintain essential client protection.

Timetable:

Action	Date	FR Cite
NPRM	03/04/86	51 FR 7520
NPRM Comment Period End	05/05/86	51 FR 7520
Final Action	04/00/88	

Small Entity: No

Agency Contact: **Samuel Kidder,** Branch Chief, Department of Health and Human Services, Health Care Financing Administration, Long Term Care Branch, Room 429 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-5909**

RIN: 0938-AB76

802. REVISION OF MEDICAID ELIGIBILITY QUALITY CONTROL (MEQC) PROGRAM REQUIREMENTS

Significance: Regulatory Program

Legal Authority: 42 USC 1396b; 42 USC 1302

CFR Citation: 42 CFR 431.800 to 431.808; 42 CFR 431.810 to 431.822; 42 CFR 431.830 to 431.836; 42 CFR 431.861 to 431.865

Legal Deadline: None.

Abstract: This final rule revises the regulations governing the Medicaid eligibility quality control (MEQC) program to include more specified program requirements and to establish new time frames for completing and reporting MEQC case findings to HCFA. The final rule also establishes a performance-based threshold for States to meet before HCFA will consider good faith waiver requests of disallowance of Federal financial participation in erroneous Medicaid payments and provides more definitive criteria for evaluating States good faith efforts to meet the national standard error rate. In addition, the rule makes several technical changes and specifies that States may rebut their quarterly projected error rates when they can present evidence that the projected rates were based on erroneous data. The revisions will strengthen the MEQC program and provide flexibility and incentives to States to produce more accurate Medicaid eligibility determinations.

Timetable:

Action	Date	FR Cite
NPRM	01/26/87	52 FR 02733
NPRM Comment Period End	03/27/87	52 FR 02733
Final Action	00/00/00	

Small Entity: No

Agency Contact: Randolph Graydon, Acting Director, Division of Program Performance, Department of Health and Human Services, Health Care Financing Administration, Bureau of Quality Control, 207-L ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1352**

RIN: 0938-AB85

803. MEDICARE COVERAGE OF HEPATITIS B VACCINE FOR HIGH AND INTERMEDIATE RISK INDIVIDUALS, HEMOPHILIA CLOTTING AND CERTAIN X-RAY SERVICES

Legal Authority: 42 USC 1395x(s)(2)(I); 42 USC 1395x(s)(10)(B); 42 USC 1395l(k); 42 USC 1395rr(b)(11); 42 USC 1302; 42 USC 1395(g); 42 USC 1395l; 42 USC 1395u; 42 USC 1395x; 42 USC 1395y; 42 USC 1395cc; 42 USC 1395gg; 42 USC 1395hh; 42 USC 1395pp

CFR Citation: 42 CFR 405.231(r); 42 CFR 405.232(b); 42 CFR 405.232(c); 42 CFR 405.310(a); 42 CFR 405.310(e); 42 CFR 405.310(k); 42 CFR 410.10; 42 CFR 410.29; 42 CFR 410.32; 42 CFR 410.63

Legal Deadline: None.

Abstract: This final rule implements section 2323 of P.L 98-369 which provides Medicare coverage for hepatitis B vaccine for those individuals who are eligible for Medicare and at high or intermediate risk of contracting hepatitis B. It would implement section 2324 of P.L. 98-369 that provides coverage for the self-administration of hemophilia clotting factors and the items necessary for their administration to Medicare eligibles. The final rule would also clarify Medicare coverage of certain x-ray services.

Timetable:

Action	Date	FR Cite
NPRM	09/10/87	52 FR 34244
NPRM Comment Period End	11/09/87	52 FR 34244
Final Action	00/00/00	

Small Entity: No

Agency Contact: James Hannon, Chief, Physician and Other Medical Services Branch, Department of Health and Human Services, Health Care Financing Administration, Office of Coverage Policy, Rm. 479 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1734**

RIN: 0938-AC07

804. REASONABLE CHARGE LIMITATIONS

Significance: Regulatory Program

Legal Authority: 42 USC 1395u(b)(3); 42 USC 1395u(b)(8); 42 USC 1395u(b)(9); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.502

Legal Deadline: None.

Abstract: This rule revises the regulations concerning special reasonable charge limits for Part B Services. It will conform the regulations to section 9333 of the Omnibus Budget Reconciliation Act of 1986 that specifies changes to the procedures for establishing special reasonable charge limits.

Timetable:

Action	Date	FR Cite
NPRM	02/18/86	51 FR 5726
Final Action with Comment Period	08/11/86	51 FR 28710
Final Action Comment Period End	10/10/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Bernard Patashnik, Director, Department of Health and Human Services, Health Care Financing Administration, Division of Medical Services Reimbursement, Room 1-H-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1334**

RIN: 0938-AC08

805. ASSIGNMENT AND REASSIGNMENT OF PROVIDER-BASED HOME HEALTH AGENCIES AND HOSPICES TO DESIGNATED REGIONAL INTERMEDIARIES

Significance: Regulatory Program

Legal Authority: 42 USC 1395h(e)

CFR Citation: 42 CFR 421.3; 42 CFR 421.117; 42 CFR 421.128

Legal Deadline: None.

Abstract: This regulation requires all home health agencies and hospices to be served by designated regional intermediaries, instead of permitting provider-based HHAs and hospices to use the intermediaries their parent providers use. This reduces the number of intermediaries serving the HHAs and hospices, thus resulting in more consistent payment determinations and more effective and efficient administration.

Timetable:

Action	Date	FR Cite
NPRM	01/22/87	52 FR 02424
NPRM Comment Period End	03/23/87	52 FR 02424
Final Action	04/00/88	

Small Entity: No

Agency Contact: Irvin Robinson, Director, Division of Procurement, Department of Health and Human Services, Health Care Financing Administration, Room 334 Meadows East Bldg., 6300 Security Blvd., Baltimore, MD 21207, **301 594-8003**

RIN: 0938-AC20

806. FIRE SAFETY STANDARDS FOR HOSPITALS, SKILLED NURSING FACILITIES, HOSPICES, INTERMEDIATE CARE FACILITIES AND AMBULATORY SURGICAL CENTERS

Significance: Agency Priority

Legal Authority: 42 USC 1395x(e)(9); 42 USC 1395x(j)(13); 42 USC 1395hh; 42 USC 1396d(c); 42 USC 1396d(d); 42 USC 1302; 42 USC 1395aa; 42 USC 1395bb; 42 USC 1395z

CFR Citation: 42 CFR 405.1022(b)(1); 42 CFR 405.1134(a); 42 CFR 416.44(b); 42 CFR 442.321(a); 42 CFR 442.321(c); 42 CFR 442.322; 42 CFR 442.323; 42 CFR 418.100(d); 42 CFR 482.41(b)

Legal Deadline: None.

Abstract: This final rule amends the fire safety standards for hospitals, skilled nursing facilities, hospices, intermediate care facilities and ambulatory surgical centers to incorporate by reference the 1985 edition of the Life Safety Code of the National Fire Protection Association.

Timetable:

Action	Date	FR Cite
NPRM	01/28/87	52 FR 02430
NPRM Comment Period End	03/23/87	52 FR 02430
Final Action	04/00/88	

Small Entity: No

Agency Contact: Samuel Kidder, Chief, Long Term Care Branch, Department of Health and Human Services, Health Care Financing Administration, 300 East High Rise, 6325 Security Blvd., Baltimore, MD 21207, **301 597-5909**

RIN: 0938-AC28

807. MEDICAID: ELIGIBILITY DETERMINATIONS BASED ON DISABILITY

Legal Authority: 42 USC 1396a(a)(10); 42 USC 1396d(a); 42 USC 1302

CFR Citation: 42 CFR 435.541; 42 CFR 435.911; 42 CFR 436.541

Legal Deadline: None.

Abstract: These regulations make explicit in the regulations HCFA's policy on the relationship between State Medicaid eligibility determinations based on disability and disability determinations by SSA under the Supplemental Security Income Program. The regulations incorporate the conditions under which the State agency must make independent determinations of disability and the effect of only SSA determination on Medicaid eligibility. The regulations also conform the Medicaid provisions on composition of medical review teams, required information, and the time limit for making determinations more closely to those used by SSA in making SSI determinations. Because of numerous questions raised and litigation, it is necessary to clarify our policy on the controlling nature of SSI disability determinations on Medicaid eligibility.

Timetable:

Action	Date	FR Cite
NPRM	12/14/87	52 FR 47414
NPRM Comment Period End	02/12/88	52 FR 47414
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Joyce Stokes, Branch Chief, Division of Medicaid Eligibility Policy, Department of Health and Human Services, Health Care Financing Administration, 436 East High Rise Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 597-3870**

RIN: 0938-AC31

808. ADDITIONS TO AND DELETIONS FROM CURRENT LIST OF COVERED SURGICAL PROCEDURES FOR AMBULATORY SURGICAL CENTERS

Significance: Regulatory Program

Legal Authority: 42 USC 1395l(i)(1)

CFR Citation: 42 CFR 416.65

Legal Deadline: None.

Abstract: This notice announces proposed additions to and deletions from the current list of surgical procedures for which facility services are covered when the procedures are performed in an ambulatory surgical center (ASC).

Timetable:

Action	Date	FR Cite
Proposed Notice	08/11/87	52 FR 29729
Final Notice	00/00/00	

Proposed Notice
Comment Period Ends 10/13/87

Small Entity: No

Agency Contact: Stan Katz, Director, Division of Medical Services Coverage Policy, Department of Health and Human Services, Health Care Financing Administration, 489 East High Rise Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 594-8561**

RIN: 0938-AC45

809. EMPLOYERS CONTRIBUTION TO HEALTH MAINTENANCE ORGANIZATIONS OPTION

Legal Authority: 42 USC 300e-9

CFR Citation: 42 CFR 110.808

Legal Deadline: None.

Abstract: This final rule will revise the requirement regarding employer contributions to a Health Maintenance Organization employee benefit plans.

Timetable:

Action	Date	FR Cite
NPRM	01/13/87	52 FR 01343
NPRM Comment Period End	03/16/87	

Next Action Undetermined*

Small Entity: No

Additional Information: *The Regulatory Program of the United States Government 1987-1988 projected final publication in July, 1987.

Agency Contact: Carolyn Cocotas, Special Assistant, Office of Prepaid Health Care, Department of Health and Human Services, Health Care Financing Administration, 317H HHH Bldg., 200 Independence Ave., SW. Washington, DC 20201, **202 245-8036**

RIN: 0938-AC48

810. REIMBURSEMENT FOR PHYSICIAN'S OUTPATIENT MAINTENANCE DIALYSIS SERVICES

Legal Authority: 42 USC 1395rr; 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.439(c)(5); 42 CFR 405.502(f)(1); 42 CFR 405.542(a); 42 CFR 405.542(b); 42 CFR 405.542(c)

Legal Deadline: None.

Abstract: This rule is necessitated by a court decision requiring the Secretary to reinstate a modified version of the initial method of reimbursement for physician's dialysis services. We also are clarifying and modifying some of the principles of the monthly capitation payment method. In addition, we will clarify that physician's services reimbursable under both the initial method and the monthly capitation payment must meet the general program requirements for dialysis services furnished to patients.

Timetable:

Action	Date	FR Cite
NPRM	10/05/87	52 FR 37176
NPRM Comment Period End	12/04/87	52 FR 37176
Final Action	00/00/00	

Small Entity: No

Agency Contact: Robert Niemann, Program Analyst, Reimbursement Policy Branch, Department of Health and Human Services, Health Care Financing Administration, 1-A-5 EHR Bldg., 6325 Security Blvd., Baltimore, MD 21207, **301 597-1810**

RIN: 0938-AC57

811. STATE PLAN REQUIREMENTS AND OTHER PROVISIONS RELATING TO STATE THIRD-PARTY LIABILITY PROGRAMS

Significance: Agency Priority

Legal Authority: 42 USC 1396a(a)(25); 42 USC 1302

CFR Citation: 42 CFR 433.138; 42 CFR 433.139; 42 CFR 447.20; 42 CFR 447.21

Legal Deadline: Statutory, October 7, 1986. Section 9503 of Pub. L. 99-272 (April 7, 1986) requires that final regulations be published within 6 months after date of enactment.

Abstract: This rule implements, in part, those portions of sec. 9503 of Pub. L. 99-272 that set forth State plan requirements and other provisions relating to State third-party liability (TPL) programs. The provisions deal with (1) the integration of a State's pursuit of third-party claims with its Mechanized Claims Processing and Information Retrieval Systems and the Secretary's responsibility to develop performance standards to assess TPL collection efforts with respect to this integration; (2) certain exceptions to the cost avoidance method of claims payment in TPL situations; and (3) provider restrictions and provider penalties related to attempts at collection of cost sharing or portions of those amounts from Medicaid recipients when third party liability has been established.

Timetable:

Action	Date	FR Cite
NPRM	03/03/87	52 FR 06350
NPRM Comment Period End	04/02/87	52 FR 06350
Final Action	00/00/00	

Small Entity: No

Agency Contact: Sue Knefley, Program Analyst, Bureau of Quality Control, Department of Health and Human Services, Health Care Financing Administration, Third Party Liability Branch, 233 EHR, 6325 Security Blvd., Baltimore, MD 21207, **301 597-3631**

RIN: 0938-AC64

812. ALTERNATE SANCTIONS FOR ESRD FACILITIES

Legal Authority: 42 USC 1302; 42 USC 1395hh; 42 USC 1395rr

CFR Citation: 42 CFR 405

Legal Deadline: None.

Abstract: These rules provide that, when the only deficiency cited for a supplier of ESRD services is a failure to cooperate in achieving the plans and objectives of the ESRD network of which the supplier is a member, and that failure does not jeopardize patient health and safety, HCFA may, as an alternative to terminations of Medicare coverage of the facility's ESRD services, impose alternative sanctions such as denial of payment for services furnished to patients accepted for care after the effective date of the sanction, or a gradual reduction in the payments for all patients, or withholding of payment without interest until the facility comes into compliance with the requirement.

Timetable:

Action	Date	FR Cite
NPRM	04/09/87	52 FR 11517
NPRM Comment Period End	06/08/87	
Final Action	00/00/00	

Small Entity: Yes

Agency Contact: Spencer B. Colburn, Chief, Hospital Services Branch, Department of Health and Human Services, Health Care Financing Administration, Room 2-D-2 ME Bldg., 6300 Security Blvd., Baltimore, MD 21207, **301 594-3413**

RIN: 0938-AC68

813. REFUNDING OF FEDERAL SHARE OF OVERPAYMENTS MADE TO MEDICAID PROVIDERS

Legal Authority: 42 USC 1396b(d)

CFR Citation: 42 CFR 433.32 to 35; 42 CFR 433.112; 42 CFR 433.116; 42 CFR 433.300 to 322

Legal Deadline: None.

Abstract: These regulations specify the requirements and procedures under which States are allowed 60 days following the date of discovery of an overpayment to a Medicaid provider to recover or attempt to recover the overpayment before the Federal share must be credited to HCFA. The Federal Government will share in any overpayments that the State documents it is unable to recover because the debts of the provider have been discharged in bankruptcy or the provider is out-of-business. The regulations, which implement section 9512 of the Consolidated Omnibus Budget Reconciliation Act of 1986, are intended to aid in recovering improperly spent Federal funds expeditiously.

Timetable:

Action	Date	FR Cite
NPRM	12/21/87	52 FR 48290
NPRM Comment Period End	02/09/88	
Final Action	00/00/00	

Small Entity: No

Agency Contact: David Greenberg, Program Analyst, Bureau of Quality Control, Department of Health and Human Services, Health Care Financing Administration, Room 300 Meadows East Bldg., 6300 Security Blvd., Baltimore, MD 21207, **301 594-6229**

RIN: 0938-AC83

814. MEDICARE COVERAGE OF IMMUNOSUPPRESSIVE DRUGS

Significance: Regulatory Program

Legal Authority: 42 USC 1395x(s)(2)(J); 42 USC 1302

CFR Citation: 42 CFR 410.10; 42 CFR 410.29; 42 CFR 410.65

Legal Deadline: None.

Abstract: This rule will implement section 9335(c) of Pub.L. 99-509 which authorizes Medicare coverage of immunosuppressive drugs for a period of 1-year following a Medicare-covered organ transplant. Current regulations reflect the statutory exclusion from Medicare Part B coverage of drugs or biologicals that can be self-administered. The regulations will be amended to reflect the new statutory requirement. Final regulation will also implement section 4075 of P.L. 100-203, which expanded coverage from "immunosuppressive drugs" to "prescription drugs used in immunosuppressive therapy."

Timetable:

Action	Date	FR Cite
NPRM	01/19/88	53 FR 1383
NPRM Comment Period End	03/21/88	
Final Action	00/00/00	

Small Entity: No

Agency Contact: James Hannon, Chief, Physician & Other Medical Services Branch, Department of Health and Human Services, Health Care Financing Administration, Room 479 East High Rise, 6325 Security Blvd., Baltimore, MD 21207, **301 597-1734**

RIN: 0938-AD09

815. CONDITIONS OF PARTICIPATION FOR LONG TERM CARE FACILITIES

Significance: Regulatory Program

Legal Authority: 42 USC 1395x(j); 42 USC 1396a(a)(28); 42 USC 1396d(c); 42 USC 1302; 42 USC 1395hh

CFR Citation: 42 CFR 405.1101 to 405.1137; 42 CFR 442.1; 42 CFR 442.30; 42 CFR 442.100; 42 CFR 442.101; 42 CFR 442.105; 42 CFR 442.200 to 442.346; 42 CFR 483

Legal Deadline: None.

HHS—HCFA

Final Rule Stage

Abstract: In this final rule we respond to comments on our proposal and incorporate a number of self-implementing changes to the statute made by the Omnibus Budget Reconciliation Act of 1987, which was enacted after the proposed rule was published. These conditions would replace the existing separate conditions for SNFs participating in the Medicare program, and SNFs and ICFs participating in the Medicaid program. Although some essential distinctions imposed by the statute remain, these new conditions reflect common needs in SNFs and ICFs. The purpose of these revisions is to focus on actual facility performance in meeting residents' needs in a safe and healthful environment, rather than on the capacity of a facility to provider appropriate services. The results of this change in focus will be to enforce requirements from the perspective of quality of care and life for long term care patients, not only under Medicare and Medicaid, but generally since most of these requirements pertain to all patients of an SNF or ICF. These revisions are also expected to simplify Federal enforcement by using a single set of conditions for those activities we identify as common to all facilities.

Timetable:

Action	Date	FR Cite
NPRM	10/16/87	52 FR 38582
NPRM Comment Period End	01/14/88	52 FR 38582
Final Action	12/00/88	

Small Entity: Yes

Agency Contact: Samuel Kidder, Chief, Long Term Care Branch, Department of Health and Human Services, Health Care Financing Administration, Room 300 East High Rise, 6325 Security Blvd., Baltimore, MD 21207, **301 597-5909**

RIN: 0938-AD12

816. MEDICARE, MEDICAID, AND CLINICAL LABORATORIES IMPROVEMENT ACT (CLIA) PATIENT CONFIDENTIALITY RULES

Legal Authority: 42 USC 216; 42 USC 1302; 42 USC 1395x; 42 USC 1395hh

CFR Citation: 42 CFR 74; 42 CFR 405; 42 CFR 441

Legal Deadline: None.

Abstract: This rule eliminates the requirement that a laboratory maintain the name and other identification of individuals undergoing testing to determine the presence of the Human Immunodeficiency Virus (HIV) antibody or causative agent, if the laboratory is not seeking Medicare or Medicaid payment for these tests.

Timetable:

Action	Date	FR Cite
Final Action with comment period	04/00/88	

Small Entity: No

Agency Contact: Mike Goldman, Chief, Laboratory and Ambulatory Branch, Department of Health and Human Services, Health Care Financing Administration, 2D2 Meadows East, 6300 Security Blvd., Baltimore, MD 21207, **301 594-9737**

RIN: 0938-AD40

817. LONG TERM CARE SURVEY

Legal Authority: 42 USC 1302; 42 USC 1395x; 42 USC 1395bb; 42 USC 1395cc; 42 USC 1395hh; 42 USC 1395rr

CFR Citation: 42 CFR 405.1906; 42 CFR 442.30

Legal Deadline: Judicial, July 1, 1987. (Note: Published in Federal Register 7/1/87)

Abstract: These regulations respond to a U.S. District Court decision, which declared a previous rule affecting long term care surveys published in the Federal Register on June 13, 1986, to be procedurally invalid. The Court ordered that, by July 1, 1987, we publish a new proposed rule to correct the inadequacies identified by the Court. Accordingly, the proposed regulations described in detail HCFA's survey methodology, guidelines, and forms used in surveys, and the duties of the State survey agency. HCFA also solicited comments on the guidelines and forms that constitute the survey system set forth in appendices to the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/01/87	52 FR 24752
NPRM Comment Period End	09/29/87	52 FR 24752
Final Action	00/00/00	

Small Entity: Yes

Agency Contact: Wayne Smith, Director, Office of Survey and Certification, Department of Health and Human Services, Health Care Financing Administration, 6325 Security Blvd, Baltimore, MD 21207, **301 594-5547**

RIN: 0938-AD41

818. ● HOME HEALTH AGENCIES: HOME HEALTH AIDE TRAINING AND PATIENT RIGHTS

Significance: Agency Priority

Legal Authority: 42 USC 1302; 42 USC 1395x(m); 42 USC 1395x(dd); 42 USC 1395hh; 42 USC 1395x(o)

CFR Citation: 42 CFR 405.1202; 42 CFR 405.1203; 42 CFR 405.1227; 42 CFR 409.40; 42 CFR 418.94; 42 CFR 418.202

Legal Deadline: Statutory, October 1, 1988. Minimum standards for home health aide training and competency evaluation programs must, pursuant to P.L. 100-203, be established by October 1, 1988.

Abstract: These regulations will establish requirements for home health aide training that will apply to all home health agencies that provide home health aide services under Part A or B of the Medicare program. In order for home health aide services to be covered under the Medicare program, home health aides must have completed a training and competency evaluation program or a competency evaluation program that we approve. Conforming changes are being made to the hospice regulation with respect to hospice personnel that perform home health aide services. These regulations also require a home health agency to protect and promote the rights of each individual under its care.

Timetable:

Action	Date	FR Cite
Final With Comment Period	10/01/88	

Small Entity: No

Agency Contact: Thomas Hoyer, Director, Division of, Provider Services Coverage Policy, Department of Health and Human Services, Health Care Financing Administration, Room 405, EHR, 6325 Security Blvd, Baltimore, MD 21207, **301 594-9446**

RIN: 0938-AD45

819. ● SCHEDULES OF LIMITS ON HOME HEALTH AGENCY COSTS PER VISIT FOR COST REPORTING PERIODS BEGINNING ON OR AFTER JULY 1, 1988

Significance: Agency Priority

HHS—HCFA

Final Rule Stage

Legal Authority: 42 USC 1395x; 42 USC 1395hh; 42 USC 1302

CFR Citation: 42 CFR 413.30

Legal Deadline: None.

Abstract: This final notice with comment period set forth an updated schedule of limits on home health agency costs that may be reimbursed under the Medicare program. This updated schedule of limits will be applicable to cost reporting periods beginning on or after July 1, 1988.

Timetable:

Action	Date	FR Cite
Final Notice With Comment	06/01/88	

Small Entity: No

Agency Contact: William J. Goeller, Director, Division of Payment and Reporting, Department of Health and Human Services, Health Care Financing Administration, 1-F-5 ELR, 6325 Security Blvd., Baltimore, MD 21207, 301 597-1803

RIN: 0938-AD47

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Health Care Financing Administration (HCFA)

Completed Actions

820. SURVEY AND CERTIFICATION PROCEDURES

Significance: Regulatory Program

CFR Citation: 42 CFR 405; 42 CFR 442; 42 CFR 488; 42 CFR 489

Completed:

Reason	Date	FR Cite
Withdrawn New proposal to be issued using OBRA '87 requirements eff. 1990	02/26/88	

Small Entity: Yes

Agency Contact: Walter Merten 301 594-3812

RIN: 0938-AA38

821. RELATIONS WITH OTHER AGENCIES, MISCELLANEOUS MEDICAID DEFINITIONS AND THIRD PARTY LIABILITY QUALITY CONTROL

CFR Citation: 42 CFR 431.625; 42 CFR 435.1009; 42 CFR 440.2; 42 CFR 440.10; 42 CFR 440.20; 42 CFR 440.80; 42 CFR 431.800; 42 CFR 440.30; 42 CFR 441.200; 42 CFR 441.201; 42 CFR 441.202; 42 CFR 441.203; 42 CFR 441.206; 42 CFR 441.208

Completed:

Reason	Date	FR Cite
Final Action	12/17/87	52 FR 47926
Final Action Effective	01/19/88	52 FR 47926

Small Entity: No

Agency Contact: Thomas Hoyer 301 594-9446

RIN: 0938-AB21

822. FFP FOR SERVICES OF LONG TERM CARE FACILITIES

CFR Citation: 42 CFR 442.16; 42 CFR 442.40; 42 CFR 442.42

Completed:

Reason	Date	FR Cite
Final Action	08/28/87	52 FR 32544
Final Action Effective	09/28/87	52 FR 32544

Small Entity: No

Agency Contact: Gilda Martin 301 597-1399

RIN: 0938-AB42

823. MEDICAID PROGRAM; COVERAGE OF QUALIFIED PREGNANT WOMEN AND CHILDREN AND NEWBORN CHILDREN

CFR Citation: 42 CFR 435.3; 42 CFR 435.115; 42 CFR 435.116; 42 CFR 435.117; 42 CFR 435.301; 42 CFR 436.2; 42 CFR 436.114; 42 CFR 436.120; 42 CFR 436.124; 42 CFR 436.301

Completed:

Reason	Date	FR Cite
Final Action	11/09/87	52 FR 43063
Final Action Effective	12/09/87	52 FR 43063

Small Entity: No

Agency Contact: Richard Strauss 301 594-6529

RIN: 0938-AC02

824. CORRECTION AND REDUCTION PLANS FOR INTERMEDIATE CARE FACILITIES FOR THE MENTALLY RETARDED

CFR Citation: 42 CFR 442.1; 42 CFR 442.2; 42 CFR 442.109; 42 CFR 442.110; 42 CFR 442.111; 42 CFR 442.112; 42 CFR 442.113; 42 CFR 442.114; 42 CFR 442.115; 42 CFR 442.116

Completed:

Reason	Date	FR Cite
Final Action	01/25/88	53 FR 1984
Final Action Effective	04/07/86	53 FR 1984

Small Entity: Yes

Agency Contact: Mary Pratt 301 594-0005

RIN: 0938-AC51

825. SCHEDULE OF LIMITS FOR SKILLED NURSING FACILITY INPATIENT ROUTINE SERVICE COSTS FOR COST REPORTING PERIODS BEGINNING ON OR AFTER OCTOBER 1, 1987

Significance: Regulatory Program

CFR Citation: 42 CFR 413.30

Completed:

Reason	Date	FR Cite
Final Action	10/02/87	52 FR 37098
Final Action Effective	10/01/87	

Small Entity: No

Agency Contact: William Goeller 301 597-1802

RIN: 0938-AC54

826. REASONABLE CHARGE PAYMENT LIMITS FOR ENTERAL PRODUCTS AND SUPPLIES

Significance: Agency Priority

CFR Citation: 42 CFR 405.502

Completed:

Reason	Date	FR Cite
Withdrawn while continuing to analyze issues.	02/17/88	

Small Entity: Yes

Agency Contact: Sharon Harris 301 594-9474

RIN: 0938-AC67

827. ENTITIES PERFORMING QUALITY OF CARE REVIEW OF SERVICES PROVIDED BY RISK-BASIS HEALTH MAINTENANCE ORGANIZATIONS AND COMPETITIVE MEDICAL PLANS

CFR Citation: 42 CFR 466.70; 42 CFR 466.71; 42 CFR 466.72; 42 CFR 476.133; 42 CFR 476.137

Completed:

Reason	Date	FR Cite
Final Action	10/07/87	52 FR 37454
Final Action Effective	10/07/87	

Small Entity: No

Agency Contact: Richard Husk 301 594-7909

RIN: 0938-AC85

828. END STAGE RENAL DISEASE PROGRAM: RESPONSIBILITIES OF NETWORK ORGANIZATIONS

CFR Citation: 42 CFR 405.2112; 42 CFR 405.2113

Completed:

Reason	Date	FR Cite
Final Action 42 CFR 405.2112(f) and (j) subject to OMB approval	01/21/88	53 FR 1617
Final Action Effective	02/22/88	53 FR 1617

Small Entity: No

Agency Contact: Spencer Colburn 301 594-3413

RIN: 0938-AC86

829. END STAGE RENAL DISEASE PROGRAM: REVISED NETWORK AREA DESIGNATIONS

Significance: Agency Priority

CFR Citation: Not applicable

Completed:

Reason	Date	FR Cite
Final Action	10/02/87	52 FR 37018
Final Action Effective	11/02/87	52 FR 37018

Small Entity: Yes

Agency Contact: Spencer Colburn 301 594-3413

RIN: 0938-AC87

830. MEDICARE ECONOMIC INDEX FOR REASONABLE CHARGES (EFFECTIVE 01/01/88)

CFR Citation: 42 CFR 405.504

Completed:

Reason	Date	FR Cite
Final Action	10/14/87	52 FR 38145
Final Action Effective	01/01/88	52 FR 38145

Small Entity: Not Applicable

Agency Contact: Roland King 301 594-2826

RIN: 0938-AC91

831. PART B PREMIUM FOR 12-MONTH PERIOD BEGINNING 01/01/88

CFR Citation: 42 CFR 405.902

Completed:

Reason	Date	FR Cite
Final Action	09/30/87	52 FR 36716
Final Action Effective	01/01/88	52 FR 36716

Small Entity: Not Applicable

Agency Contact: Solomon Mussey 301 594-2829

RIN: 0938-AC92

832. INPATIENT HOSPITAL DEDUCTIBLE AND COINSURANCE AMOUNTS AND PART A PREMIUM FOR THE UNINSURED AGED FOR 1988

CFR Citation: 42 CFR 408.22; 42 CFR 409.80; 42 CFR 409.82; 42 CFR 409.83; 42 CFR 409.85

Completed:

Reason	Date	FR Cite
Final Action	09/16/87	52 FR 35056
Final Action Effective	01/01/88	52 FR 35056

Small Entity: Not Applicable

Agency Contact: Solomon Mussey 301 594-2829

RIN: 0938-AC94

833. PERIODIC INTERIM PAYMENTS FOR HOSPITALS

CFR Citation: 42 CFR 412.113; 42 CFR 412.116; 42 CFR 413.64; 42 CFR 418.307

Completed:

Reason	Date	FR Cite
Final Action Comment Period Ends 03/22/88	01/21/88	53 FR 1621
Final Action Effective	02/22/88	53 FR 1621

Small Entity: Yes

Agency Contact: William Goeller 301 597-1802

RIN: 0938-AC96

834. PAYMENT FOR FACILITY SERVICES RELATED TO AMBULATORY SURGICAL PROCEDURES PERFORMED IN HOSPITALS ON AN OUTPATIENT BASIS

Significance: Agency Priority

CFR Citation: 42 CFR 413.13; 42 CFR 413.118

Completed:

Reason	Date	FR Cite
Final Action Eff. for cost reporting beginning on or after 10/1/87.	10/01/87	52 FR 36765
Final Action Effective	10/01/87	52 FR 36765

Small Entity: Yes

Agency Contact: William Goeller 301 597-1803

RIN: 0938-AD00

835. STANDARDS FOR THE REUSE OF DIALYSIS FILTERS AND OTHER DIALYSIS SUPPLIES

Significance: Regulatory Program

CFR Citation: 42 CFR 405.2136; 42 CFR 405.2138; 42 CFR 405.2139; 42 CFR 405.2140; 42 CFR 405.2150

Completed:

Reason	Date	FR Cite
Final Action	10/02/87	52 FR 36926
Final Action Effective	10/02/87	52 FR 39626

Small Entity: Yes

Agency Contact: Rita McGrath 301 594-6719

RIN: 0938-AD10

836. SUPPLEMENTARY MEDICAL INSURANCE PREMIUMS

CFR Citation: 42 CFR 405; 42 CFR 406

Completed:

Reason	Date	FR Cite
Final Action	12/18/87	52 FR 48112
Final Action Effective	03/17/88	52 FR 48112

Small Entity: No

Agency Contact: Luisa V. Iglesias 202 245-0383

RIN: 0938-AD19

837. ORGAN PROCUREMENT ORGANIZATIONS AND ORGAN PROCUREMENT PROTOCOLS

Significance: Regulatory Program

CFR Citation: 42 CFR 485.308; 42 CFR 405.2102; 42 CFR 405.2163; 42 CFR 405.2171; 42 CFR 413.178; 42 CFR 441.10; 42 CFR 441.13; 42 CFR 482.12; 42 CFR 485.301; 42 CFR 485.302; 42 CFR 485.303; 42 CFR 485.304; 42 CFR 485.305; 42 CFR 485.306; 42 CFR 485.307; ...

Completed:

Reason	Date	FR Cite
Final Action	03/01/88	53 FR 6526
Final Action Effective	03/31/88	

Small Entity: No

Agency Contact: Robert Wren 301 594-9690

RIN: 0938-AD20

838. DISCONTINUATION OF BAD DEBT PAYMENT FOR HOSPITALS SUBJECT TO THE PROSPECTIVE PAYMENT SYSTEM

Significance: Agency Priority

CFR Citation: 42 CFR 412.2; 42 CFR 412.115; 42 CFR 413.80

Completed:

Reason	Date	FR Cite
Withdrawn OBRA 87 prohibits change in policy in effect on 8/1/87.	01/14/88	

Small Entity: Yes

Agency Contact: Charles Booth 301 594-9760

RIN: 0938-AD27

839. HOME HEALTH AGENCIES AIDE TRAINING AND DISCHARGE PLANNING, AND CONFORMING CHANGES TO THE HOSPICE PROGRAM

Significance: Agency Priority

CFR Citation: 42 CFR 405.1202; 42 CFR 405.1223; 42 CFR 405.1227; 42 CFR 405.1228; 42 CFR 409.40; 42 CFR 418.94; 42 CFR 418.202

Completed:

Reason	Date	FR Cite
Withdrawn Per OBRA '87 will be included in two other regulations	01/20/88	

Small Entity: No

Agency Contact: Thomas Hoyer 301 594-9446

RIN: 0938-AD29

840. ALIEN ELIGIBILITY, IMMIGRATION STATUS VERIFICATION AND WAIVER PROCEDURES FOR AFDC STATE ADMINISTERED ADULT ASSISTANCE AND MEDICAID PROGRAMS

CFR Citation: 42 CFR 433.15; 42 CFR 435.970; 42 CFR 435.972; 42 CFR 435.974; 42 CFR 435.976; 42 CFR 435.978; 42 CFR 435.980; 42 CFR 435.1010; 42 CFR 435.1015; 42 CFR 435.4; 42 CFR 435.402; 42 CFR 435.900; 42 CFR 435.945; 42 CFR 435.948

Completed:

Reason	Date	FR Cite
Withdrawn appears elsewhere in the Agenda.	02/26/88	

Small Entity: No

Agency Contact: David L. Landis 301 594-8000

RIN: 0938-AD35

841. TARGETING INFORMATION FOR INCOME AND ELIGIBILITY VERIFICATION

CFR Citation: 42 CFR 433.138; 42 CFR 435.941; 42 CFR 435.945; 42 CFR 435.952; 42 CFR 435.953

Completed:

Reason	Date	FR Cite
Withdrawn - Appears elsewhere in the agenda	01/25/88	

Small Entity: No

Agency Contact: David Landis 301 594-8000

RIN: 0938-AD37

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS) — Proposed Rule Stage

Family Support Administration (FSA)

842. SCOPE OF PAYMENTS

Significance: Agency Priority

Legal Authority: 42 USC 1102; 42 USC 602

CFR Citation: 45 CFR 233.20(a)(2)(i); 45 CFR 233.20(a)(2)(V); 45 CFR 233.120

Legal Deadline: None.

Abstract: These proposed regulations would clarify that States may not provide simultaneous multiple shelter allowances or special need allowances to recipients under Titles I, IV-A, X, XIV, and XVI of the Social Security Act based on the type of housing in which they reside. Also, these regulations would limit Federal matching under the Emergency Assistance program to one 30-day period in twelve consecutive months and would require States to specify the maximum amount of assistance to be provided for each type of emergency.

Timetable:

Action	Date	FR Cite
ANPRM	03/01/87	
NPRM	03/00/88	
NPRM Comment Period End	05/00/88	
Final Action	11/00/88	

Small Entity: No

Additional Information: Split off from Regulation on Administrative

Improvement in the AFDC Program (RIN 0960-AB72).

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Government Levels Affected: Local, State, Federal

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA00

843. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; ADMINISTRATIVE IMPROVEMENT IN THE AFDC PROGRAM

Significance: Regulatory Program

Legal Authority: 42 USC 303; 42 USC 602; 42 USC 606; 42 USC 1403; 42 USC 1383 Note; 42 USC 1302

CFR Citation: 45 CFR 205; 45 CFR 224; 45 CFR 232; 45 CFR 233; 45 CFR 238

Legal Deadline: None.

Abstract: The proposed rule will organize and codify those administrative changes which will better target program resources, reduce administrative cost, or increase State flexibility.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	
NPRM Comment Period End	11/30/88	
Final Action	02/28/89	

Small Entity: No

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA09

844. STANDARDS FOR CHILD SUPPORT ENFORCEMENT PROGRAM OPERATIONS

Significance: Regulatory Program

Legal Authority: 42 USC 1302

CFR Citation: 45 CFR 302; 45 CFR 303; 45 CFR 304; 45 CFR 305; 45 CFR 306

Legal Deadline: None.

Abstract: These proposed regulations will revise requirements and program standards to streamline and improve case processing within the IV-D agency. Specific standards and timeframes will be proposed for certain actions required to be taken in processing an IV-D case.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
Final Action	03/00/89	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Joyce Linder, Program Specialist, Office of Child Support Enforcement, FSA, Department of Health and Human Services, Family Support Administration, 330 C Street, S.W., Washington, DC 20201, 202 245-1773

RIN: 0970-AA16

845. CHILD SUPPORT ENFORCEMENT AUDIT REGULATIONS

Significance: Regulatory Program

Legal Authority: 42 USC 603(h); 42 USC 604(d); 42 USC 652(a)(1); 42 USC 652(a)(4); 42 USC 1302

CFR Citation: 45 CFR 305

Legal Deadline: None.

Abstract: OCSE is proposing to amend the current program regulations governing child support program audits. These proposed rules would streamline the current audit process and requirements and make corrections to certain inaccuracies in the audit regulations. In addition, we propose to add new performance indicators and update the scoring system.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	
Final Action	02/00/89	

Small Entity: No

Agency Contact: Elizabeth Matheson, Program Specialist, Office of Child Support Enforcement, FSA, Department of Health and Human Services, Family Support Administration, 330 C Street, S.W., Washington, DC 20201, 202 245-1999

RIN: 0970-AA17

846. DISTRIBUTION OF CHILD SUPPORT COLLECTIONS

Legal Authority: 42 USC 657; 42 USC 1302

CFR Citation: 45 CFR 302.51

Legal Deadline: None.

Abstract: OCSE is proposing to revise the child support enforcement program regulations governing the distribution of child support collections. These proposed rules would clarify the requirements that State child support enforcement agencies must adhere to when distributing payments made to AFDC families.

Timetable:

Action	Date	FR Cite
NPRM	01/00/89	
Final Action	06/00/89	

Small Entity: No

Agency Contact: Michael Fitzgerald, Program Specialist, Office of Child Support Enforcement, FSA, Department of Health and Human Services, Family Support Administration, 330 C Street, S.W., Washington, DC 20201, 202 245-1974

RIN: 0970-AA18

847. ALIEN VERIFICATION PROCEDURES FOR AFDC; STATE ADMINISTERED ADULT ASSISTANCE AND MEDICAID PROGRAMS; NOTICE OF PROPOSED RULEMAKING

Significance: Agency Priority

Legal Authority: PL 99-603, Sec 121; Immigration Reform and Control Act of 1986

CFR Citation: 45 CFR 233; 42 CFR 435; 45 CFR 205; 45 CFR 45; 42 CFR 433; 42 CFR 436

Legal Deadline: Statutory, October 1, 1987. INS must make an alien verification system that can be accessed by States by October 1, 1987. States may claim 100% reimbursement for implementing and operating SAVE on October 1, 1987.

Abstract: IRCA imposes new procedures on the AFDC, Adult Assistance Programs and Medicaid to verify immigration status of aliens applying for benefits under these programs with the Immigration and Naturalization Service. Under the law, States must be reimbursed at 100% for costs of their implementation and operation to access the alien status verification system. This regulation will specify what costs incurred by states

will be subject to 100% reimbursement. To provide uniformity and consistency between the AFDC and Medicaid programs with respect to reimbursement, the proposed rule will be issued jointly with a common preamble.

Timetable:

Action	Date	FR Cite
NPRM	05/30/88	
NPRM Comment Period End	07/30/88	
Final Action Effective	10/01/88	
Final Action	11/30/88	

Small Entity: No

Additional Information: The IRCA Implementing Task Force serves as the primary focal point for coordinating HHS responsibility under IRCA. The Task Force is the contact source for the issuance of the joint FSA/HCFA rule regarding alien verification procedures under the AFDC, Medicaid and Adult Assistance programs.

Government Levels Affected: State

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA41

848. ● EXCLUSION OF INDIAN TRUST FUNDS AND ALASKA NATIVE CLAIMS SETTLEMENT ACT DISTRIBUTIONS (ANCSA)

Significance: Regulatory Program

Legal Authority: PL 97-458, Sec 4; PL 98-64, Sec 2; PL 92-203, as amended

CFR Citation: 45 CFR 233.20(a)(4)(ii)(n); 45 CFR 233.20(a)(4)(ii)(o); 45 CFR 233.20(a)(4)(ii)(e); 45 CFR 233.20(a)(4)(ii)(k)

Legal Deadline: None.

Abstract: Would update current regulations by adding additional statutory exclusions for Indian Judgment Funds and other funds held in trust or distributed per capita under a plan approved by Congress of the Department of Interior and initial purchases made with such funds. Additionally, would exclude all land distributions made pursuant to Alaska Native Claims Settlement Act. Regulations would reflect the statutes, therefore, no alternatives are being considered. We have determined that there would be some savings under the trust funds exclusions, but there would be some costs under the ANCSA exclusion. In any given year, we estimate the maximum typical savings would be $350,000 and maximum typical costs would be $120,000. Therefore, the typical annual result would be a savings of $230,000. The regulations will provide guidelines to States for implementing the statutory provisions.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA47

849. ● COOPERATION IN THIRD PARTY HEALTH COVERAGE

Significance: Regulatory Program

Legal Authority: Sec 402(a)(26) of the Scl Scrty Act as amended by Sec 12304; The Consolidated Omnibus Budget Reconciliation Act of 1985

CFR Citation: 45 CFR 232.13; 45 CFR 232.40; 45 CFR 232.41; 45 CFR 232.42; 45 CFR 232.43; 45 CFR 232.44; 45 CFR 232.45; 45 CFR 232.47; 45 CFR 232.49; 45 CFR 235.70

Legal Deadline: None.

Abstract: The proposed rules specify that as a condition of eligibility for AFDC, each applicant or recipient must cooperate with the State by identifying and providing information to assist the State in pursuing any third party who may be liable to pay for care and services available under the State's plan for medical assistance under title XIX, unless such individual has good cause for refusing to cooperate as determined by the State agency in accordance with standards prescribed by the Secretary.

Timetable:

Action	Date	FR Cite
NPRM	07/01/88	
NPRM Comment Period End	09/01/88	
Final Action	01/00/89	

Small Entity: No

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA49

850. ● COOPERATIVE AGREEMENTS

Significance: Agency Priority

Legal Authority: 42 USC 1302; 42 USC 654(7); 42 USC 652

CFR Citation: 45 CFR 302.34; 45 CFR 303.107; 45 CFR 304.22; 45 CFR 305.34

Legal Deadline: None.

Abstract: The regulation specifies provisions that must be contained in all cooperative agreements between IV-D agencies and courts and law enforcement agencies and in all purchase of service agreements between IV-D agencies and any other agency, private organization or individual.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	12/00/88	

Small Entity: No

Agency Contact: Norma Staley, Program Analyst, Department of Health and Human Services, Family Support Administration, 330 C Street SW, Washington, D.C. 20201, 202 245-1960

RIN: 0970-AA50

851. ● FY 1988 SCORING SYSTEM FOR PERFORMANCE INDICATORS

Significance: Agency Priority

Legal Authority: 42 USC 602(a)(27); 42 USC 652(a)(4); 42 USC 603(h); 42 USC 1302

CFR Citation: 45 CFR 305.98

Legal Deadline: None.

Abstract: The regulation updates the scoring system for performance indicators to include the four accounts receivable indicators effective FY 1988.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	
Interim Final Rule	08/00/88	
Final Action	02/00/89	

HHS—FSA

Proposed Rule Stage

Small Entity: No

Additional Information: This regulation was intended to be part of revisions to program audit regulations (0970-AA17). Because a new scoring system must be published as soon as possible this part of the larger effort to revise the audit regulations is being separated and published as an interim final rule with comment period.

Agency Contact: John Treacy, Program Analyst, Department of Health and Human Services, Family Support Administration, 330 C Street SW, Washington, D.C., 202 245-1981

RIN: 0970-AA51

852. ● FEDERAL TAX REFUND OFFSET PROCESS - PRE-OFFSET NOTICE FEE

Significance: Agency Priority

Legal Authority: 42 USC 664; 42 USC 1302; 42 USC 654(13); 42 USC 6505

CFR Citation: 45 CFR 303.72

Legal Deadline: None.

Abstract: These regulations would permit OCSE to charge a fee for services provided in the Federal tax refund offset process. They would require State IV-D agencies to send pre-offset notices to absent parents unless the State requests and OCSE agrees to send the notices. In addition IRS fees would be deducted from offset amounts rather than billed and collected by HHS.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	10/00/88	

Small Entity: No

Agency Contact: Carol Jordan, Program Specialist, Department of Health and Human Services, Family Support Administration, 330 C Street SW, Washington, D.C. 20201, 202 245-1979

RIN: 0970-AA52

853. ● OMNIBUS BUDGET RECONCILIATION ACT OF 1987

Significance: Agency Priority

Legal Authority: PL 100-203, Sec 9133; The Omnibus Budget Reconciliation Act of 1987

CFR Citation: 45 CFR 233.53; 45 CFR 235.111; 45 CFR 233.20(a)(3)(x)

Legal Deadline: None.

Abstract: These proposed rules implement sections of OBRA regarding the support and maintenance disregard, the optional fraud control program, and treatment of foster care payments.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	
NPRM Comment Period End	08/31/88	

Small Entity: No

Government Levels Affected: State

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA56

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)
Family Support Administration (FSA)

Final Rule Stage

854. REFUGEE CASH AND MEDICAL ASSISTANCE

Significance: Agency Priority

Legal Authority: 8 USC 1522(a)(9)

CFR Citation: 45 CFR 400

Legal Deadline: None.

Abstract: This NPRM will provide special programs of refugee cash assistance (RCA) and refugee medical assistance (RMA) for the 12-month period beginning with the first month a refugee entered the United States.

Timetable:

Action	Date	FR Cite
NPRM	10/19/87	
NPRM Comment Period End	12/03/87	
Final Action Effective	02/15/88	
Final Action	06/00/88	

Small Entity: No

Government Levels Affected: Local, State

Agency Contact: Philip A. Holman, Director, Div. of Policy & Analysis, Office of Refugee Resettlement, Department of Health and Human Services, Family Support Administration, Rm 1229, 330 C Street, SW, Washington, DC 20201, 202 245-1027

RIN: 0970-AA01

855. RETROACTIVE MODIFICATION OF CHILD SUPPORT ARREARAGES

Legal Authority: PL 99-509, Sec 9103

CFR Citation: 45 CFR 302; 45 CFR 303; 45 CFR 304

Legal Deadline: None.

Abstract: This NPRM requires, as a result of the Omnibus Budget Reconciliation Act of 1986, that child support payments be judgments on and after the day they fall due as well as requires that States have procedures to prohibit the retroactive modification of child support arrearages.

Timetable:

Action	Date	FR Cite
NPRM	09/14/87	52 FR 34689
Final Action	08/00/88	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Michael Fitzgerald, Program Specialist, Department of Health and Human Services, Family Support Administration, 330 C Street, S.W., Washington, DC 20201, 202 245-1974

RIN: 0970-AA03

856. AID TO FAMILIES WITH DEPENDENT CHILDREN; DEFINITION OF PERMISSIBLE STATE PRACTICE-QUALITY CONTROL

Significance: Agency Priority

Legal Authority: 42 USC 1302; 42 USC 602

CFR Citation: 45 CFR 205.40(a)(8)

Legal Deadline: None.

Abstract: This rule will amend the definition of "Permissible State Practice." The rule will enable quality control to review against Federal statutes and regulations when a state plan is not amended to reflect new federal rules, or when a State plan amendment is submitted which is inconsistent with new federal rules but the Department has not yet acted upon it or when a State plan amendment is submitted which is inconsistent with current Federal rules and there is no current applicable State plan provision.

Timetable:

Action	Date	FR Cite
NPRM	06/18/85	50 FR 25269
NPRM Comment Period End	08/19/85	

Next Action Undetermined

Small Entity: No

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA04

---

857. AID TO FAMILIES WITH DEPENDENT CHILDREN; TREATMENT OF UTILITY PAYMENTS BY APPLICANT OR RECIPIENTS LIVING IN CERTAIN FEDERALLY ASSISTANCE HOUSING

Legal Authority: PL 98-181, Sec 221; 42 USC 602; 42 USC 1302; PL 98-479, Sec 102

CFR Citation: 45 CFR 233.20

Legal Deadline: None.

Abstract: The proposed rule will provide that Housing and Urban Development Assisted Aid to Families With Dependent Children tenants who pay at HUD's direction utilities but no rent to landlord will have their utility payment considered rent by a State IV-A agency in computing the AID to Families With Dependent Children grant.

Timetable:

Action	Date	FR Cite
NPRM	08/27/87	52 FR 32323
NPRM Comment Period End	10/26/87	
Final Action	06/30/88	

Small Entity: No

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA05

---

858. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; IMPLEMENTATION OF THE DEFICIT REDUCTION ACT OF 1984

Significance: Agency Priority

Legal Authority: 42 USC 1302; PL 98-369 The Deficit Reduction Act of 1984; PL 99-514 The Tax Reform Act of 1986

CFR Citation: 45 CFR 233.36; 45 CFR 237.50; 45 CFR 238.18; 45 CFR 238.20; 45 CFR 238.50; 45 CFR 239.12; 45 CFR 239.14; 45 CFR 239.16; 45 CFR 239.24; 45 CFR 239.58; 45 CFR 239.82; 45 CFR 233.10; 45 CFR 233.90; 45 CFR 232.20; 45 CFR 233.35; ...

Legal Deadline: None.

Abstract: The final regulations will clarify provisions first published in the Interim Final Rules implementing the Deficit Reduction Act of 1984 and as clarified by the Tax Reform Act of 1986.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/10/84	49 FR 35586
Final Action	06/30/88	

Small Entity: No

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA06

---

859. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; EXTENSION OF MEDICAID ELIGIBILITY WHEN SUPPORT COLLECTIONS RESULT IN TERMINATION OF AFDC ELIGIBILITY

Legal Authority: 42 USC 606; 42 USC 1302; PL 98-378, Sec 20

CFR Citation: 45 CFR 233; 42 CFR 435; 42 CFR 436

Legal Deadline: Statutory, September 30, 1988.

Abstract: This NPRM rule, which implements section 20 of the Child Support Enforcement Amendments of 1984 (Pub. L. 98-378) specifies that in any case where the collection or increased collection of support under title IV-D of the Social Security Act contributes wholly or partly to a family's ineligibility for AFDC, the family is deemed, but only for the purpose of Medicaid eligibility, to be receiving AFDC for a period of four calendar months after the last month of AFDC eligibility. This applies only to families who receive AFDC in three of the six months immediately preceding the month of ineligibility. "Received" includes those individuals denied an AFDC payment solely because the payment amount is under $10, the recoupment of an overpayment, or because the payment is determined to be zero as a result of rounding. The estimated costs are: FY 1985--$30 million, FY 1986--$45 million, FY 1987--$50 million, and FY 1988--$55 million.

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
Final Action	12/00/88	
Final Action Effective	12/00/88	

Small Entity: No

Affected Sectors: None

Government Levels Affected: State

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second St., SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA07

---

860. CONSISTENCY FOR THE FOOD STAMP PROGRAM, AFDC PROGRAM, AND THE ADULT ASSISTANCE PROGRAMS

Significance: Regulatory Program

Legal Authority: 42 USC 1302; Sec. 1102, 49 Stat. 647

CFR Citation: 45 CFR 205.10(a)(4)(ii); 45 CFR 233.31(b); 45 CFR 233.20(a)(6)(v)(B); 45 CFR 205.10(a)(7); 45 CFR 205.10(a)(13); 45 CFR 205.52; 45 CFR 233.20(a)(3)(ii)(D); 45 CFR 233.20(a)(3)(iii)

Legal Deadline: None.

Abstract: Proposed rule will provide increased consistency in eligibility

policies and procedures between the AFDC and Food Stamp programs, within existing statutory requirements. The aim is to improve and simplify program administration and ease the burden placed upon the State agencies and individuals applying for assistance.

Timetable:

Action	Date	FR Cite
ANPRM	02/19/85	50 FR 6970
ANPRM Comment Period End	04/22/85	50 FR 6970
NPRM	09/29/87	52 FR 36546
NPRM Comment Period End	11/30/87	
Final Action	09/30/88	

Small Entity: Undetermined

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA08

861. REFUGEE RESETTLEMENT PROGRAM; REFUGEE CASH AND ASSISTANCE; REQUIREMENTS FOR JOB SEARCH, EMPLOYMENT SERVICES, AND EMPLOYMENT; REFUGEE MEDICAL ASSISTANCE; AND REFUGEE SOCIAL SERVICES

Significance: Regulatory Program

Legal Authority: 8 USC 1522(a)(9)

CFR Citation: 45 CFR 400

Legal Deadline: None.

Abstract: This regulation will establish requirements governing refugee cash assistance; refugee medical assistance; and refugee support (social) services, including job search employability services, and employment.

Timetable:

Action	Date	FR Cite
NPRM	01/30/86	51 FR 03918
NPRM Comment Period End	04/30/86	
Final Action	08/00/88	

Small Entity: No

Agency Contact: Philip A. Holman, Director, Div. of Policy & Analysis, Department of Health and Human Services, Family Support Administration, Rm 1229, 330 C Street, SW, Washington, DC 20201, 202 245-1027

RIN: 0970-AA10

862. AID TO FAMILIES WITH DEPENDENT CHILDREN PROGRAM; GENERAL ADMINISTRATION -- PUBLIC ASSISTANCE PROGRAM -- QUALITY CONTROL SYSTEM

Significance: Agency Priority

Legal Authority: 42 USC 1302; PL 97-248; PL 96-123

CFR Citation: 45 CFR 205.42; 45 CFR 205.44

Legal Deadline: None.

Abstract: These proposed rules amend the QC regulations under the AFDC program by establishing more definitive criteria to be used in determining whether waivers will be granted to states that fail to meet the statutory error standard.

Timetable:

Action	Date	FR Cite
NPRM	02/02/87	52 FR 21
NPRM Comment Period End	04/03/87	

Next Action Undetermined

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1986

Government Levels Affected: Local, State, Federal

Agency Contact: Sean Hurley, Director, Division of Quality Control, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-2292

RIN: 0970-AA11

863. MEDICAL SUPPORT ENFORCEMENT #2

Significance: Regulatory Program

Legal Authority: 42 USC 652(f); 42 USC 1302

CFR Citation: 45 CFR 305; 45 CFR 306

Legal Deadline: None.

Abstract: These regulations would revise existing requirements governing cooperative agreements between Medicaid and IV-D agencies to provide medical support enforcement services and require enhanced State IV-D agency efforts in medical support enforcement.

Timetable:

Action	Date	FR Cite
NPRM	05/27/87	52 FR 19738
Final Action	06/00/88	

Small Entity: No

Additional Information: Related to RIN 0992-AA12 - Medical Support Enforcement.

Agency Contact: Andrew Hagan, Program Specialist, Office of Child Support Enforcement, OFA, Department of Health and Human Services, Family Support Administration, 330 C Street, S.W., Washington, DC 20201, 202 245-1992

RIN: 0970-AA13

864. DISREGARD OF CHILD SUPPORT PAYMENTS; REGULATIONS IMPLEMENTING THE DEFICIT REDUCTION ACT OF 1984

Legal Authority: 42 USC 1302; 42 USC 657(b)(1)

CFR Citation: 45 CFR 302.51

Legal Deadline: None.

Abstract: This final rule implements the Deficit Reduction Act of 1984 which amends the Social Security Act to require that the first $50 collected on a monthly support obligation be paid to the Aid to Families with Dependent Children (AFDC) family. This amount does not affect the family's AFDC eligibility or the amount of assistance to which they were entitled.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/10/84	49 FR 35604
Final Action	05/00/88	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Carol Jordan, Program Specialist, Office of Child Support Enforcement, FSA, Department of Health and Human Services, Family Support Administration, 330 C Street, S.W., Washington, DC 20201, 202 245-1979

RIN: 0970-AA15

HHS—FSA

Final Rule Stage

865. GRANTS TO STATES FOR PUBLIC ASSISTANCE PROGRAMS, TREATMENT OF REPLACEMENT CHECKS

Legal Authority: 42 USC 1302; 42 USC 603

CFR Citation: 45 CFR 201.5

Legal Deadline: None.

Abstract: This proposed regulation will require States to report on their quarterly statement of expenditures the Federal share of previously claimed assistance checks which are determined to be: (1) replacements of checks cashed by eligible recipients, or (2) original checks cashed by persons other than the authorized payee. This rule will also clarify procedures for claiming Federal Financial Participation for duplicate checks.

Timetable:

Action	Date	FR Cite
NPRM	07/24/87	52 FR 142
NPRM Comment Period End	09/22/87	
Final Action	06/00/88	

Small Entity: No

Agency Contact: A. Gary Mounts, Deputy Associate Administrator, Office of Grants Management, OFM, Department of Health and Human Services, Family Support Administration, Office of Grants Management, Office of Financial Management, 330 C Street, S.W. Washington, DC 2020l, 202 245-9657

RIN: 0970-AA19

866. ESSENTIAL PERSONS

Significance: Agency Priority

Legal Authority: 42 USC 602; 42 USC 1302

CFR Citation: 45 CFR 233.20

Legal Deadline: None.

Abstract: The proposed regulation would preclude States from considering individuals to be essential persons for purposes of the AFDC program if they do not provide an essential benefit or service to the family.

Timetable:

Action	Date	FR Cite
NPRM	10/05/87	52 FR 37183
NPRM Comment Period End	11/19/87	
Final Action	06/30/88	

Small Entity: No

Additional Information: Split off from Regulation 00 Administrative Improvement in the AFDC Program (RIN 0970-aa09)

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Government Levels Affected: Local, State, Federal

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA44

867. ● ALIEN LEGALIZATION

Significance: Regulatory Program

Legal Authority: PL 99-603, Sec 201; The Immigration Reform and Control Act of 1986; PL 99-603, Sec 302; The Immigration Reform and Control Act of 1986

CFR Citation: 45 CFR 206.10(a)(1)(vii)(B); 45 CFR 233.20(a)(3)(vi)(B); 45 CFR 233.50(c)

Legal Deadline: None.

Abstract: These rules implement provisions of the Immigration Reform and Control Act of 1986, PL 99-603, as they relate to the Eligibility determining requirements of aliens applying for assistance payments under the AFDC and Adult Assistance Programs. Applicants who apply for a legal alien status under the new INS designated legalization program will be disqualified for a period of 5 years for entitlement to AFDC. Cuban/Haitian entrants designated with such a status by INS are exempt from this disqualification provision. The disqualification provision does not apply to applicants for legalization from applying for assistance under the Adult Assistance Program conducted in Guam, Puerto Rico, and the Virgin Islands. These rules also specify how income or disqualified alien parents and siblings should be counted in determining the eligibility of a dependent child.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/24/87	52 FR 48687
NPRM Comment Period End	02/22/88	
Final Action	07/30/88	

Small Entity: No

Government Levels Affected: State

Agency Contact: Diann Dawson, Director, Division of Policy, Office of Family Assistance, Department of Health and Human Services, Family Support Administration, 2100 Second Street, SW, Washington, DC 20201, 202 245-3290

RIN: 0970-AA48

DEPARTMENT OF HEALTH AND HUMAN SERVICES (HHS)

Family Support Administration (FSA)

Completed Actions

868. CHILD SUPPORT ENFORCEMENT PROGRAM; QUARTERLY REPORTING REQUIREMENTS

CFR Citation: 45 CFR 301; 45 CFR 304

Completed:

Reason	Date	FR Cite
Withdrawn	03/01/88	

Small Entity: No

Agency Contact: Joyce Linder 202 245-1773

RIN: 0970-AA02

869. PROVISION OF SERVICES IN INTERSTATE IV-D CASES

Significance: Regulatory Program

CFR Citation: 45 CFR 301; 45 CFR 302; 45 CFR 303; 45 CFR 305

Completed:

Reason	Date	FR Cite
Final Action	02/22/88	53 FR 5246

Small Entity: No

Agency Contact: Joyce Linder 202 245-1773

RIN: 0970-AA23

870. CASE CLOSURE

CFR Citation: 45 CFR 303

Completed:

Reason	Date	FR Cite
Merged with 0970-AA16	03/01/88	

Small Entity: No

Agency Contact: Craig Hathaway 202 245-1973

RIN: 0970-AA24

871. STATE LEGALIZATION IMPACT ASSISTANCE GRANTS

Significance: Agency Priority

CFR Citation: 45 CFR 16; 45 CFR 402

Completed:

Reason	Date	FR Cite
Final Action	03/10/88	53 FR 7832
Final Action Effective	03/10/88	

Small Entity: No

Agency Contact: Norman L. Thompson 202 245-0562

RIN: 0970-AA40

[FR Doc. 88-5082 Filed 04-22-88; 8:45 am]

BILLING CODE 4150-04-T

federal register

Monday
April 25, 1988

Part IX

Department of Housing and Urban Development

Semiannual Regulatory Agenda

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

24 CFR Subtitles A and B

[Docket No. N-88-1775]

Semiannual Agenda of Regulations

AGENCY: Department of Housing and Urban Development.

ACTION: Semiannual agenda, under Executive Order 12291 and the Regulatory Flexibility Act, of regulations expected to be issued and under review.

SUMMARY: In accordance with section 5 of Executive Order 12291, "Federal Regulation," the Department is publishing its agenda of proposed regulations already issued or expected to be issued, and of currently effective rules that are under review. Also, under section 602 of the Regulatory Flexibility Act, the Department has prepared a regulatory flexibility agenda of regulations expected to be proposed or promulgated which are likely to have a significant economic impact on a substantial number of small entities. As permitted by Executive Order 12291 and the Regulatory Flexibility Act, the two agendas are combined for publication.

FOR FURTHER INFORMATION CONTACT: Grady J. Norris, Assistant General Counsel for Regulations, Department of Housing and Urban Development, Room 10276, 451 Seventh Street, SW., Washington, DC 20410, (202) 755-7055. (This is not a toll-free number.)

SUPPLEMENTARY INFORMATION: Executive Order 12291, "Federal Regulation," issued on February 17, 1981 (46 FR 13193), requires each agency to publish semiannually an agenda of regulations that the agency has issued or expects to issue and of currently effective regulations that are under agency review.

The Regulatory Flexibility Act, 5 U.S.C. 601-612, requires each agency to publish semiannually a regulatory flexibility agenda of rules expected to be proposed or promulgated which are likely to have a significant economic impact on a substantial number of "small entities," meaning small businesses, small organizations, or small governmental jurisdictions.

Executive Order 12291 and section 605 of the Regulatory Flexibility Act each permit incorporation of the agenda it requires with any other prescribed agenda. Accordingly, the agenda set out below combines the information required by the Executive Order and by the Regulatory Flexibility Act. In addition, the agenda contains certain information not required by either the Executive Order or by the Act which the Department considers useful, both better to inform the public and to enhance the Department's own inventory control over its body of regulations.

For purposes of Executive Order 12291, "regulation" or "rule" is defined as "an agency statement of general applicability and future effect designed to implement, interpret, or prescribe law or policy or describing the procedure or practice requirements of an agency," subject to certain exceptions. The agenda published below concentrates upon regulatory material contained, or expected to be contained, in the Code of Federal Regulations (CFR) (or incorporated therein by reference) following publication in the **Federal Register**. As appropriate, however, issuances in the nature of general statements of policy may be published in the **Federal Register** but not for codification in the CFR.

The Department also is subject to certain requirements involving congressional review of rulemaking actions, including publication of an agenda. Section 7(o) of the Department of Housing and Urban Development Act (42 U.S.C. 3535(o)) requires that the Secretary transmit to the congressional committees having jurisdictional oversight (the Senate Committee on Banking, Housing and Urban Affairs and the House Committee on Banking, Finance and Urban Affairs) a semiannual agenda of all rules or regulations which are under development or review by the Department. A rule appearing on the agenda cannot be published for comment before or during the first 15 calendar days of continuous session of Congress after transmittal of the agenda. If, within such period, either Committee notifies the Secretary that it intends to review any rule or regulation or portion thereof which appears on the agenda, the Secretary must submit to both Committees a copy of the rule or regulation, in the form it is intended to be proposed, at least 15 calendar days of continuous session before it is published for comment. The Semiannual Agenda appearing hereinafter is the agenda transmitted to the Committees in compliance with the foregoing requirement.

The agenda items are divided first by program office. Within each program office, the agenda items are divided into four groups: (i) Prerulemaking actions, (ii) publications or other implementations of notices of proposed rulemaking, (iii) publications or other implementations of final rules, and (iv) completed actions. Within each grouping, rules are listed in chronological order by the Part number of the CFR affected. Where a rule affects multiple parts of the CFR, the rule is listed by the first affected Part number. Priority rules include all regulations designated for priority development by the Department.

Items listed in this agenda are from the following Offices within the Department: Office of the Secretary; Office of Housing; Office of Public and Indian Housing; Office of Community Planning and Development; Office of Fair Housing and Equal Opportunity; Office of Administration; and Government National Mortgage Association.

Dated: February 24, 1988.

J. Michael Dorsey,

General Counsel.

Office of the Secretary—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
872	24 CFR 50 Departmental Policies, Responsibilities, and Procedures for Protection and Enhancement of Environmental Quality (S-4-85; FR-2206)	2501-AA30

HUD

Office of the Secretary—Prerule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
873	24 CFR 56 Flood Insurance Requirements for Mortgage Insurance Loan and Grant Programs (S-3-85; FR-2007)	2501-AA59
874	24 CFR 0058 Environmental Review Procedures for the Community Development Block Grant, Rental Rehabilitation and Housing Development Grant Programs (S-13-86; FR-2316)	2501-AA39
875	24 CFR 81.41 Secondary Market Operations of the Federal National Mortgage Association (FNMA) (S-3-81)	2501-AA10

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
876	00 CFR 000 Home Equity Conversion Mortgage Insurance Demonstration (S-2-88; FR-2481)	2501-AA67
877	24 CFR 0003 Elimination of Obsolete Regulations (S-16-86; FR-2261)	2501-AA50
878	24 CFR 10 Amending Rules on Rules and FOIA Rules (S-3-87; FR-2320)	2501-AA57
879	24 CFR 24 Debarment Suspension and Limited Denial of Participation--All- Cash Sales Exception (S-4-87; FR-2356)	2501-AA60
880	24 CFR 35 Lead-Based Paint Hazard Elimination (S-1-88; FR-2447)	2501-AA68
881	24 CFR 0042 Uniform Relocation Act Amendments of 1987 (S-3-88; FR-2357) (formerly CPD-3-87)	2501-AA70
882	24 CFR 46 Protection of Human Subjects in Research (S-6-83; FR-1807)	2501-AA15
883	24 CFR 50 Procedure for Floodplain Management and the Protection of Wetlands. Implementation of Executive Orders 11988 and 11990 (S-7-84; FR-865)	2501-AA23
884	24 CFR 200 Restrictions on Housing Assistance to Ineligible Aliens (S-7-87; FR-2383 (formerly FR-1588))	2501-AA63

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
885	24 CFR 15.14 Freedom of Information Reform Act of 1986--Fee Schedule and Fee Waiver Regulations (S-6-87; FR2362)	2501-AA62
886	24 CFR 17 Administrative Claim: Implementing Certain Provisions of the Debt Collection Act of 1982 (S-10-86; FR-1644)	2501-AA55
887	24 CFR 24 Suspension and Debarment (S-2-79; FR-1676)	2501-AA05
888	24 CFR 28 Administrative Remedies for False Claims and Statements (S-2-87; FR-2310)	2501-AA58
889	24 CFR 58 Environmental Review Procedures - Rental Rehabilitation and Housing Development Grant Program (S-6-84; FR-1965)	2501-AA25

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
890	24 CFR 0060 Determination of Wage Rates for Maintenance and Technical Employees of Public Housing Agencies and Indian Housing Authorities (S-5-86; FR-2211)	2501-AA40
891	24 CFR 200 Restrictions on Housing Assistance to Ineligible Aliens (S-7-86; FR-1588)	2501-AA56

Office of Housing—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
892	24 CFR 200 Revision of Use of Materials Bulletin used in the HUD Bldg. Product Standard and Certification Program (H-4-87; FR2308)	2502-AE04
893	24 CFR 203 Retention Period for Mortgagee Single Family Claim Records (H-81-84)	2502-AC50

HUD

Office of Housing—Prerule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
894	24 CFR 203.2 Eligibility Requirements--Mortgagee Approval (H-13-88; FR-2453)	2502-AE37
895	24 CFR 219 Flexible Subsidy Program; 1983 Amendments (H-50-84)	2502-AC31
896	24 CFR 3280 Manufactured Home Construction & Safety Construction on Siding & Roofing Materials & Application Criteria (H-8-87; FR2327)	2502-AE06
897	24 CFR 3500 Real Estate Settlement Procedures Act -- Controlled Business Provisions and Miscellaneous Amendments (H-45-84; FR-1942)	2502-AC09

Office of Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
898	00 CFR 000 Nehemiah Opportunity Grants Program (H-25-88; FR-2478) 1987 HCD Act	2502-AE45
899	24 CFR 200 Issuance of FHA Debentures (H-36-86; FR-2268)	2502-AD68
900	24 CFR 200 Authorize Additional Types of Loans for Direct Endorsement Processing (H-4-88; FR-2433)	2502-AE48
901	24 CFR 201.54 Filing Period for Resubmission of Denied Claims (H-43-86)	2502-AD80
902	24 CFR 201 Amendments to the Title I Regulations (H-19-87; FR2370)	2502-AE15
903	24 CFR 203 Penalty for Lack of Documentation (H-80-84)	2502-AC54
904	24 CFR 203 HUD Inspections - No Duty of Care (H-1-85; FR-2025)	2502-AC92
905	24 CFR 203 Deregulation of Loan Origination Fees in FHA Single Family Housing (H-18-87; FR-2333)	2502-AD98
906	24 CFR 203.366 Mortgagee Charges for Serious Title Defects (H-28-87; FR-2368)	2502-AE11
907	24 CFR 203 Revision of HUD Mortgage Approval Process (H-5-88; FR-2434)	2502-AE27
908	24 CFR 203 Emergency Homeownership Counseling (H-20-88; FR-2460) 1987 HCD Act	2502-AE28
909	24 CFR 203.400 Deadline for Filing Single Family Supplemental Claims (H-26-88; FR-2487)	2502-AE51
910	24 CFR 203 Action to Reduce Losses under FHA Single Family Mortgage Insurance Program (H-28-88; FR-2491)	2502-AE52
911	24 CFR 204.280 Claim Processing on Defaulted Coinsured Single-Family Mortgages (H-1-88; FR-2410)	2502-AE25
912	24 CFR 207 Limitation on Prepayment of Mortgages on Multifamily Rental Housing (H-54-84; FR-1952)	2502-AC49
913	24 CFR 208 Computer Automation of Required Data for Certification and Recertifications Subsidy Billing Procedures for Certain Multifamily Subsidized Projects (H-2-88; FR-2421)	2502-AE26
914	24 CFR 221.55 Assignment Option (H-44-86)	2502-AD78
915	24 CFR 251 Assignment of Coinsuring Lender Interest to Warehouse Bank for Interim Funding (H-15-88; FR-2455)	2502-AE39
916	24 CFR 3282 Manufactured Home Procedural and Enforcement Regulations Interpretative Bulletins (H-31-87; FR2380)	2502-AE10
917	24 CFR 791 Review of Applications for Housing Assistance and Allocation of Housing Assistance Funds (S-10-84; FR-1896)	2502-AA73
918	24 CFR 882 Conforming Section 8 Existing Certificate Regulation to Housing Voucher Format (H-2-87; FR-2294)	2502-AD91
919	24 CFR 882 Interprogram Transfers of Assisted Tenants (H-8-88; FR-2436)	2502-AE32
920	24 CFR 885 Loans for the Elderly or Handicapped - Housing for the Handicapped (H-23-88; FR-2476) 1987 HCD Act	2502-AE47
921	24 CFR 886 Provision of Section 8 Existing Housing Assistance for Projects at Foreclosure Sales (H-3-86; FR-2158)	2502-AD43
922	24 CFR 886.310 Miscellaneous Revisions of Part 886 (H-37-86; FR-2275)	2502-AD69
923	24 CFR 1710 Land Registration (H-21-86)	2502-AD54
924	24 CFR 1710 Amendments to Interstate Land Sales Registration (H-47-86; FR-2503)	2502-AD81
925	24 CFR 3280.308 Manufactured Home Construction and Safety Standards - Formaldehyde Regulations (H-10-87; FR-2332)	2502-AE02
926	24 CFR 3280.309 Notice of Formaldehyde; Manufactured Home Construction and Safety (H-23-87; FR2349)	2502-AE21
927	24 CFR 3280.506 Manufactured Housing Energy Conservation Standards (H-29-88; FR-2497) 1987 HCD Act	2502-AE53
928	24 CFR 3282 Manufactured Home Procedural and Enforcement System (H-40-86; FR-2278)	2502-AD60
929	24 CFR 3282 Manufactured Home Design Inspection System (H-41-86; FR-2279)	2502-AD61

Office of Housing—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
930	00 CFR 000 Supportive Housing Demonstration Program (H-34-87; FR2385)	2502-AE13
931	00 CFR 000 Tenant Participation in Multifamily Projects (H-11-88; FR-2451) 1987 HCD Act	2502-AE35
932	00 CFR 000 HODAG 1987 Act Amendments (H-19-88; FR-2459) 1987 HCD Act	2502-AE43

HUD

Office of Housing—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
933	24 CFR 200 Applicability of Minimum Property Standards Manufactured Homes under Title II of the National Housing Act (H-82-82; FR-1578)	2502-AB24
934	24 CFR 200 Minimum Property Standards (MPS) for Housing -- Water Supply Systems (H-31-86; FR-2255)	2502-AD64
935	24 CFR 200 Manufactured Home Construction and Safety Standards for Lead in Water Piping(H-3-87; FR-2296)	2502-AE05
936	24 CFR 200 Restrictions on All-Cash Sales (Amendment to Part 200) (H-30-87; FR-2374)	2502-AE12
937	24 CFR 203 Temporary Mortgage Assistance Payments (TMAP) and Assignments to HUD (H-44-85; FR-2147)	2502-AD34
938	24 CFR 203 Criteria for Acceptability of Insured 10-Year Protection Plans (H-28-86; FR-2036)	2502-AD65
939	24 CFR 203 Allegany Reservation of the Seneca Nation (H-32-87; FR-2382)	2502-AE09
940	24 CFR 203 Single Family Mortgage Insurance - Occupant and Investor Mortgagors (H-16-88; FR-2456) 1987 HCD Act	2502-AE40
941	24 CFR 207.19 Multifamily Housing Mortgage Insurance -- Regulation of Rents (H-9-88; FR-2448) 1987 HCD Act	2502-AE33
942	24 CFR 215 State Agency Amendments (H-70-84; FR-1997)	2502-AC73
943	24 CFR 215 Rent Supplements Federal Tenants Selection Preference (H-12-88; FR-2452) 1987 HCD Act	2502-AE36
944	24 CFR 219 Prepayment of Mortgages on Low- and Moderate-Income Housing (H-10-88; FR-2450) 1987 HCD Act	2502-AE34
945	24 CFR 219 Eligibility of Section 23 and Section 202 Housing for Flexible Subsidy (H-18-88; FR-2458) 1987 HCD Act	2502-AE42
946	24 CFR 232 FHA Insurance of Mortgages Covering Nursing Homes and Similar Projects (H-27-88; FR-2490)	2502-AE38
947	24 CFR 241 Additional Revisions - Hospital Insurance (H-24-86; FR-2227)	2502-AD70
948	24 CFR 242 Hospital Insurance - Alternate Certification Requirements (H-21-88; FR-2466) 1987 HCD Act	2502-AE29
949	24 CFR 252 Coinsurance for Nursing Homes and Intermediate Care Facilities (H-32-86; FR-2256)	2502-AD74
950	24 CFR 290 HUD-Owned Multifamily Projects-Management and Disposition (H-69-78; FR-432)	2502-AC68
951	24 CFR 735 Section 236 Rent Supplement (H-17-88; FR-2457) 1987 HCD Act	2502-AE41
952	24 CFR 850 Housing Development Grant Program (H-26-84; FR-1902)	2502-AC23
953	24 CFR 880 Section 8 Housing Assistance Payments Programs -- Revisions to Contract Rent Adjustment Regulations (H-22-88; FR-2469) 1987 HCD Act	2502-AE44
954	24 CFR 882 Shared Housing in the Section 8 Moderate Rehabilitation Program (H-26-86; FR-2238)	2502-AD66
955	24 CFR 885 Management Rules and Comprehensive Housing and Community Development Amendments (H-34-83; FR-1761)	2502-AC03
956	24 CFR 885 Loans for the Elderly or Handicapped - Loan Interest Rate Provisions (H-24-88; FR-2477) 1987 HCD Act	2502-AE46
957	24 CFR 887 Section 8 Housing Assistance Payments Program - Housing Vouchers (H-42-85; FR-2170)	2502-AD26

Office of Housing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
958	24 CFR 200 Use of Materials Bulletin No. 40c - Grademarking of Plywood (H-21-85; FR2407)	2502-AD01
959	24 CFR 200.163 Direct Endorsement Underwriter's Certification (H-29-86; FR-2241)	2502-AD71
960	24 CFR 200 Use of Material Bulletin used in HUD Bldg. Product Standards and Certification Program for Mat-Formed Particleboard Sheathing Panels (H-7-87; FR-2322)	2502-AD92
961	24 CFR 200 Lead Standards in Water Piping - Subpart S - MPS (H-1-87; FR2290)	2502-AE03
962	24 CFR 200.935 Rev. of UMB 44d to allow the Use of Carpet in Bathrooms & Kitchens Over a Concrete-Masonry Flooring System and a New Classification System for Carpet (H-20-87; FR 2402)	2502-AE07
963	24 CFR 0200 Use of Materials Bulletin No. 89 HUD Building Product Standards and Certification Program for Exterior Insulated Steel Door Systems (H-6-88; FR-2443)	2502-AE30
964	24 CFR 203 Conveyance of One- to Four-Family Properties Occupied by Tenants or Former Mortgagors (H-9-85; FR-2064)	2502-AB10
965	24 CFR 203 One-Time Mortgage Insurance Premium for Non-Mutual Fund - Single Family Insurance Program (H-40-84; FR-1930)	2502-AC35
966	24 CFR 203.49 Insurance of Single Family Adjustable Rate Mortgages (H-32-84; FR-1916)	2502-AC43
967	24 CFR 203 Single Family Foreclosures--Deficiency Judgements (H-6-86; FR-2193)	2502-AD38
968	24 CFR 203 Types of Satisfactory Title Evidence (H-48-86)	2502-AD83
969	24 CFR 203 Elimination of Prohibition on the Payment of Fees to Third Parties in Multifamily Insurance Mortgage Transaction (H-5-87; FR-2314)	2502-AD90
970	24 CFR 203 Single Family Mortgage Insurance Premium (H-11-87)	2502-AD93
971	24 CFR 203 FHA Single Family Borrower Eligibility (H-12-87)	2502-AD94
972	24 CFR 203 Single Family Downpayment Requirements (H-17-87; FR-2334)	2502-AD99
973	24 CFR 203 Acceptance of Partial Payments during TMAP/Assignment Processing (H-27-87; FR-2366)	2502-AE08
974	24 CFR 203 Miscellaneous Revisions to FHA Single Family and Multifamily Mortgage Insuring Authorities (H-7-88; FR-2445)1987 HCD Act	2502-AE31

HUD

Office of Housing—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
975	24 CFR 207 Mortgage Insurance Programs under National Housing Act (H-48-81; FR-1525)	2502-AA90
976	24 CFR 215 Preference in the Provision of Housing for Families Who Are Occupying Substandard Housing, Are Involuntarily Displaced, or Are Paying More Than 50% of Family Income (H-22-80; FR-1597)	2502-AA34
977	24 CFR 242 Hospital Insurance - Alternative Certification Requirements (H-21-88; FR2466) 1987 HCD Act	2502-AE24
978	24 CFR 882.101 Section 8 Housing Assistance Payments Programs Portability of Section 8 Existing Housing Certificates (H-46-83; FR-1800)	2502-AB88
979	24 CFR 882 Section 8 Housing Assistance Payments Programs-- Miscellaneous Amendments (H-19-87; FR-2335)	2502-AE00
980	24 CFR 885 Loans for Housing for the Elderly or Handicapped--Allocation of Loan Authority, Processing of Applications, Direct Loan Processing Procedures (H-21-87; FR2345)	2502-AE20
981	24 CFR 247 Revisions to Part 886 Termination of Tenancy (H-59-84; FR-1950)	2502-AC59
982	24 CFR 3280 Manufactured Home Construction and Safety Standards - General (H-33-86; FR-2276)	2502-AD58
983	24 CFR 3280 Manufactured Home Construction and Safety Standards - Deregulatory Proposals (H-39-86; FR-2277)	2502-AD59
984	24 CFR 3280 Manufactured Home Construction and Safety Standards - Thermal Energy Standards Deregulation (H-42-86; FR-2280)	2502-AD62
985	24 CFR 3280.504 Part 3280 - Interpretative Bulletin on the Vapor Barrier Requirements of 24 CFR 3280.504 (H-46-86; FR-2285)	2502-AD82
986	24 CFR 3280 Notice Requesting a Private Organization to Develop and Maintain the Federal Manufactured Home Construction and Safety Standards (H-9-87; FR-2271)	2502-AD85

Office of Community Planning and Development—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
987	24 CFR 570.488 Community Development Block Grants: State's Program (CPD-7-83; FR-1877)	2506-AA38
988	24 CFR 570.450 to 465 Community Development Block Grants, Urban Development Action Grants (CPD-9-86; FR-2449)	2506-AA72
989	24 CFR 570 Urban Development Action Grant Applications from Consortia of Small Cities (CPD-6-87; FR2381)	2506-AA76
990	24 CFR 0570 Secretary's Discretionary Fund - Work Study Program (CPD-4-88; FR-2475) 1987 HCD Act	2506-AA81
991	24 CFR 570 Miscellaneous Revisions of Part 570 - 1987 HCD Act (CPD-5-88; FR-2496)	2506-AA84
992	24 CFR 571.702 (b) Indian Community Development Block Grant Program: Revision to Corrective and Remedial Action (CPD-13-84; FR-2102)	2506-AA58
993	24 CFR 590 Urban Homesteading Selection Procedures and Eligibility for Discretionary Fund Technical Assistance (CPD-1-88; FR-2461)	2506-AA79

Office of Community Planning and Development—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
994	24 CFR 511 Residential Rental Rehabilitation Program (CPD-7-84; FR-1901)	2506-AA55
995	24 CFR 511.1 Rental Rehabilitation Grants (CPD-2-88; FR-2472)	2506-AA80
996	24 CFR 570 Community Development Block Grant Regulations (CPD-6-84; FR-1895)	2506-AA47
997	24 CFR 0570.511 Community Development Block Grant Program: Escrow Accounts (CPD-2-86; FR-2164)	2506-AA66
998	24 CFR 570 Conserving Neighborhoods by Prohibiting Displacement (CPD-3-88; FR-2474) 1987 HCD Act	2506-AA82
999	24 CFR 576 Emergency Shelter Grants ('87 Act) (CPD-7-87; FR2387)	2506-AA77

Office of Community Planning and Development—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1000	24 CFR 0042 Uniform Relocation Act Amendments of 1987 (CPD-3-87; FR-2357)	2506-AA78
1001	24 CFR 0570 Amendments to Community Development Block Grant Regulations; Entitlement Program (CPD-4-86)	2506-AA68

HUD

Office of Community Planning and Development—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
1002	24 CFR 575 Emergency Shelter Grant Program (CPD-1-87; FR-2298)	2506-AA74

Government National Mortgage Association—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1003	24 CFR 203 Book-Entry Securities of GNMA (GNMA-2-85)	2503-AA03
1004	24 CFR 390.17 GNMA Fees (GNMA-1-87; FR2395)	2503-AA05

Office of Fair Housing and Equal Opportunity—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1005	24 CFR 9.101 Nondiscrimination Based on Handicapped in Programs Conducted by HUD (FR-2163; FH&EO-2-85)	2529-AA28
1006	24 CFR 111 Redesign for Fair Housing Assistance Program (FHEO-2-87; FR2403)	2529-AA33
1007	24 CFR 115 Recognition of Jurisdiction with Substantially Fair Housing Laws (FHEO-1-87)	2529-AA31
1008	24 CFR 125 Fair Housing - Coordination of Executive Agency and Regulatory Agency Affirmative Administration of Programs in Connection with HUD (FH&EO-1-88; FR-2480)	2529-AA36

Office of Fair Housing and Equal Opportunity—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1009	24 CFR 8 Nondiscrimination Based on Handicap in Federally-Assisted Programs and Activities (FH&EO-4-84; FR-770)	2529-AA26
1010	24 CFR 105 Procedure for Processing Complaints under Section 804 of the Fair Housing Act (FH&EO-6-84; FR 2012)	2529-AA24
1011	24 CFR 125 The Fair Housing Initiatives Program (FH&EO; FR-2486) 1987 HCD Act	2529-AA37

Office of Fair Housing and Equal Opportunity—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1012	24 CFR 120 Amendments of the Community Housing Resource Board Regulations (FH&EO-1-85; FR-2085)	2529-AA27

Office of Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1013	24 CFR 3 Organization, Function, and Delegations of Authority Subpart C - Secretary's Delegations of Authority to Heads of Offices (ADM-2-82)	2535-AA01
1014	24 CFR 570 Federal Procurement of Cement Containing Fly Ash (ADM-1-84; FR-1938)	2535-AA05

HUD

Office of Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1015	48 CFR 24 HUD Acquisition Regulation (ADM-2-88; FR-2473)	2535-AA16
1016	24 CFR 29 OMB Cir. A-110, Uniform Administrative Requirements for Grants and Agreements with Universities, Hospitals and Other Nonprofit Organizations (ADM-1-87; FR2376)	2535-AA15

Office of Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1017	48 CFR Chap. 24 Amendment of the HUD Acquisition Regulations (ADM-5-85; FR-2131)	2535-AA10

Office of Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1018	24 CFR 0045 OMB Circular A-102, Uniform Requirement for Assistance to State and Local Governments (ADM-1-86, FR-2178)	2535-AA13

Office of Public and Indian Housing—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1019	24 CFR 0060 Determination of Wage Rates for Maintenance and Technical Employees of Public Housing Agencies and Indian Housing Authorities (P-10-88; FR2211)	2577-AA68
1020	24 CFR 968.5(g) Comprehensive Improvement Assistance Program: Multi-Stage Funding (P-1-88; FR-2415)	2577-AA55
1021	24 CFR 969 Effects of Debt Forgiveness on Public Housing Agency Annual Contributions Contracts (P-6-87; FR-2409)	2577-AA51

Office of Public and Indian Housing—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1022	00 CFR 000 Economic Rent and Preference for Near Elderly Families in Public Housing Projects (P-4-88; FR-2462) 1987 HCD Act	2577-AA57
1023	00 CFR 000 Replacement Housing for Public Housing Demolition and Disposition (P-5-88; FR-2463) 1987 HCD Act	2577-AA58
1024	00 CFR 000 Limitation on Public Housing Development (P-6-88; FR-2464) 1987 HCD Act	2577-AA59
1025	00 CFR 000 Implementation of Percentage Limit Provisions Under Section 16 of the United Housing Act of 1937 (P-7-88; FR-2465)1987 HCD Act	2577-AA60
1026	24 CFR 904 Turnkey III Homeownership Opportunities Program (P-3-85; FR-2138)	2577-AA34
1027	24 CFR 905 Indian Housing Program--Revised Program Regulations (P-2-86; FR-2208)	2577-AA32
1028	24 CFR 905 Public Housing Resident Management; Public Housing Homeownership (P-9-88; FR-2489) 1987 HCD Act	2577-AA65
1029	24 CFR 812 Increase in Single Person Occupancy Limits (P-48-84; FR-2063)	2577-AA07
1030	24 CFR 965 Change in Consolidated Supply Program (CSP) (P-11-88; FR2428)	2577-AA67
1031	24 CFR 967 Revised Comprehensive Improvement Assistance Program (P-8-88; FR-2488)	2577-AA66
1032	24 CFR 968.12(i) Decontrol of Public Housing Authorities; CIAP Development (P-5-87; FR2408)	2577-AA48
1033	24 CFR 989 PHA Obligations with respect to Residual Receipts in the Public Housing, Turnkey III, and Sec. 23 Programs; (P-2-87; FR2354; formerly H-27-87)	2577-AA49
1034	24 CFR 989 Disallowance of Legal Fees; Litigation Controls for HUD Assistance Recipients (P-2-85; FR-2134)	2577-AA33

HUD

Office of Public and Indian Housing—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
1035	24 CFR 990 Revision to PFS - '87 Act Changes (P-2-88; FR-2437) 1987 HCD Act	2577-AA56

Office of Public and Indian Housing—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1036	24 CFR 968 Public and Indian Housing - Cost Containment Procedures (P-1-86; FR-2191)	2577-AA37
1037	24 CFR 905.211 Preemption of Certain State-Determined Prevailing Wage Rates Applicable to Public and Indian Housing Projects (P-6-86; FR-2231)	2577-AA42
1038	24 CFR 960 Public Housing -- Tenant Leases and PHA Grievance Hearings (P-26-79; FR-1164)	2577-AA18
1039	24 CFR 965.304 Individual Metering of Utilities of Existing PHA-Owned Projects (P-36-83; FR-1769)	2577-AA27
1040	24 CFR 965 PHA-Owned and Leased Project; Maintenance and Operation; Tenant Allowance for Utilities (P-8-86; FR-2260)	2577-AA40
1041	24 CFR 968 Public and Indian Housing Cost Containment Procedures - Comprehensive Improvement Assistance Program and Indian Housing (P-9-86; FR-2262)	2577-AA43

Office of Public and Indian Housing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1042	24 CFR 905.20y Indian Preference (P-4-87; FR2391)	2577-AA50
1043	24 CFR 990.102 Change in Inflation Factor Used to Calculate Public Housing Operating Subsidy (P-1-87 (formerly H-24-87); FR-2353)	2577-AA47

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Prerule Stage

Office of the Secretary (HUDSEC)

872. DEPARTMENTAL POLICIES, RESPONSIBILITIES, AND PROCEDURES FOR PROTECTION AND ENHANCEMENT OF ENVIRONMENTAL QUALITY (S-4-85; FR-2206)

Legal Authority: 42 USC 4321; PL 95-557

CFR Citation: 24 CFR 50

Legal Deadline: None.

Abstract: This rule proposes revisions in the regulations governing HUD's consideration of environmental factors in decision-making under HUD programs other than the Community Development Block Grant, Urban Development Action Grant, Rental Rehabilitation, and Housing Development Grant Programs. The rule is intended to reduce regulatory burdens and procedural details based on experience under the existing regulations; reflect field office reorganization; and implement sec. 535 of the Housing Act of 1949, as amended.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Replaces RIN: 2506-AA10

Agency Contact: Walter Prybyla, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Environment and Energy, **202 755-6611**

RIN: 2501-AA30

873. FLOOD INSURANCE REQUIREMENTS FOR MORTGAGE INSURANCE LOAN AND GRANT PROGRAMS (S-3-85; FR-2007)

Legal Authority: 42 USC 4012(a); 42 USC 4106(a)

CFR Citation: 24 CFR 56; 24 CFR 207; 24 CFR 232; 24 CFR 234; 24 CFR 238; 24 CFR 241; 24 CFR 242; 24 CFR 244; 24 CFR 250; 24 CFR 511; 24 CFR 570; 24 CFR 884; 24 CFR 904; 24 CFR 905

Legal Deadline: None.

Abstract: This rule would implement HUD's responsibilities under the Flood Disaster Protection Act of 1973. It would add a new Part 56 to specify HUD's responsibilities to require that flood insurance be obtained for eligible properties. This part would then be cross-referenced in the rules governing programs involving mortgage insurance, loans and grants.

HUD—HUDSEC **Prerule Stage**

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Replaced RIN: 2502-AC76

Agency Contact: Walter Prybyla, Deputy Director, Environmental Mgt. Div., Department of Housing and Urban Development, Office of Community Planning and Development, **202 755-6611**

RIN: 2501-AA59

874. ENVIRONMENTAL REVIEW PROCEDURES FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT, RENTAL REHABILITATION AND HOUSING DEVELOPMENT GRANT PROGRAMS (S-13-86; FR-2316)

Legal Authority: EO 11514; EO 11991; 42 USC 1437(i); 42 USC 4332; 42 USC 5304(f)

CFR Citation: 24 CFR 0058

Legal Deadline: None.

Abstract: This rule is related to RIN: 2501-AA25 (S-6-84; FR-1965). It proposes revisions in the regulations governing environmental review, decisionmaking and other actions by recipients of HUD assistance under the CDBG, Rental Rehabilitation and Housing Development grant programs that are not appropriate for final rulemaking. The proposed rulemaking is intended to solicit comments from the public on revisions to environmental policy that program experience has indicated may enhance compliance with NEPA, other environmental authorities and HUD legislation under the affected assistance programs.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Charles E. Thomsen, Architect, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Environment and Energy, **202 755-6611**

RIN: 2501-AA39

875. SECONDARY MARKET OPERATIONS OF THE FEDERAL NATIONAL MORTGAGE ASSOCIATION (FNMA) (S-3-81)

Legal Authority: 12 USC 1723a; 42 USC 3535(d)

CFR Citation: 24 CFR 81.41; 24 CFR 81.45

Legal Deadline: None.

Abstract: This rule would amend the definition of "FNMA security" at 24 CFR 81.41(b) to delete the exclusionary parenthetical and to remove the provision in 24 CFR 81.45(b) which allows FNMA debentures in book-entry form only.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Walter T. Cassidy, Assistant General Counsel for Finance, Department of Housing and Urban Development, Office of the General Counsel, **202 755-7260**

RIN: 2501-AA10

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Proposed Rule Stage
Office of the Secretary (HUDSEC)

876. ● HOME EQUITY CONVERSION MORTGAGE INSURANCE DEMONSTRATION (S-2-88; FR-2481)

Significance: Regulatory Program

Legal Authority: PL 100-242, Sec 417

CFR Citation: 00 CFR 000

Legal Deadline: Statutory, October 1988.

Abstract: This regulation is intended to implement the Home Equity Conversion Mortgage demo program in order to meet the special needs of the elderly by permitting the conversion of a portion of accumulated home equity into liquid assets, and to encourage and increase the involvement of mortgagees and participants in the mortgage markets in the making and servicing of home equity conversion mortgages for elderly homeowners.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
NPRM Comment Period End	12/00/88	
Final Action	03/00/89	
Final Action Effective	04/00/89	

Small Entity: No

Agency Contact: Jill Khadduri, Dir., Division of Policy Development, Department of Housing and Urban Development, Policy Development and Research, **202 755-5537**

RIN: 2501-AA67

877. ELIMINATION OF OBSOLETE REGULATIONS (S-16-86; FR-2261)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 0003; 24 CFR 0043; 24 CFR 0052; 24 CFR 0130; 24 CFR 0200; 24 CFR 0203; 24 CFR 0205; 24 CFR 0207; 24 CFR 0209; 24 CFR 0210; 24 CFR 0211; 24 CFR 0213; 24 CFR 0215; 24 CFR 0220; 24 CFR 0221; ...

Legal Deadline: None.

Abstract: This rule would remove regulations that are obsolete or duplicative. The rule would also decontrol some programs.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Tim Coward, Attorney Advisor, Office of Regulations, Department of Housing and Urban Development, Office of the General Counsel, **202 755-7055**

RIN: 2501-AA50

878. AMENDING RULES ON RULES AND FOIA RULES (S-3-87; FR-2320)

Significance: Regulatory Program

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 10; 24 CFR 15; 24 CFR 1720

Legal Deadline: None.

Abstract: The Department is reviewing its procedural rules to determine to what extent they need to be updated. This includes the rules the Department uses in developing new rules or amending existing regulations, and the procedures the public may use in commenting on a rulemaking or must use to obtain information from HUD under the Freedom of Information Act as well as procedures applicable to the Interstate Land Sales Registration Program. It is the Department's intention to streamline procedures, to make procedures more uniform, to clarify procedures for public petition for rulemaking, and to be more explicit about the kinds of rulemaking that will be subject to public participation and the circumstances under which rules may receive expedited treatment.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Grady J. Norris, Assistant General Counsel for Regulations, Department of Housing and Urban Development, Office of the General Counsel, **202 755-7055**

RIN: 2501-AA57

---

879. DEBARMENT SUSPENSION AND LIMITED DENIAL OF PARTICIPATION--ALL- CASH SALES EXCEPTION (S-4-87; FR-2356)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 24

Legal Deadline: None.

Abstract: This proposed rule would delete or modify the all-cash sales exception at 24 CFR Section 24.3. Under the existing provision, individuals are permitted to purchase HUD-owned property at all-cash, public sales despite the imposition of sanctions under Part 24. This provision will be modified or removed entirely under the proposed rule as a response to fraudulent practices experienced by the Department.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: Patricia Black, Assistant General Counsel for, Inspector General & Admin Proceedings, Department of Housing and Urban Development, Office of the General Counsel, **202 755-7200**

RIN: 2501-AA60

---

880. ● LEAD-BASED PAINT HAZARD ELIMINATION (S-1-88; FR-2447)

Legal Authority: 42 USC 4822

CFR Citation: 24 CFR 35; 24 CFR 200; 24 CFR 510; 24 CFR 511; 24 CFR 570; 24 CFR 575; 24 CFR 576; 24 CFR 590; 24 CFR 840; 24 CFR 881; 24 CFR 882; 24 CFR 905; 24 CFR 965; 24 CFR 968

Legal Deadline: Statutory, June 1988. Proposed Regulations due in two months from February 5, 1988 of the Housing and Community Development Act of 1987 signed by the President. Final Regulations due in four months.

Abstract: In response to amendments in the Housing and Community Development Act of 1987 to the Lead-Based Paint Poisoning Prevention Act, HUD is proposing to amend Public and Indian Housing testing and abatement regulations. Changes are also proposed in the construction cut-off dates to 1978 for other HUD programs including FHA Single Family and Multifamily Housing Programs, Section 8Housing Assistance Payments Program for Substantial Rehabilitation, Section 8 Existing Housing Certificate, Section 8 Moderate Rehabilitation Program, Community Development Block Grant, Urban Development Action Grant Secretary's Fund, Section 312 Rehabilitation Loan, Rental Rehabilitation, Urban Homesteading and Homeless and Transitional Housing Program.

Timetable:

Action	Date	FR Cite
NPRM	04/05/88	53 FR 11164
NPRM Comment Period End	04/29/88	53 FR 11164
Final Action	06/00/88	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Garth Rieman, Special Assistant to the Under Secretary, Department of Housing and Urban Development, Office of the Secretary, **202 755-3532**

RIN: 2501-AA68

---

881. ● UNIFORM RELOCATION ACT AMENDMENTS OF 1987 (S-3-88; FR-2357) (FORMERLY CPD-3-87)

Legal Authority: 42 USC 4601

CFR Citation: 24 CFR 0042

Legal Deadline: None.

Abstract: This proposed rule revise the existing regulations on relocation assistance in accordance with the recently enacted Uniform Relocation Act Amendment of 1987. (A government-wide common rule is expected to be developed, to which HUD will be a signatory agency.)

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/19/88	53 FR 4964
NPRM	06/00/88	
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: R. Harold Huecker, Dir., Relocation & Real Estate Division, Department of Housing and Urban Development, Office of the Secretary, **202 755-6336**

RIN: 2501-AA70

---

882. PROTECTION OF HUMAN SUBJECTS IN RESEARCH (S-6-83; FR-1807)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 46

Legal Deadline: None.

Abstract: In response to a Presidential Commission, an Interagency Task Force on the Protection of Human Subjects in Research has proposed that all Federal agencies adopt a common policy and uniform regulations for the protection of human subjects in research.

HUD has agreed to adopt the policy and to issue a regulation based on a model to be promulgated by the Office of Science and Technology Policy.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Compliance costs for HUD's adoption of the model regulation will be minimal, because almost all research conducted by HUD falls within categories exempted from the requirements of the model

regulation. The infrequent projects that may not be exempt (perhaps one every two years) have in the past been proposed by organizations already subject to the Department of Health and Human Services regulation, and thus would not have any incremental compliance costs for the organization, other than the actual project requirements.

Costs would be slight.

Affected Sectors: Profit and Non-profit Research Organizations.

Levels of Government Affected: only HUD itself.

Agency Contact: Arthur S. Newburg, Senior Advisor for Research Management, Department of Housing and Urban Development, Office of the Secretary, **202 755-6230**

RIN: 2501-AA15

883. PROCEDURE FOR FLOODPLAIN MANAGEMENT AND THE PROTECTION OF WETLANDS. IMPLEMENTATION OF EXECUTIVE ORDERS 11988 AND 11990 (S-7-84; FR-865)

Legal Authority: EO 11988; EO 11900; 42 USC 3535(d)

CFR Citation: 24 CFR 50; 24 CFR 55; 24 CFR 58; 24 CFR 200

Legal Deadline: None.

Abstract: This regulation sets forth the policy, procedure and responsibilities of the Department of Housing and Urban Development to implement and enforce Executive Order 11988, Floodplain Management, and Executive Order 11990, the Protection of Wetlands. This regulation replaces a general statement of Departmental policy (44 FR 47623; August 14, 1979) implementing these Executive Orders. In addition, this rule would revise HUD's Minimum Property Standards for One and Two Family Dwellings to accord with Executive Order 11988 and FEMA's regulations for its National Flood Insurance Program.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Richard H. Broun, Director, Office of Environment & Energy, Department of Housing and Urban Development, Office of Community Planning and Development, **202 755-7894**

RIN: 2501-AA23

884. RESTRICTIONS ON HOUSING ASSISTANCE TO INELIGIBLE ALIENS (S-7-87; FR-2383 (FORMERLY FR-1588))

Significance: Regulatory Program

Legal Authority: 42 USC 1436a

CFR Citation: 24 CFR 200; 24 CFR 215; 24 CFR 235; 24 CFR 236; 24 CFR 247; 24 CFR 812; 24 CFR 880; 24 CFR 881; 24 CFR 882; 24 CFR 883; 24 CFR 884; 24 CFR 885; 24 CFR 886; 24 CFR 887; 24 CFR 912

Legal Deadline: Statutory, October 1, 1988.

Abstract: This proposed rule will implement section 214 of the Housing and Community Development Act of 1980, as amended in 1981, 1986, and 1988. That Act prohibits the Secretary from providing financial assistance to substantially all illegal aliens as well as to most classes of aliens admitted for temporary purposes. The restriction applies to the Public and Indian Housing programs, the Section 8 Housing Assistance Payments programs, the Rent Supplement program, the Section 236 program, and the Section 235 homeownership assistance program.

This rule will replace the rule published on April 1, 1986, which was not made effective, but has been withdrawn. This new rule will provide that alien status must be verified with the Immigration and Naturalization Service by the entity responsible for tenant selection (or approval of a mortgage application).

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Additional Information:

ADDITIONAL CONTACT PERSON (Public and Indian Housing):

Edward Whipple, Director, Rental and Occupancy Branch, Office of Public Housing, (202) 426-0744

Agency Contact: James J. Tahash, Director, Program Planning Division, Office of Multifamily Hsg. Management, Department of Housing and Urban Development, Office of Housing, **202 426-3944**

RIN: 2501-AA63

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) Final Rule Stage

Office of the Secretary (HUDSEC)

885. FREEDOM OF INFORMATION REFORM ACT OF 1986--FEE SCHEDULE AND FEE WAIVER REGULATIONS (S-6-87; FR2362)

Legal Authority: 5 USC 552

CFR Citation: 24 CFR 15.14; 24 CFR 15.15; 24 CFR 15.16; 24 CFR 15.17; 24 CFR 15.18; 24 CFR 15.21; 24 CFR 15.31; 24 CFR 15.32; 24 CFR 15.33; 24 CFR 15.41; 24 CFR 15.42; 24 CFR 2002

Legal Deadline: None.

Abstract: Rule conforms HUD's FOIA Authorities in 24 CFR Parts 15 and 2002 to requirements of Freedom of Information Reform Act of 1986.

Timetable:

Action	Date	FR Cite
NPRM	09/24/87	52 FR 35923
Final Action	04/00/88	
Final Action Effective	05/00/88	

Small Entity: Undetermined

Agency Contact: David D. White, Assistant General Counsel for Administrative, Law, Department of Housing and Urban Development, Office of the General Counsel, **202 755-7137**

RIN: 2501-AA62

886. ADMINISTRATIVE CLAIM: IMPLEMENTING CERTAIN PROVISIONS OF THE DEBT COLLECTION ACT OF 1982 (S-10-86; FR-1644)

Legal Authority: 42 USC 3711; 42 USC 3717; 42 USC 3535(d)

CFR Citation: 24 CFR 17

Legal Deadline: None.

HUD—HUDSEC

Final Rule Stage

Abstract: This rule would make final an interim rule published in 1984, implementing the administrative offset and salary offset provisions of the Debt Collection Act of 1982.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/14/84	49 FR 32346
Final Action	08/00/88	

Small Entity: Undetermined

Additional Information: Previously listed as 2535-AA09. Includes: ADM-1-82.

Agency Contact: Samuel B. Rothman, Attorney Advisor, Office of Program Enforcement, Department of Housing and Urban Development, Office of the General Counsel, **202 755-7184**

RIN: 2501-AA55

887. SUSPENSION AND DEBARMENT (S-2-79; FR-1676)

Significance: Agency Priority

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 24

Legal Deadline: Statutory, May 1988.

Abstract: This rule incorporates provisions contained in the OFPP Policy Letter 82-1 concerning government-wide debarment, suspension and ineligibility of HUD contractors, and amends HUD's existing regulations to conform to provisions of the OFPP Policy Letter, the FAR, and to certain technical provisions contained in the OMB final Guidelines for Nonprocurement Debarment and Suspension.

The follow-up final rule will make additional conforming changes to Part 24 based on the OMB final Guidelines for Nonprocurement Debarment and Suspension. The most substantive of these changes will (1) provide for government-wide effect of sanctions to all tiers of nonprocurement participants; and (2) implement a participant certification requirement that would require certain participants to verify that they have not, in the preceding three years, been subject to, or been proposed for, sanctions or otherwise been indicted, convicted or had a civil judgment rendered against them for specified offenses. Public comments received on both the interim and proposed rules will be used to develop the final rule on Part 24.

Timetable:

Action	Date	FR Cite
NPRM	10/11/83	48 FR 46072
NPRM Comment Period End	12/12/83	48 FR 46072
Interim Final Rule	10/02/87	52 FR 37112
NPRM	11/02/87	52 FR 42004
NPRM Comment Period End	01/04/88	52 FR 42004
Final Action	05/00/88	

Small Entity: No

Agency Contact: Patricia Black, Asst Gen Coun for Insp Gen & Admn Proceedngs, Department of Housing and Urban Development, Office of the General Counsel, **202 755-7200**

RIN: 2501-AA05

888. ADMINISTRATIVE REMEDIES FOR FALSE CLAIMS AND STATEMENTS (S-2-87; FR-2310)

Significance: Agency Priority

Legal Authority: PL 99-501

CFR Citation: 24 CFR 28

Legal Deadline: Statutory, April 21, 1987.

Abstract: This rule would implement the Program Fraud Civil Remedies Act of 1986 by establishing administrative procedures for imposing civil penalties and assessments against persons who file false claims or statements while applying for certain benefits provided by the Federal Government.

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	52 FR 38939
NPRM Comment Period End	12/21/87	52 FR 38939
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Patricia M. Black, Assistant General Counsel for Inspector General & Administrative Proceedings, Department of Housing and Urban Development, Office of the General Counsel, **202 755-7200**

RIN: 2501-AA58

889. ENVIRONMENTAL REVIEW PROCEDURES - RENTAL REHABILITATION AND HOUSING DEVELOPMENT GRANT PROGRAM (S-6-84; FR-1965)

Legal Authority: 42 USC 1437o(i); 42 USC 5304(f)

CFR Citation: 24 CFR 58

Legal Deadline: None.

Abstract: This agenda item makes final two outstanding interim rules. These rules provide policies and procedures by which assisted communities and participating States discharge Federal environmental review responsibilities. They also streamline and reduce environmental requirements. They include: (1) an expanded listing of block grant activities and projects exempt or categorically excluded from the NEPA requirements; (2) a definitive list of related statutes and authorities that must be observed by grant recipients for the release of block grant funds as required by HUD legislation; and (3) additional provisions needed to conform with and implement innovative measures included in the HUD Amendments of 1981, such as the State-administered block grant program for small cities and the assumption of the environmental oversight responsibilities by States; and (4) (CONT)

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/07/84	49 FR 23610
Interim Final Rule Effective	07/31/84	49 FR 23610
Final Action	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: for extending and adopting the environmental procedures, including historic preservation requirements, to the programs established by title III of the Housing and Urban-Rural Recovery Act of 1983.

Includes: RIN 2506-AA05 (CPD-21-81; FR-1027)

Agency Contact: Charles E. Thomsen, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Environmental and Energy, Environmental Management Division, **202 755-6611**

RIN: 2501-AA25

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Office of the Secretary (HUDSEC)

Completed Actions

890. DETERMINATION OF WAGE RATES FOR MAINTENANCE AND TECHNICAL EMPLOYEES OF PUBLIC HOUSING AGENCIES AND INDIAN HOUSING AUTHORITIES (S-5-86; FR-2211)

CFR Citation: 24 CFR 0060

Completed:

Reason	Date	FR Cite
Withdrawn Transferred to Office of Public and Indian Housing	02/22/88	

Small Entity: No

Agency Contact: Justin Logsdon 202 755-5370

RIN: 2501-AA40

891. RESTRICTIONS ON HOUSING ASSISTANCE TO INELIGIBLE ALIENS (S-7-86; FR-1588)

Significance: Regulatory Program

CFR Citation: 24 CFR 200; 24 CFR 215; 24 CFR 235; 24 CFR 247; 24 CFR 812; 24 CFR 880; 24 CFR 881; 24 CFR 883; 24 CFR 884; 24 CFR 886; 24 CFR 912

Completed:

Reason	Date	FR Cite
Final Action	01/13/88	53 FR 842
Final Action Effective	03/15/88	53 FR 842

Small Entity: No

Agency Contact: James J. Tahash 202 426-3944

RIN: 2501-AA56

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Office of Housing (OH)

Prerule Stage

892. REVISION OF USE OF MATERIALS BULLETIN USED IN THE HUD BLDG. PRODUCT STANDARD AND CERTIFICATION PROGRAM (H-4-87; FR2308)

Legal Authority: 12 USC 3535(d)

CFR Citation: 24 CFR 200

Legal Deadline: None.

Abstract: This rule would revise the following existing UM Bulletins in order to update the standards referenced in the UM's in accordance with 24 CFR 2009.35.

UM 39a Aluminum Windows, Sliding Glass Doors and Storm Doors UM 48a Pressure Treated Lumber & Plywood UM 52a Wood Flush Doors UM 71 Polystyrene Form Insulation Sheathing Board UM 54 Solid Fuel Type Room Heaters & Fireplace Stove.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Leslie H. Breden, Officed of Manufactured Housing & Regulatory, Functions, Department of Housing and Urban Development, Office of Housing, **202 755-5929**

RIN: 2502-AE04

893. RETENTION PERIOD FOR MORTGAGEE SINGLE FAMILY CLAIM RECORDS (H-81-84)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None.

Abstract: Under the new Single Family Claims System, the mortgagee is not required to provide documentation to support the fiscal data reported or entered on the new claim form. Instead, the mortgagee will be randomly audited; at which time, the mortgagee is expected to produce all the supporting receipts, payment ledger records, etc.

Regulations will be changed to specify the retention period and file contents for records supporting single family claim payments and mortgagee reviews.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Yes

Agency Contact: John J. Coonts, Deputy Director, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing, **202 755-3046**

RIN: 2502-AC50

894. ● ELIGIBILITY REQUIREMENTS--MORTGAGEE APPROVAL (H-13-88; FR-2453)

Legal Authority: 12 USC 1709

CFR Citation: 24 CFR 203.2

Legal Deadline: None.

Abstract: This rule would clarify HUD requirements for approval of partnerships as mortgagees for mortgage insurance programs. The current rule only mentions limited partnerships with one general partner. The new rule would explain approval conditions for other limited partnerships and general partnerships.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Sandra Allison, Dir., Lender Approval & Recertification Div., Department of Housing and Urban Development, Office of Housing, **202 755-6924**

RIN: 2502-AE37

895. FLEXIBLE SUBSIDY PROGRAM; 1983 AMENDMENTS (H-50-84)

Legal Authority: PL 98-181, Sec 217

CFR Citation: 24 CFR 219

Legal Deadline: None.

Abstract: Implements section 217 of the Housing and Urban Rural Recovery Act of 1983.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: James J. Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of the General

HUD—OH

Prerule Stage

Counsel, Office of Multifamily Housing Management, **202 426-3970**

RIN: 2502-AC31

896. MANUFACTURED HOME CONSTRUCTION & SAFETY CONSTRUCTION ON SIDING & ROOFING MATERIALS & APPLICATION CRITERIA (H-8-87; FR2327)

Legal Authority: 42 USC 5403

CFR Citation: 24 CFR 3280

Legal Deadline: None.

Abstract: This Advance Notice of Proposed Rulemaking requests public comment on those portions of the Manufactured Home Construction and Safety Standards (Standards) that are applicable to the materials and application criteria for external coverings. The Department is concerned that certain siding and roofing materials, more common to conventional-type construction may not be compatible in important aspects with typical manufactured home construction. Consumer complaint information indicates that the current Standards do not address certain important problems areas.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: **Mark W. Holman,** Acting Director, Manufactured Hsg. &, Construction Standards Division, Department of Housing and Urban Development, Office of Housing, **202 755-6590**

RIN: 2502-AE06

897. REAL ESTATE SETTLEMENT PROCEDURES ACT -- CONTROLLED BUSINESS PROVISIONS AND MISCELLANEOUS AMENDMENTS (H-45-84; FR-1942)

Significance: Agency Priority

Legal Authority: 12 USC 2601; 12 USC 2607; PL 98-181

CFR Citation: 24 CFR 3500

Legal Deadline: None.

Abstract: The rule will implement statutory amendments established by Section 461 of the Housing and Urban Rural Recovery Act of 1983 (Pub.L.98-181). The amendments address a problem identified as "controlled business" and the manner in which Section 8 of the Real Estate Settlement Procedures Act (12 USC 2607), the kickback prohibition of RESPA, is to be applied to such arrangements. No alternatives are being considered because of the statutory mandate. The potential costs cannot be accurately projected but are believed to be incidental. The rule will also contain other miscellaneous changes to clarify and update the existing rule.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: John Coonts, Office of Insured Single Family Housing, (202) 755-3046.

Agency Contact: **Grant E. Mitchell,** Assistant General Counsel, Department of Housing and Urban Development, Office of the General Counsel, Office of Equal Opportunity and Admin. Law, Fiscal Management and Energy Division, **202 755-6550**

RIN: 2502-AC09

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Proposed Rule Stage

Office of Housing (OH)

898. ● NEHEMIAH OPPORTUNITY GRANTS PROGRAM (H-25-88; FR-2478) 1987 HCD ACT

Significance: Agency Priority

Legal Authority: Not yet determined

CFR Citation: 00 CFR 000

Legal Deadline: Statutory, July 1988. In the absence of appropriations for this program, HUD plans to publish a proposed rule, consider public comments, and stand by for implementation in the event of subsequent appropriations action.

Abstract: This rule would implement the Nehemiah Housing Opportunity Grants Program. Under this program HUD would provide assistance to private nonprofit organizations in the form of grants. The nonprofit organizations receiving grants would use the assistance to provide loans to families purchasing homes constructed or substantially rehabilitated under the program.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	07/00/88	

Small Entity: Undetermined

Agency Contact: **Morris Carter,** Director, Single Family Development Div., Department of Housing and Urban Development, Office of Housing, **202 755-6720**

RIN: 2502-AE45

899. ISSUANCE OF FHA DEBENTURES (H-36-86; FR-2268)

Legal Authority: 12 USC 1710

CFR Citation: 24 CFR 200; 24 CFR 203; 24 CFR 207

Legal Deadline: None.

Abstract: This proposed rule would amend HUD regulations to permit HUD to pay mortgage insurance benefits to mortgagees in the form of uncertificated (book entry) debentures and to issue such book entry debentures to mortgagees who assign current mortgages to HUD under Section 221(g)(4) of the National Housing Act.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: **Robert A. Spiegel,** Office of Finance and Accounting, Department of Housing and Urban Development, Office of Administration, **202 755-5256**

RIN: 2502-AD68

900. ● AUTHORIZE ADDITIONAL TYPES OF LOANS FOR DIRECT ENDORSEMENT PROCESSING (H-4-88; FR-2433)

Significance: Agency Priority

HUD—OH

Proposed Rule Stage

Legal Authority: 12 USC 1709; 12 USC 1715(b)

CFR Citation: 24 CFR 200; 24 CFR 203

Legal Deadline: None.

Abstract: This rule proposes to make the following types of mortgages eligible for processing through the direct endorsement program as (1) those insured under sections 222 and 203(k) and (2) those insured pursuant to section 238(c) of the National Housing Act. The rule would also make eligible loans originated by non- supervised mortgagees with a net worth of $100,000 or more for the direct endorsement program.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: John J. Coonts, Dir., Office of Insured Single Family Hsg., Department of Housing and Urban Development, Office of Housing, 202 755-3046

RIN: 2502-AE48

---

901. ● FILING PERIOD FOR RESUBMISSION OF DENIED CLAIMS (H-43-86)

Legal Authority: 12 USC 1703

CFR Citation: 24 CFR 201.54

Legal Deadline: None.

Abstract: It is the responsibility of lending institutions to submit complete and accurate loan files so that the Department can process the Title I Application for Loss in a timely manner and proceed with debt collection efforts. Inordinate delays of more than a year can often occur between the time a claim is returned to the lender because of regulatory violations or incomplete submissions and the lender's making an appeal of the denial. At present,there is no control on the refiling period.

If the appeal is approved for payment, debt collection efforts can be impaired by the often lengthy time between default on the loan and the initiation of collection efforts by the Department. Also, must staff time is spent in reviewing resubmitted claims which are being irresponsibly and repeatedly returned by lending institutions. This rule would control the time period during which appeals could be filed, the number of resubmitted claims, and the quality of the submissions. (CONT'D)

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT'D: This rule proposes that lending institutions that wish to appeal the denial of their application for Title I claim payments must return the claims with a narrative appeal within 3 months of the date of the letter of denial.

Agency Contact: Donald C. Demitros, Acting Director, Office of Finance, and Accounting, Department of Housing and Urban Development, Office of Administration, 202 755-5306

RIN: 2502-AD80

---

902. AMENDMENTS TO THE TITLE I REGULATIONS (H-19-87; FR2370)

Legal Authority: 12 USC 1703

CFR Citation: 24 CFR 201

Legal Deadline: None.

Abstract: This rule would involve the following revisions to the Title I loan insured program:(1) a requirement that affected new manufactured homes meet the thermal energy requirements in HUD's Minimum Property Standards; (2) restrictions on the use of loan proceeds for the acquisition of furniture; (3) a reduction in the length of hazard insurance coverage that can be financed; (4) an increase in the property improvement loan amount on which a security interest is required; and (5) the collection of a higher percentage of the loan insurance premium in the early years when the risks of default are greatest.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Robert J. Coyle, Director, Title I Insurance Division, Department of Housing and Urban Development, Office of Housing, 202 755-6680

RIN: 2502-AE15

---

903. PENALTY FOR LACK OF DOCUMENTATION (H-80-84)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None.

Abstract: The new single family process provides for "random audits" of mortgagees' records when single family claims for insurance benefits are filed with HUD. During the audit, the mortgagee will be required to provide specific supporting documentation. When the mortgagee cannot produce the required documentation, HUD will penalize the mortgagee for the amount not supported plus the current interest rate on that unsupported amount from the date of payment.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Linda Gibbs, Director, Mortgage Insurance Accounting and, Servicing, Department of Housing and Urban Development, Office of Administration, Office of Finance and Accounting, 202 755-2632

RIN: 2502-AC54

---

904. HUD INSPECTIONS - NO DUTY OF CARE (H-1-85; FR-2025)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203; 24 CFR 234

Legal Deadline: None.

Abstract: Proposed regulation to protect HUD against suits brought under the Federal Tort Claims Act claiming negligent inspection of FHA-insured properties.

Timetable:

Action	Date	FR Cite
NPRM	04/13/88	53 FR 12431
NPRM Comment Period End	06/13/88	53 FR 12431

Small Entity: No

Agency Contact: John J. Coonts, Deputy Director, Office of Insured Single, Family Housing Division, Department of Housing and Urban Development, Office of Housing, 202 755-3046

RIN: 2502-AC92

---

905. DEREGULATION OF LOAN ORIGINATION FEES IN FHA SINGLE FAMILY HOUSING (H-18-87; FR-2333)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None.

Abstract: Post-endorsement fees in the FHA single family program will be deregulated, as will loan origination fees.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Morris E. Carter, Director, Single Family Development Div., Department of Housing and Urban Development, Office of Housing, 202 755-6720

RIN: 2502-AD98

---

906. MORTGAGEE CHARGES FOR SERIOUS TITLE DEFECTS (H-28-87; FR-2368)

Legal Authority: 12 USC 1710; 12 USC 1715(b); 12 USC 1709

CFR Citation: 24 CFR 203.366; 24 CFR 203.403

Legal Deadline: None.

Abstract: Proposed rule is intended to impose graduated charges on mortgagees who convey FHA-insured properties to HUD with serious title defects. These charges would increase with the length of time required by the mortgagee to rectify the defects.

Exploring the base on which the graduated charges will be calculated; i.e., whether to use a percentage of the total insured claim or materials averages of daily holding costs.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Jacqueline Campbell, Dir., Single Family Property Disposition, Division, Department of Housing and Urban Development, Office of Housing, 202 755-5740

RIN: 2502-AE11

---

907. ● REVISION OF HUD MORTGAGE APPROVAL PROCESS (H-5-88; FR-2434)

Significance: Agency Priority

Legal Authority: 12 USC 1709

CFR Citation: 24 CFR 203

Legal Deadline: None.

Abstract: The rule would change present HUD practice concerning the use of mortgage forms in HUD single family mortgage insurance use in each jurisdiction. Instead, HUD will now require each mortgagee to use HUD-approved uniform language reflecting current HUD policies, along with language required by particular jurisdictions or programs. Mortgagees will now be responsible for including the uniform language and any other specific language required by HUD in mortgages which must be enforceable in the jurisdiction where the property is located.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: John J. Coonts, Dir., Office of Insured Single Family Hsg., Department of Housing and Urban Development, Office of Housing, 202 755-3046

RIN: 2502-AE27

---

908. ● EMERGENCY HOMEOWNERSHIP COUNSELING (H-20-88; FR-2460) 1987 HCD ACT

Legal Authority: PL 100-242, Sec 169

CFR Citation: 24 CFR 203

Legal Deadline: None.

Abstract: This rule would implement sec. 169(b) of the Housing and Community Development Act of 1987 authorizing HUD to make grants to nonprofit organizations to provide homeownership counseling to eligible homeowners.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: No

Agency Contact: John J. Coonts, Dir., Office of Insured Single Family Hsg., Department of Housing and Urban Development, Office of Housing, 202 755-3046

RIN: 2502-AE28

---

909. ● DEADLINE FOR FILING SINGLE FAMILY SUPPLEMENTAL CLAIMS (H-26-88; FR-2487)

Legal Authority: 12 USC 1710

CFR Citation: 24 CFR 203.400

Legal Deadline: None.

Abstract: At present, there is no regulatory control over the time period that mortgagees can submit applications for supplemental insurance benefits. The Department has instructed lenders to file these supplemental claim within one year of the date of the original insurance settlement. This information has so far been contained in the Instructions for Single Family Application for Insurance Benefits, Form HUD-27011. This rule will formalize the requirement that lenders follow this one-year filing period for supplemental claims.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Robert E. Falkenstein, Jr., Director, Single Family Servicing Div., Department of Housing and Urban Development, Office of Housing, 202 755-6672

RIN: 2502-AE51

---

910. ● ACTION TO REDUCE LOSSES UNDER FHA SINGLE FAMILY MORTGAGE INSURANCE PROGRAM (H-28-88; FR-2491)

Legal Authority: 12 USC 1715b; 12 USC 1735f(1); PL 100-242, Sec 407

CFR Citation: 24 CFR 203

Legal Deadline: None.

Abstract: This rule proposes to implement section 407 of the Housing and Community Development Act of 1987. Where, as a result of an annual review, the Secretary finds a mortgagee with a higher than normal default and claim rate, the Secretary shall require the mortgagee to submit a report with a plan for corrective action. Failure to submit the report or complete the plan for corrective action within the timeframe required may be cause for suspension of the mortgagee from participation in FHA programs.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: Undetermined

Agency Contact: James Nistler, Deputy Asst. Sec. for Single Family Hsg., Department of Housing and Urban Development, Office of Housing, **202 755-6675**

RIN: 2502-AE52

911. ● CLAIM PROCESSING ON DEFAULTED COINSURED SINGLE-FAMILY MORTGAGES (H-1-88; FR-2410)

Legal Authority: 12 USC 1715z-9

CFR Citation: 24 CFR 204.280; 24 CFR 204.281; 24 CFR 204.282; 24 CFR 204.283; 24 CFR 204.284; 24 CFR 204.292; 24 CFR 204.293; 24 CFR 204.294; 24 CFR 204.300; 24 CFR 204.301; 24 CFR 204.302

Legal Deadline: None.

Abstract: The rule will modify the foreclosure and claim processing provisions for coinsured mortgages to conform them to the requirements of Part 203 to the effect that defaulted insured mortgagors must be considered for TMAP or assignment/ forbearance assistance to avoid foreclosure.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Curtis Myron, Dep. Dir., Single Family Servicing Div., Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing, **202 755-6664**

RIN: 2502-AE25

912. LIMITATION ON PREPAYMENT OF MORTGAGES ON MULTIFAMILY RENTAL HOUSING (H-54-84; FR-1952)

Significance: Regulatory Program

Legal Authority: 12 USC 1715z-15; PL 100-242, Sec 261

CFR Citation: 24 CFR 207; 24 CFR 221; 24 CFR 215; 24 CFR 886; 24 CFR 245; 24 CFR 277; 24 CFR 219; 24 CFR 231; 24 CFR 242; 24 CFR 244

Legal Deadline: None.

Abstract: This rule would codify HUD policies for implementing section 250(a) and (b) of the National Housing Act, as added by section 433 of the Housing and Urban-Rural Recovery Act of 1983 and amended by section 261 of the Housing and Community Development Act of 1987. This rule would restrict prepayment of multifamily project mortgages whenever Secretary has prepayment approval responsibilities. Prepayment will not be approved unless project is no longer needed for lower income housing, tenants have been given notice and opportunity to comment, and a relocation assistance plan has been put in place. Similar restrictions will apply to termination of insurance. Where the Secretary is not responsible for approving prepayment and therefore cannot restrict it, priority will be given for additional section 8 and troubled project assistance in order to discourage prepayment. Additional requirements imposed on the prepayment of multifamily project mortgages by Title II, Subtitle B of the Housing and Community Development Act of 1987 are being implemented by separate rulemaking (FR-2450; H-10-88; RIN: 2502-AE34).

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: No

Agency Contact: James Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning, Office of Multifamily Housing Management, **202 755-3970**

RIN: 2502-AC49

913. ● COMPUTER AUTOMATION OF REQUIRED DATA FOR CERTIFICATION AND RECERTIFICATIONS SUBSIDY BILLING PROCEDURES FOR CERTAIN MULTIFAMILY SUBSIDIZED PROJECTS (H-2-88; FR-2421)

Significance: Agency Priority

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 208

Legal Deadline: None.

Abstract: This rule would require owners of certain multifamily subsidized projects to automate the information and transmission of HUD forms and worksheets for certification and recertification of compliance with HUD's tenant eligibility and rent procedures, and the computation of tenant rent/payment and the monthly subsidy billing forms, as applicable. This rule would apply to multifamily projects under the following program: section 236 rental assistance payments, section 8 housing assistance payments, section 221(d)(5), below market interest rate housing for low and moderate income mortgage insurance, and section 101 rent supplements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: James J. Tahash, Director, Planning and Procedures Division, Department of Housing and Urban Development, Office of Housing, **202 426-3970**

RIN: 2502-AE26

914. ASSIGNMENT OPTION (H-44-86)

Significance: Agency Priority

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 221.55

Legal Deadline: None.

Abstract: This rule would make it possible for a mortgagee to net the escrow from the claim amount on automatic assignments. The escrow account can be built through a non-cash transaction in the Thrift system. This would eliminate misrouting of checks through the mail.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Agency Contact: Linda Gibbs, Director, Mortgage Insurance Accounting and Servicing, Department of Housing and Urban Development, Office of Housing, **202 755-2632**

RIN: 2502-AD78

915. ● ASSIGNMENT OF COINSURING LENDER INTEREST TO WAREHOUSE BANK FOR INTERIM FUNDING (H-15-88; FR-2455)

Legal Authority: 12 USC 1715z-9

CFR Citation: 24 CFR 251; 24 CFR 255

Legal Deadline: None.

Abstract: This rule would implement section 414(b)(2) of the Housing and Community Development Act of 1987. That section permits coinsuring mortgagees to assign their interest in a coinsured note or mortgage to a warehousing bank for purposes of interim funding while retaining the

coinsurance risk for such note or mortgage.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: James Hamernick, Director, Office of Insured Multifamily Development, Department of Housing and Urban Development, Office of Housing, **202 755-6500**

RIN: 2502-AE39

---

916. MANUFACTURED HOME PROCEDURAL AND ENFORCEMENT REGULATIONS INTERPRETATIVE BULLETINS (H-31-87; FR2380)

Legal Authority: 42 USC 5424

CFR Citation: 24 CFR 3282

Legal Deadline: None.

Abstract: This proposed rule would amend the Manufactured Home Procedural and Enforcement Regulations in order to remove the issuance of Interpretative Bulletins from the rulemaking process. The purpose of this procedural modification is to promote efficiency in issuing Interpretative Bulletins so that important guidance can be provided to the manufactured housing industry in a timely manner.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: Mark W. Holman, Acting Director, Manufactured Housing &, Construction Standards Division, Department of Housing and Urban Development, Office of Housing, **202 755-5210**

RIN: 2502-AE10

---

917. REVIEW OF APPLICATIONS FOR HOUSING ASSISTANCE AND ALLOCATION OF HOUSING ASSISTANCE FUNDS (S-10-84; FR-1896)

Legal Authority: 42 USC 1439

CFR Citation: 24 CFR 791

Legal Deadline: None.

Abstract: The rule revises HUD's regulations for the allocation of housing assistance funds to conform with statutory changes made by the Housing and Urban-Rural Recovery Act of 1983. It contains an explicit description of the allocation formula, including some modifications to the factors making up the formula; deletes specific requirements on allocating funds in accordance with approved Housing Assistance Plans; and eliminates the requirements for local consultation in the allocation process. Part 791 would also be amended to consolidate local government submission requirements and HUD criteria for review of applications for housing.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Includes: H-4-81, FR-1512.

Agency Contact: Stephen Cooley, Office of Housing Policy, Department of Housing and Urban Development, Office of Housing, **202 755-6454**

RIN: 2502-AA73

---

918. CONFORMING SECTION 8 EXISTING CERTIFICATE REGULATION TO HOUSING VOUCHER FORMAT (H-2-87; FR-2294)

Significance: Regulatory Program

Legal Authority: 42 USC 1437f; PL 100-242, Sec 144; PL 100-242, Sec 145; PL 100-242, Sec 146; PL 100-242, Sec 147; PL 100-242, Sec 148; PL 100-242, Sec 149; PL 100-242, Sec 262

CFR Citation: 24 CFR 882

Legal Deadline: None.

Abstract: This rule will revise the Section 8 Certificate Program regulations in Part 882 to conform them to the extent practicable to the closely-related Housing Voucher Program regulations in Part 887, to implement certain statutory amendments to the Program under the Housing and Community Development Act of 1987 and to propose certain revisions based on programmatic experience.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Government Levels Affected: Local, State

Agency Contact: Madeline Hastings, Director, Existing Housing Division, Office of Elderly and Assisted Housing, Department of Housing and Urban Development, Office of Housing, **202 755-6887**

RIN: 2502-AD91

---

919. ● INTERPROGRAM TRANSFERS OF ASSISTED TENANTS (H-8-88; FR-2436)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 882; 24 CFR 887; 24 CFR 905; 24 CFR 950

Legal Deadline: None.

Abstract: Because currently assisted tenants are unlikely to receive a Federal preference, the implementation of the Preference Rule (FR-1597) could have the effect of locking most public housing tenants in the public housing program, thereby denying them any opportunity they currently might have to move to the top of the waiting list for a Section 8 certificate or voucher. This virtually eliminates any possibility for the family to retain their assistance and also move closer to areas of better economic opportunity.

This proposed rule would allow a PHA to treat a currently assisted family's request for a transfer among the public housing, Section 8 certificate, and Housing Voucher programs it administers as an interprogram transfer rather than as a new admission.

This rule would complement the new provision in Sec. 146 of the Housing and Community Development Act of 1987 prohibiting a PHA in selecting families for assistance under Sec. 8, from excluding a family because the family resides in a public housing project.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: James J. Tahash, Dir., Planning and Procedures Division, Department of Housing and Urban Development, Office of Housing, **202 426-3944**

RIN: 2502-AE32

HUD—OH

Proposed Rule Stage

920. ● LOANS FOR THE ELDERLY OR HANDICAPPED - HOUSING FOR THE HANDICAPPED (H-23-88; FR-2476) 1987 HCD ACT

Legal Authority: 12 USC 1701g

CFR Citation: 24 CFR 885

Legal Deadline: None. (HUD was directed to publish a NOFA to implement the program of Housing for nonelderly handicapped families not later than the expiration of the 120 day period following the date of enactment of the 1987 Act, to the extent that amounts are approved in an appropriations Act. To date no funds have been authorized.)

Abstract: Section 162 of the Housing and Community Development Act of 1987 authorizes a new type of assistance payments to be made to replace section 8 assistance payments made in connection with section 202 housing for the nonelderly handicapped. This rule would establish regulations for this program and modify existing Part 885 to exclude housing for the handicapped. The rule would also revise both section 202 programs to reflect revised Davis Bacon Requirements, requirements for supportive services descriptions, and provisions for the appeal of loan authority cancellation.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	08/00/88	

Small Entity: Undetermined

Agency Contact: Robert Wilden, Director, Assisted Elderly and Handicapped, Housing Division, Department of Housing and Urban Development, Office of Housing, **202 426-8730**

RIN: 2502-AE47

921. PROVISION OF SECTION 8 EXISTING HOUSING ASSISTANCE FOR PROJECTS AT FORECLOSURE SALES (H-3-86; FR-2158)

Significance: Agency Priority

Legal Authority: 42 USC 1437f; 12 USC 3706; 12 USC 3717; 12 USC 1713(k)

CFR Citation: 24 CFR 886; 24 CFR 27

Legal Deadline: None.

Abstract: This proposed rule would amend Parts 886 and 27 to make Section 8 assistance available for projects sold at foreclosure sales and to propose any revisions or additions to HUD regulations that may be necessary to implement section 181 of the Housing and Community Development Act of 1987 and that require prior public comment.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: James J. Tahash, Director, Planning and Procedures Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, **202 426-3944**

RIN: 2502-AD43

922. MISCELLANEOUS REVISIONS OF PART 886 (H-37-86; FR-2275)

Legal Authority: 42 USC 1437a; 42 USC 1437c; 42 USC 1437f

CFR Citation: 24 CFR 886.310; 24 CFR 886.330; 24 CFR 886.331; 24 CFR 886.334; 24 CFR 886.322; 24 CFR 886.333; 24 CFR 886.122

Legal Deadline: None.

Abstract: This proposed rule would amend Part 886 which governs procedures for additional assistance for projects with HUD-insured or HUD-held mortgages (Subpart A) and the Section 8 housing assistance payments program for the disposition of HUD owned projects (Subpart C). This rule would (1) modify the maximum monthly rent provisions of Subpart C to reflect Section 102(b)(7) of the Housing and Community Development Amendments of 1984; (2) amend the work write-up, cost estimate and cost certification provisions governing the rehabilitation of projects under Subpart C and (3) make other miscellaneous changes to Part 886.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: This proposal was originally included as part of FR-1950.

Agency Contact: James Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, **202 426-3970**

RIN: 2502-AD69

923. LAND REGISTRATION (H-21-86)

Legal Authority: 15 USC 1701

CFR Citation: 24 CFR 1710

Legal Deadline: None.

Abstract: This rule would adjust the reporting and registering requirements for land registration and adjust the fee payment procedures.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Lionel Cabrera, Chief, Land Sales Policy Examination Branch, Department of Housing and Urban Development, Office of Housing, **202 755-6924**

RIN: 2502-AD54

924. AMENDMENTS TO INTERSTATE LAND SALES REGISTRATION (H-47-86; FR-2503)

Significance: Agency Priority

Legal Authority: 15 USC 1718; 42 USC 3535(d)

CFR Citation: 24 CFR 1710

Legal Deadline: None.

Abstract: The Department is proposing to amend the regulatory exemption section of its regulations to provide further relief from registration requirements with no loss in consumer protection.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: John L. Brady, Director, Interstate Land Registration Division, Department of Housing and Urban Development, Office of Housing, **202 755-0502**

RIN: 2502-AD81

925. MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS - FORMALDEHYDE REGULATIONS (H-10-87; FR-2332)

Legal Authority: 42 USC 5403

CFR Citation: 24 CFR 3280.308; 24 CFR 3280.309; 24 CFR 3280.406

Legal Deadline: None.

Abstract: Medium density fiberboard is not currently covered by the standards but is a major emitter of formaldehyde. It is used extensively in cabinet construction and can cause problems similar to particleboard or plywood, materials already regulated by the standards.

Second, the Department has received a number of complaints concerning the language and posting requirements of the health notice. Consideration will be given to different notice requirements if the manufactured home meets more than the minimum standard of formaldehyde levels.

Third, the current rule requires recertification of plywood and particleboard following treatment with a product containing formaldehyde.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Mark W. Holman, Acting Director, Manufactured Housing &, Construction Standards Division, Department of Housing and Urban Development, Office of Housing, 202 755-5210

RIN: 2502-AE02

---

926. NOTICE OF FORMALDEHYDE; MANUFACTURED HOME CONSTRUCTION AND SAFETY (H-23-87; FR2349)

Legal Authority: 42 USC 5403

CFR Citation: 24 CFR 3280.309

Legal Deadline: None.

Abstract: This rule would revise the Health Notice on formaldehyde emissions required under the Manufactured Home Construction and Safety Standards at 24 CFR 3280.309. The primary revisions would involve the shortening of the background information in the Notice on health risks arising from formaldehyde and engineering options to reduce formaldehyde levels, and the addition of an option for manufacturers concerning the location of the Notice.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Mark W. Holman, Acting Director, Manufactured Housing &, Construction Standards Division, Department of Housing and Urban Development, Office of Housing, 202 755-6590

RIN: 2502-AE21

---

927. ● MANUFACTURED HOUSING ENERGY CONSERVATION STANDARDS (H-29-88; FR-2497) 1987 HCD ACT

Legal Authority: PL 100-242, Sec 568

CFR Citation: 24 CFR 3280.506.

Legal Deadline: None.

Abstract: The regulation would revise the Department's thermal energy standards to comport with section 568's requirements that the Department's standards be "cost-effective energy conservation standards designed to ensure the lowest total of construction and operating costs."

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Undetermined

Agency Contact: Mark Holman, Director, Manufactured Housing and, Construction Standards Division, Department of Housing and Urban Development, Office of Housing, 202 755-5210

RIN: 2502-AE53

---

928. MANUFACTURED HOME PROCEDURAL AND ENFORCEMENT SYSTEM (H-40-86; FR-2278)

Legal Authority: 42 USC 5403

CFR Citation: 24 CFR 3282

Legal Deadline: None.

Abstract: This rule would propose revisions to HUD enforcement regulations at 24 CFR Part 3282 to improve the effectiveness of Production Inspection Primary Inspection Agencies (IPIAs).

Timetable:

Action	Date	FR Cite
ANPRM	05/08/87	52 FR 17411
NPRM	05/00/88	
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: Mark W. Holman, Acting Director, Manufactured Housing &, Construction Standards Division, Department of Housing and Urban Development, Office of Housing, 202 755-5210

RIN: 2502-AD60

---

929. MANUFACTURED HOME DESIGN INSPECTION SYSTEM (H-41-86; FR-2279)

Legal Authority: 42 USC 5403

CFR Citation: 24 CFR 3282

Legal Deadline: None.

Abstract: This proposed rule will deregulate the current design inspection system on manufactured homes and substitute a procedure for manufacturer certification,among other revisions.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: Mark W. Holman, Acting Director, Manufactured Housing &, Construction Standards Division, Department of Housing and Urban Development, Office of Housing, 202 755-5210

RIN: 2502-AD61

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Final Rule Stage

Office of Housing (OH)

930. SUPPORTIVE HOUSING DEMONSTRATION PROGRAM (H-34-87; FR2385)

Legal Authority: 42 USC 11381-88

CFR Citation: 00 CFR 000

Legal Deadline: None.

Abstract: This rule implement the Supportive Housing Demonstration Program contained in Subtitle C of Title IV of the Stewart B. McKinney Homeless Housing Act (Pub. L. 100-77, approved July 22, 1987). The program is designed to develop innovative approaches to providing supportive housing especially to deinstitutionalized homeless individuals, homeless families with children and homeless individuals with mental disabilities and other handicapped persons.

Timetable:

Action	Date	FR Cite
NPRM	10/26/87	52 FR 39946
NPRM Comment Period End	12/28/87	52 FR 39946
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: Lawrence Goldberger, Director, Office of Elderly & Assisted, Housing, Department of Housing and Urban Development, Office of Housing, 202 755-5720

RIN: 2502-AE13

931. ● TENANT PARTICIPATION IN MULTIFAMILY PROJECTS (H-11-88; FR-2451) 1987 HCD ACT

Legal Authority: PL 100-242, Sec 183

CFR Citation: 00 CFR 000

Legal Deadline: None.

Abstract: This rule provides for the applicability of the tenant participation requirements of section 202 of the HCDA of 1978 to section 202 elderly and handicapped projects. The rule also removes the Secretary's authority not to provide for tenant participation in certain owner actions and authorizes the application of the tenant participation requirements in the Secretary's proposal to sell a multifamily housing project.

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: James J. Tahash, Dir., Planning and Procedures Division, Department of Housing and Urban Development, Office of Housing, 202 426-3944

RIN: 2502-AE35

932. ● HODAG 1987 ACT AMENDMENTS (H-19-88; FR-2459) 1987 HCD ACT

Legal Authority: PL 100-242, Sec 151(a)-(e)

CFR Citation: 00 CFR 000

Legal Deadline: None.

Abstract: This final rule would amend existing provisions and add new provisions implementing section 151 of the HCDA of 1987.

Timetable:

Action	Date	FR Cite
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: Jessica Franklin, Director, Development Grant Division, Department of Housing and Urban Development, Office of Housing, 202 755-6142

RIN: 2502-AE43

933. APPLICABILITY OF MINIMUM PROPERTY STANDARDS MANUFACTURED HOMES UNDER TITLE II OF THE NATIONAL HOUSING ACT (H-82-82; FR-1578)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 200; 24 CFR 203

Legal Deadline: None.

Abstract: Interim rule permits insured financing of properties with manufactured homes under Title II of the National Housing Act, as a means of broadening affordable home ownership opportunities. To qualify for such financing, the manufactured homes, foundations and sites must meet prescribed standards to insure adequate security for HUD-insured mortgages. By such action homeowners can expect reduced housing cost without sacrificing housing quality or durability.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/24/83	48 FR 7731
Interim Rule	02/24/83	48 FR 7731

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Morris Carter, Director, Single Family Development, Division, Department of Housing and Urban Development, Office of Housing, 202 755-6700

RIN: 2502-AB24

934. MINIMUM PROPERTY STANDARDS (MPS) FOR HOUSING -- WATER SUPPLY SYSTEMS (H-31-86; FR-2255)

Legal Authority: 12 USC 1701 to 1715a-18

CFR Citation: 24 CFR 200

Legal Deadline: None.

Abstract: This proposed rule would amend the regulation relating to the applicability of the chemical and bacteriological standards of local health authorities to HUD-insured one- and two-family dwellings. This proposal provides that in the absence of local standards, those of the appropriate State agency would apply. This revision would simplify the requirements for water supply systems while furthering the Department's policy of relying on acceptable State and local building codes.

Timetable:

Action	Date	FR Cite
NPRM	06/08/87	52 FR 21596
NPRM Comment Period End	08/07/87	52 FR 21596
Final Action	05/00/88	

Small Entity: No

Agency Contact: Mark W. Holman, Acting Director, Manufactured Housing &, Construction Standards Division, Department of Housing and Urban Development, Office of Housing, 202 755-5210

RIN: 2502-AD64

935. ● MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS FOR LEAD IN WATER PIPING(H-3-87; FR-2296)

Legal Authority: 12 USC 1701

CFR Citation: 24 CFR 200

Legal Deadline: None.

Abstract: This final rule implements a provision of the Safe Drinking Water Act Amendments of 1986 that prohibits the insurance of a mortgage or the furnishing of assistance to newly

constructed residential property which contains a portable water system unless the system uses only lead free pipe, solder and flux. The provision is effective 24 months after the enactment of the Amendment.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: Undetermined

Agency Contact: Mark W. Holman, Director, Manufactured Housing and, Construction Standards Division, Department of Housing and Urban Development, Office of Housing, **202 755-5210**

RIN: 2502-AE05

936. RESTRICTIONS ON ALL-CASH SALES (AMENDMENT TO PART 200) (H-30-87; FR-2374)

Legal Authority: 12 USC 1703; 12 USC 1715b

CFR Citation: 24 CFR 200

Legal Deadline: None.

Abstract: This interim rule is intended to prohibit assumptors of a mortgage, or other persons purchasing property subject to a mortgage, on which an insured claim has been paid by the Department, from participating in a HUD "all cash public sale."

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/88	

Small Entity: Undetermined

Agency Contact: John J. Coonts, Deputy Director, Office of Single Family, Housing, Department of Housing and Urban Development, Office of Housing, **202 755-3046**

RIN: 2502-AE12

937. TEMPORARY MORTGAGE ASSISTANCE PAYMENTS (TMAP) AND ASSIGNMENTS TO HUD (H-44-85; FR-2147)

Significance: Agency Priority

Legal Authority: 12 USC 1715b; 12 USC 1715u

CFR Citation: 24 CFR 203; 24 CFR 204

Legal Deadline: None.

Abstract: Additional amendments to TMAP and Assignment rule are needed to reflect change in TMAP interest rate made by section 428 of the Housing and Community Development Act of 1987 and to assure that mortgagees inform mortgagors of the possible right to TMAP or assignment before they accept a deed in lieu of foreclosure from the mortgagor. (This rule was identified in earlier Agendas as RIN: 2502-AB79; H-29-81; FR-1415.)

Timetable:

Action	Date	FR Cite
NPRM	01/03/86	51 FR 216
NPRM Comment Period End	03/04/86	51 FR 216
Final Action	03/05/87	52 FR 6908
Final Action Effective	04/00/88	

Small Entity: No

Agency Contact: John Coonts, Deputy Director, Office of Insured Single, Family Housing, Department of Housing and Urban Development, Office of Housing, **202 755-3046**

RIN: 2502-AD34

938. CRITERIA FOR ACCEPTABILITY OF INSURED 10-YEAR PROTECTION PLANS (H-28-86; FR-2036)

Significance: Agency Priority

Legal Authority: 12 USC 1709, Sec 203, 211; 12 USC 1715b; 42 USC 3535(d)

CFR Citation: 24 CFR 203

Legal Deadline: None.

Abstract: This proposed rule would revise the existing administrative criteria for acceptability of insured 10-year protection Plans (Plans). The Department began this proceeding by publishing a Notice informing the public that HUD intended to revise the criteria. This rule describes, among other things, criteria related to Plan acceptability, insurance and financial backing, Plan coverage, and methods for determining Plan obligations.

HUD acceptance of these Plans is a prerequisite to reduced inspection requirements on a property accepted for mortgage insurance before the commencement of construction. It is also a prerequisite to high loan-to-value insured financing for existing one-to-four family dwellings that are less than one year old and that were not approved and inspected by HUD or the Veterans Administration before the start of construction.

Timetable:

Action	Date	FR Cite
NPRM	06/10/87	52 FR 21961
NPRM Comment Period End	08/10/87	52 FR 21961
Final Action	06/00/88	

Public Comments

Notice of Solicitation 11/14/84 (49 FR 45075)

Small Entity: No

Agency Contact: John Coonts, Deputy Director, Office of Insured, Single Family Housing, Department of Housing and Urban Development, Office of Housing, **202 755-6924**

RIN: 2502-AD65

939. ALLEGANY RESERVATION OF THE SENECA NATION (H-32-87; FR-2382)

Legal Authority: 12 USC 1709

CFR Citation: 24 CFR 203

Legal Deadline: None.

Abstract: This rule implements Public Law 99-601. The law authorizes the Secretary of HUD, notwithstanding any contrary requirements in the National Housing Act, to insure single family mortgages covering certain properties located on lands within the Allegany Reservation of the Seneca Indian Nation.

Timetable:

Action	Date	FR Cite
NPRM	12/21/87	52 FR 48197
NPRM Comment Period End	02/19/88	52 FR 48197
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: John J. Coonts, Deputy Director, Office of Insured Single Family Housing, Department of Housing and Urban Development, Office of Housing, **202 755-3046**

RIN: 2502-AE09

940. ● SINGLE FAMILY MORTGAGE INSURANCE - OCCUPANT AND INVESTOR MORTGAGORS (H-16-88; FR-2456) 1987 HCD ACT

Legal Authority: 12 USC 1709; 12 USC 1715b

CFR Citation: 24 CFR 203; 24 CFR 213; 24 CFR 221; 24 CFR 222; 24 CFR 226; 24 CFR 233; 24 CFR 234; 24 CFR 235

Legal Deadline: None.

HUD—OH

Final Rule Stage

Abstract: This rule implements section 406 of the Housing and Community Development Act of 1987. Section 406 authorizes HUD (1) to insure single family mortgages under title II of the National Housing Act, or (2) to approve a substitute mortgagor for single family mortgages insured under title II, only if the mortgagor is to occupy the dwelling as a principal or secondary residence, as determined by HUD. Section 406 provides that this occupancy requirement only applies if the mortgage involve a principal obligation that exceeds 75 percent of the loan-to-value or equivalent calculation under the insuring authority involved. The action exempts from the occupancy requirement, mortgagors under the Rehabilitation Loan program under section 203(k) of the National Housing Act, and certain public entity, nonprofit, serviceperson, and other mortgagors under various National Housing Act activities.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: Undetermined

Agency Contact: Morris Carters, Dir., Single Family Development Division, Department of Housing and Urban Development, Office of Housing, 202 755-6700

RIN: 2502-AE40

941. ● MULTIFAMILY HOUSING MORTGAGE INSURANCE -- REGULATION OF RENTS (H-9-88; FR-2448) 1987 HCD ACT

Legal Authority: PL 100-242, Sec 425

CFR Citation: 24 CFR 207.19; 24 CFR 220.511; 24 CFR 221.530

Legal Deadline: None.

Abstract: This rule implements section 425 of the Housing and Community Development Act of 1987. Section 425 requires HUD to regulate charges for accommodations (rents), facilities, and services for certain multifamily projects with HUD-insured project mortgages. Regulation must occur where (1) the mortgagor did not take steps, by December 1, 1987, to amend its regulatory agreement to incorporate rules changes published on April 19, 1983 and June 4, 1986, permitting mortgagors to set rental and other charges for their projects or to use alternative formulae for setting maximum project rentals; and (2) the project was receiving Section 8 assistance (other than Housing Certificates) as of December 1, 1987, or not less than one-half of the project units are occupied by lower income families.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	
Final Action Effective	05/00/88	

Small Entity: No

Government Levels Affected: Local, Federal

Agency Contact: James J. Tahash, Dir., Planning and Procedures Division, Department of Housing and Urban Development, Office of Housing, 202 426-3944

RIN: 2502-AE33

942. STATE AGENCY AMENDMENTS (H-70-84; FR-1997)

Legal Authority: 12 USC 1715z-16(b); 12 USC 1715z-16(c)

CFR Citation: 24 CFR 215; 24 CFR 221; 24 CFR 236; 24 CFR 245

Legal Deadline: None.

Abstract: This rule would make the Department's regulations on prohibited lease terms applicable to section 236 projects financed by state housing agencies.

Timetable:

Action	Date	FR Cite
NPRM	12/21/87	52 FR 48276
NPRM Comment Period End	02/19/88	52 FR 48276
Final Action	00/00/00	

Small Entity: No

Agency Contact: James Tahash, Director, Program Planning Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, 202 426-3970

RIN: 2502-AC73

943. ● RENT SUPPLEMENTS FEDERAL TENANTS SELECTION PREFERENCE (H-12-88; FR-2452) 1987 HCD ACT

Legal Authority: PL 100-242, Sec 168

CFR Citation: 24 CFR 215; 24 CFR 885

Legal Deadline: None.

Abstract: This final rule implements section 168 of the HCDA of 1987 striking the requirement that HUD make certain tenant eligibility determinations and empowering the project owner to make the determination. The rule also amends 24 CFR 885 to clarify the Federal preference are applicable to sections 202 and 8 projects.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: Undetermined

Agency Contact: James J. Tahash, Dir., Planning and Procedures Division, Department of Housing and Urban Development, Office of Housing, 202 426-3944

RIN: 2502-AE36

944. ● PREPAYMENT OF MORTGAGES ON LOW- AND MODERATE-INCOME HOUSING (H-10-88; FR-2450) 1987 HCD ACT

Legal Authority: 12 USC 1715z-15

CFR Citation: 24 CFR 219; 24 CFR 245; 24 CFR 248

Legal Deadline: Statutory, April 1988. Section 234 of the Act provides that the Secretary shall issue final regulations not later than 60 days from the date of enactment; such regulations shall take effect no later than 45 days after the date of the issuance of the regulations.

Abstract: The regulation implements provisions of the Housing and Community Development Act of 1987 that provide that mortgages on "eligible low income housing" may be prepaid only in accordance with a "plan of action" approved by the Secretary. The regulation establishes procedures for the submission and negotiation of such plans of action, lists incentives which may be part of the plan of action, and provides standards which the plans of action must meet. The regulation is designed to preserve needed low income housing in cases where the project owner might otherwise prepay its mortgage and convert the project to higher-income use.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/05/88	53 FR 11224

HUD—OH

Final Rule Stage

Action	Date	FR Cite
Interim Final Rule Effective Date	05/20/88	53 FR 11224
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: James J. Tahash, Director, Planning & Procedure Division, Office of Multifamily Housing Management, Department of Housing and Urban Development, Office of Housing, 202 426-3944

RIN: 2502-AE34

945. ● ELIGIBILITY OF SECTION 23 AND SECTION 202 HOUSING FOR FLEXIBLE SUBSIDY (H-18-88; FR-2458) 1987 HCD ACT

Legal Authority: PL 100-242, Sec 185(b); PL 100-242, Sec 186(b)

CFR Citation: 24 CFR 219

Legal Deadline: None.

Abstract: This final rule will implement section 185(b) and 186(b) of the HCDA of 1987 making section 23 and section 202 housing eligible for flexible subsidy.

Timetable:

Action	Date	FR Cite
Final Action	07/00/88	

Small Entity: Undetermined

Agency Contact: James J. Tahash, Dir., Planning and Procedures Division, Department of Housing and Urban Development, Office of Housing, 202 426-3944

RIN: 2502-AE42

946. ● FHA INSURANCE OF MORTGAGES COVERING NURSING HOMES AND SIMILAR PROJECTS (H-27-88; FR-2490)

Legal Authority: 12 USC 1715(b)

CFR Citation: 24 CFR 232

Legal Deadline: Statutory, May 5, 1988.

Abstract: This rule amends 24 CFR Part 232 to (1) make public nursing homes eligible for mortgage insurance and (2) establish an alternative procedure for satisfying the "certification of need" requirement governing mortgage insurance of nursing homes and intermediate care facilities. The rule implements section 410 of the Housing and Community Development Act of 1987.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/05/88	

Small Entity: Undetermined

Agency Contact: James Hamernick, Director, Office of Insured Multifamily Dev., Department of Housing and Urban Development, Office of Housing, 202 755-6500

RIN: 2502-AE38

947. ADDITIONAL REVISIONS - HOSPITAL INSURANCE (H-24-86; FR-2227)

Significance: Regulatory Program

Legal Authority: 12 USC 1715b; 12 USC 1715z-6; 12 USC 1715z-7

CFR Citation: 24 CFR 241; 24 CFR 242

Legal Deadline: None.

Abstract: This rule includes RIN 2502-AC61, Mortgage Insurance Requirements for Private and Public Hospitals (H-69-84; FR-1992) and RIN 2502-AC64, Maximum Mortgage Amounts for Hospitals (H-72-84; FR-2004). Statutory changes under the HDCA of 1987 affect the additional security requirements that may be imposed on public hospitals, as well as other significant features of HUD's earlier proposed rules.

Timetable:

Action	Date	FR Cite
NPRM	01/12/87	52 FR 1201
Final Action	05/00/88	

Small Entity: No

Additional Information: FR2466 (H-21-88; RIN: 2502-AE24) incorporated into FR2227.

Agency Contact: James L. Hamernick, Director, Office of Insured Multifamily Development, Department of Housing and Urban Development, Office of Housing, 202 755-6500

RIN: 2502-AD70

948. ● HOSPITAL INSURANCE - ALTERNATE CERTIFICATION REQUIREMENTS (H-21-88; FR-2466) 1987 HCD ACT

Significance: Agency Priority

Legal Authority: PL 100-242, Sec 409(a)

CFR Citation: 24 CFR 242

Legal Deadline: Statutory, April 1988. Ninety day statutory deadline from the date of enactment of the HCD Act of 1987.

Abstract: This interim rule implements sections 409(a) and 411 of the Housing and Community Development Act of 1987 as they pertain to the Department's hospital insurance program. These legislative provisions provide alternative means by which a hospital can qualify for mortgage insurance under the 242 program even though the hospital is located in a State that is unable to provide the statutorily required certificate of need.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	

Small Entity: Not Applicable

Agency Contact: James Hamernick, Dir., Office of Multifamily Housing Dev., Department of Housing and Urban Development, Office of Housing, 202 755-6500

RIN: 2502-AE29

949. COINSURANCE FOR NURSING HOMES AND INTERMEDIATE CARE FACILITIES (H-32-86; FR-2256)

Legal Authority: 12 USC 1715z(9)

CFR Citation: 24 CFR 252

Legal Deadline: None.

Abstract: The rule would authorize the coinsurance of mortgages covering nursing homes or intermediate care facilities pursuant to section 244 of the National Housing Act. It would also authorize the full insurance of existing nursing homes or intermediate care facilities pursuant to section 223(f) of the National Housing Act.

Timetable:

Action	Date	FR Cite
NPRM	12/31/87	52 FR 49425
NPRM Comment Period End	02/29/88	52 FR 49425
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: James L. Hamernick, Director, Office of Insured Multifamily Hsg., Department of Housing and Urban Development, Office of Housing, 202 755-6500

RIN: 2502-AD74

950. HUD-OWNED MULTIFAMILY PROJECTS-MANAGEMENT AND DISPOSITION (H-69-78; FR-432)

Significance: Regulatory Program

Legal Authority: 12 USC 1715z-16; 12 USC 1701z-11; 12 USC 1701z-12; 12 USC 1713; 12 USC 1715b; PL 100-242, Sec 181

CFR Citation: 24 CFR 290; 24 CFR 886

Legal Deadline: None.

Abstract: Would conform current regulation more closely to Section 203 of the Housing and Community Development Act of 1978, as amended by Section 181 of the Housing and Community Development Act of 1988.

Timetable:

Action	Date	FR Cite
NPRM	10/18/84	49 FR 40888
NPRM Comment Period End	12/17/84	49 FR 40888
Final Action	07/00/88	

Small Entity: No

Agency Contact: Marc Harris, Multifamily Property Disposition Division, Department of Housing and Urban Development, Office of Housing, Office of Multifamily Housing Management, **202 755-9280**

RIN: 2502-AC68

951. ● SECTION 236 RENT SUPPLEMENT (H-17-88; FR-2457) 1987 HCD ACT

Legal Authority: PL 100-242, Sec 167(a)

CFR Citation: 24 CFR 735

Legal Deadline: None.

Abstract: This rule will increase assistance to owners to provide sufficient payments to cover 100 (formerly 90%) of the necessary rent increases and changes in the income as eligible tenants.

Timetable:

Action	Date	FR Cite
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: James Tahash, Dir., Planning & Procedures Division, Department of Housing and Urban Development, Office of Housing, **202 426-3944**

RIN: 2502-AE41

952. HOUSING DEVELOPMENT GRANT PROGRAM (H-26-84; FR-1902)

Legal Authority: 42 USC 1437o

CFR Citation: 24 CFR 850

Legal Deadline: None.

Abstract: Implements the Housing Development Grant Program established by Section 301 of the Housing and Urban-Rural Recovery Act of 1983. Under this Program, the Secretary is authorized to make grants to cities and urban counties and to States acting on behalf of units of general local government to support new construction or substantial rehabilitation of residential rental housing. At least 20 percent of the units in a project assisted under this Program must be leased to, or made available for occupancy by, lower income families for a period of 20 years. The rent for these units cannot exceed 30 percent of the adjusted income of a family at 50 percent of area median income. Assisted projects must be located within eligible areas, special purpose areas or neighborhood preservation areas.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/14/84	49 FR 24634
Interim Final Rule effective	08/07/84	49 FR 24634
Final Action	06/00/88	

Small Entity: No

Agency Contact: Jessica Franklin, Director, Department of Housing and Urban Development, Office of Housing, Development Grant Division, **202 755-6142**

RIN: 2502-AC23

953. ● SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAMS -- REVISIONS TO CONTRACT RENT ADJUSTMENT REGULATIONS (H-22-88; FR-2469) 1987 HCD ACT

Legal Authority: 42 USC 1437f; PL 100-242, Sec 142

CFR Citation: 24 CFR 880; 24 CFR 881; 24 CFR 882; 24 CFR 883; 24 CFR 884; 24 CFR 885; 24 CFR 886; 24 CFR 888

Legal Deadline: None.

Abstract: This rule implements the statutory changes in contract rent adjustments for the several Section 8 Housing Assistance Payments Programs enacted in section 142 of the Housing and Community Development Act of 1987.

Timetable:

Action	Date	FR Cite
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: James J. Tahash, Dir., Planning & Procedures Division, Department of Housing and Urban Development, Office of Housing, **202 426-3944**

RIN: 2502-AE44

954. SHARED HOUSING IN THE SECTION 8 MODERATE REHABILITATION PROGRAM (H-26-86; FR-2238)

Significance: Agency Priority

Legal Authority: 42 USC 1437f(p); 42 USC 3535(d)

CFR Citation: 24 CFR 882

Legal Deadline: None.

Abstract: This final rule will permit eligible applicants and tenants to share housing units with other eligible applicants or tenants in Section 8 Moderate Rehabilitation units, in accordance with the statutory directive in 42 USC 1437f(p). A proposed rule that included this program was published in 1984.

Timetable:

Action	Date	FR Cite
NPRM	12/07/84	49 FR 48005
NPRM Comment Period End	02/05/85	49 FR 48005
Final Action	00/00/00	

Small Entity: No

Agency Contact: Madeline Hastings, Director, Existing Housing Division, Department of Housing and Urban Development, Office of Housing, **202 755-6887**

RIN: 2502-AD66

955. MANAGEMENT RULES AND COMPREHENSIVE HOUSING AND COMMUNITY DEVELOPMENT AMENDMENTS (H-34-83; FR-1761)

Legal Authority: 12 USC 1701q; 42 USC 3535(d)

CFR Citation: 24 CFR 885

Legal Deadline: None.

HUD—OH

Final Rule Stage

Abstract: This rule would amend HUD's current regulations on loans for housing for the elderly or handicapped. The regulation adds regulatory provisions to govern section 202/8 project operations and management; incorporates changes required by statutory governing housing assistance payments contracts.

Timetable:

Action	Date	FR Cite
NPRM	12/09/87	52 FR 46614
NPRM Comment Period End	02/08/88	
Final Action	04/00/88	

Small Entity: Undetermined

Agency Contact: James J. Tahash, Director, Department of Housing and Urban Development, Office of Housing, Program Planning Division, Office of Multifamily Housing Management, **202 426-3970**

RIN: 2502-AC03

956. ● LOANS FOR THE ELDERLY OR HANDICAPPED - LOAN INTEREST RATE PROVISIONS (H-24-88; FR-2477) 1987 HCD ACT

Legal Authority: 12 USC 1701g

CFR Citation: 24 CFR 885

Legal Deadline: None.

Abstract: This final rule would amend HUD's regulations governing projects that receive direct loans under section 202 of the Housing Act of 1959 and housing assistance payments under section 8 of the United States Housing Act of 1957. The rule would incorporate recent amendments to interest rate calculation provisions contained in the Housing and Community Development Act of 1987.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: Undetermined

Agency Contact: Robert Wilden, Dir., Assisted Elderly and Handicapped, Housing Division, Department of Housing and Urban Development, Office of Housing, **202 426-8730**

RIN: 2502-AE46

957. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAM - HOUSING VOUCHERS (H-42-85; FR-2170)

Significance: Regulatory Program

Legal Authority: 42 USC 1437f(o); PL 100-242, Sec 143; PL 100-242, Sec 144; PL 100-242, Sec 145; PL 100-242, Sec 146; PL 100-242, Sec 147; PL 100-242, Sec 148; PL 100-242, Sec 149; PL 100-242, Sec 262

CFR Citation: 24 CFR 887

Legal Deadline: None.

Abstract: This rule would implement permanent regulations for the Housing Voucher Program. It would implement in the final rule those amendments to the Housing Voucher Program enacted as part of the Housing and Community Development Act of 1987 that do not require prior notice and comment.

Timetable:

Action	Date	FR Cite
NPRM	08/14/87	52 FR 30388
NPRM Comment Period End	09/14/87	52 FR 30388
Final Action	06/00/88	

Small Entity: No

Agency Contact: Gerald Benoit, Director, Housing Voucher Division, Department of Housing and Urban Development, Office of Housing, Office of Elderly and Assisted Housing, **202 755-6477**

RIN: 2502-AD26

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Housing (OH)

Completed Actions

958. USE OF MATERIALS BULLETIN NO. 40C - GRADEMARKING OF PLYWOOD (H-21-85; FR2407)

CFR Citation: 24 CFR 200

Completed:

Reason	Date	FR Cite
Withdrawn	02/11/88	

Small Entity: Undetermined

Agency Contact: Donald Fairman 202 755-5718

RIN: 2502-AD01

959. DIRECT ENDORSEMENT UNDERWRITER'S CERTIFICATION (H-29-86; FR-2241)

Significance: Agency Priority

CFR Citation: 24 CFR 200.163

Completed:

Reason	Date	FR Cite
Final Action	02/04/88	53 FR 3201
Final Action Effective	05/01/88	53 FR 6600

Small Entity: No

Agency Contact: John J. Coonts 202 755-3046

RIN: 2502-AD71

960. USE OF MATERIAL BULLETIN USED IN HUD BLDG. PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR MAT-FORMED PARTICLEBOARD SHEATHING PANELS (H-7-87; FR-2322)

CFR Citation: 24 CFR 200

Completed:

Reason	Date	FR Cite
Withdrawn	02/11/88	

Small Entity: Undetermined

Agency Contact: Leslie Breden 202 755-5929

RIN: 2502-AD92

961. LEAD STANDARDS IN WATER PIPING - SUBPART S - MPS (H-1-87; FR2290)

CFR Citation: 24 CFR 200

Completed:

Reason	Date	FR Cite
Final Action	04/06/88	53 FR 11270
Final Action Effective	06/19/88	53 FR 11270

Small Entity: Undetermined

Agency Contact: Mark W. Holman 202 755-5210

RIN: 2502-AE03

962. REV. OF UMB 44D TO ALLOW THE USE OF CARPET IN BATHROOMS & KITCHENS OVER A CONCRETE-MASONRY FLOORING SYSTEM AND A NEW CLASSIFICATION SYSTEM FOR CARPET (H-20-87; FR 2402)

CFR Citation: 24 CFR 200.935

Completed:

Reason	Date	FR Cite
Withdrawn	04/13/88	

Small Entity: Undetermined

Agency Contact: Donald R. Fairman 202 755-5718

RIN: 2502-AE07

963. ● USE OF MATERIALS BULLETIN NO. 89 HUD BUILDING PRODUCT STANDARDS AND CERTIFICATION PROGRAM FOR EXTERIOR INSULATED STEEL DOOR SYSTEMS (H-6-88; FR-2443)

Legal Authority: 12 USC 1701-1715z-18

CFR Citation: 24 CFR 0200

Legal Deadline: None.

Abstract: Use of Materials Bulletin No. 89 sets forth the Administrator qualifications and the procedures necessary to validate the manufacturer's certification of compliance with Insulated Steel Door Systems Institute (ISDSI) standards covering the composition of matter of the steel, air infiltration, water resistance, mechanical and thermal performance, and corrosion resistance of the exterior insulated steel door system.

Timetable:

Action	Date	FR Cite
Withdrawn	04/13/88	

Small Entity: Undetermined

Agency Contact: Leslie Breden, Office of Manufactured Hsg. & Regulatory Functions, Department of Housing and Urban Development, Office of Housing, 202 755-5929

RIN: 2502-AE30

964. CONVEYANCE OF ONE- TO FOUR-FAMILY PROPERTIES OCCUPIED BY TENANTS OR FORMER MORTGAGORS (H-9-85; FR-2064)

CFR Citation: 24 CFR 203

Completed:

Reason	Date	FR Cite
Final Action	01/14/88	53 FR 868
Final Action Effective	04/01/88	53 FR 8626

Small Entity: Undetermined

Agency Contact: Jacqueline B. Campbell 202 755-5740

RIN: 2502-AB10

965. ONE-TIME MORTGAGE INSURANCE PREMIUM FOR NON-MUTUAL FUND - SINGLE FAMILY INSURANCE PROGRAM (H-40-84; FR-1930)

CFR Citation: 24 CFR 203; 24 CFR 221; 24 CFR 226; 24 CFR 227; 24 CFR 234

Completed:

Reason	Date	FR Cite
Withdrawn	01/15/88	

Small Entity: Undetermined

Agency Contact: James B. Mitchell 202 426-4325

RIN: 2502-AC35

966. INSURANCE OF SINGLE FAMILY ADJUSTABLE RATE MORTGAGES (H-32-84; FR-1916)

CFR Citation: 24 CFR 203.49

Completed:

Reason	Date	FR Cite
Withdrawn	04/11/88	

Small Entity: No

Agency Contact: Morris Carter 202 755-6700

RIN: 2502-AC43

967. SINGLE FAMILY FORECLOSURES--DEFICIENCY JUDGEMENTS (H-6-86; FR-2193)

Significance: Regulatory Program

CFR Citation: 24 CFR 203

Completed:

Reason	Date	FR Cite
Final Action	02/16/88	53 FR 4384
Final Action Effective	03/28/88	53 FR 4384

Small Entity: No

Agency Contact: John J. Coonts 202 755-3046

RIN: 2502-AD38

968. TYPES OF SATISFACTORY TITLE EVIDENCE (H-48-86)

Significance: Agency Priority

CFR Citation: 24 CFR 203

Completed:

Reason	Date	FR Cite
Withdrawn	02/11/88	

Small Entity: Undetermined

Agency Contact: John J. Coonts 202 755-3046

RIN: 2502-AD83

969. ELIMINATION OF PROHIBITION ON THE PAYMENT OF FEES TO THIRD PARTIES IN MULTIFAMILY INSURANCE MORTGAGE TRANSACTION (H-5-87; FR-2314)

CFR Citation: 24 CFR 203

Completed:

Reason	Date	FR Cite
Withdrawn	01/27/88	

Small Entity: No

Agency Contact: James Hamernick 202 755-6500

RIN: 2502-AD90

970. SINGLE FAMILY MORTGAGE INSURANCE PREMIUM (H-11-87)

CFR Citation: 24 CFR 203

Completed:

Reason	Date	FR Cite
Withdrawn	01/05/88	

Small Entity: Undetermined

Agency Contact: Morris E. Carter 202 755-6720

RIN: 2502-AD93

971. FHA SINGLE FAMILY BORROWER ELIGIBILITY (H-12-87)

CFR Citation: 24 CFR 203

Completed:

Reason	Date	FR Cite
Withdrawn	01/05/88	

Small Entity: Undetermined

Agency Contact: Morris E. Carter 202 755-6720

RIN: 2502-AD94

972. SINGLE FAMILY DOWNPAYMENT REQUIREMENTS (H-17-87; FR-2334)

CFR Citation: 24 CFR 203

Completed:

Reason	Date	FR Cite
Withdrawn	11/23/87	

Small Entity: Undetermined

Agency Contact: Morris E. Carter 202 755-6720

RIN: 2502-AD99

973. ACCEPTANCE OF PARTIAL PAYMENTS DURING TMAP/ASSIGNMENT PROCESSING (H-27-87; FR-2366)

CFR Citation: 24 CFR 203

Completed:

Reason	Date	FR Cite
Withdrawn	12/02/87	

Small Entity: Undetermined

Agency Contact: John Coonts 202 755-3046

RIN: 2502-AE08

974. ● MISCELLANEOUS REVISIONS TO FHA SINGLE FAMILY AND MULTIFAMILY MORTGAGE INSURING AUTHORITIES (H-7-88; FR-2445)1987 HCD ACT

Significance: Agency Priority

Legal Authority: Not yet determined

CFR Citation: 24 CFR 203; 24 CFR 207; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24 CFR 231; 24 CFR 232; 24 CFR 234; 24 CFR 250; 24 CFR 251; 24 CFR 255; 24 CFR 885

Legal Deadline: None.

Abstract: This rule implements a number of the amendments made by the Housing and Community Development Act of 1987 to HUD's single family and multifamily mortgage insurance authorities. Major changes include liberalization in the way HUD determines maximum mortgage dollar limits in the FHA home insurance program, increases in the maximum mortgage dollar limits for HUD's multifamily mortgage insurance programs, a new FHA insuring authority for the refinancing of insured graduated payment mortgages (GPMs), and expansion of mortgagors eligible for FHA single family mortgage insurance on Hawaiian home lands.

Timetable:

Action	Date	FR Cite
Final Action	03/18/88	53 FR 8874
Final Action Effective	04/27/88	53 FR 8874

Small Entity: Undetermined

Additional Information: Additional Contact:

James Hamernick, Director, Office of Insured Multifamily Development, (202) 755-6500

Agency Contact: John J. Coonts, Dir., Office of Insured Single Family Hsg., Department of Housing and Urban Development, Office of Housing, 202 755-3046

RIN: 2502-AE31

975. MORTGAGE INSURANCE PROGRAMS UNDER NATIONAL HOUSING ACT (H-48-81; FR-1525)

CFR Citation: 24 CFR 207; 24 CFR 213; 24 CFR 220; 24 CFR 221; 24 CFR 231; 24 CFR 232; 24 CFR 234; 24 CFR 242

Completed:

Reason	Date	FR Cite
Withdrawn	11/23/87	

Small Entity: No

Agency Contact: April LeClair 202 755-6223

RIN: 2502-AA90

976. PREFERENCE IN THE PROVISION OF HOUSING FOR FAMILIES WHO ARE OCCUPYING SUBSTANDARD HOUSING, ARE INVOLUNTARILY DISPLACED, OR ARE PAYING MORE THAN 50% OF FAMILY INCOME (H-22-80; FR-1597)

Significance: Regulatory Program

CFR Citation: 24 CFR 215; 24 CFR 880; 24 CFR 881; 24 CFR 882; 24 CFR 883; 24 CFR 884; 24 CFR 886; 24 CFR 904; 24 CFR 905; 24 CFR 960; 24 CFR 885

Completed:

Reason	Date	FR Cite
Final Action	01/15/88	53 FR 1122
Final Action Effective	03/04/88	53 FR 6600

Small Entity: No

Agency Contact: James Tahash 202 426-3970

RIN: 2502-AA34

977. ● HOSPITAL INSURANCE - ALTERNATIVE CERTIFICATION REQUIREMENTS (H-21-88; FR2466) 1987 HCD ACT

Legal Authority: Not yet determined

CFR Citation: 24 CFR 242

Legal Deadline: Statutory, May 1988.

Abstract: This interim rule implements sections 409(a) and 411 of the Housing and Community Development Act of 1987 as they pertain to the Department's hospital insurance program. These legislative provisions provide alternative means by which a hospital can qualify for mortgage insurance under the 242 program, even though the hospital is located in a state that is unable to provide the statutorily required certification of need.

Timetable:

Action	Date	FR Cite
Withdrawn (Incorporated into FR-2227, H-24-86; RIN: 2502-AD70)	02/05/88	

Small Entity: No

Agency Contact: James L. Hamernick, Director, Office of Insured Multifamily, Development, Department of Housing and Urban Development, Office of Housing, 202 755-6500

RIN: 2502-AE24

978. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAMS PORTABILITY OF SECTION 8 EXISTING HOUSING CERTIFICATES (H-46-83; FR-1800)

CFR Citation: 24 CFR 882.101; 24 CFR 882.102; 24 CFR 882.110; 24 CFR 882.116; 24 CFR 882.118; 24 CFR 882.119; 24 CFR 882.209; 24 CFR 882.210; 24 CFR 882.216; 24 CFR 882.218

Completed:

Reason	Date	FR Cite
Withdrawn	12/19/87	

Small Entity: No

Agency Contact: Madeline Hastings 202 755-6887

RIN: 2502-AB88

979. SECTION 8 HOUSING ASSISTANCE PAYMENTS PROGRAMS-- MISCELLANEOUS AMENDMENTS (H-19-87; FR-2335)

CFR Citation: 24 CFR 882; 24 CFR 888

Completed:

Reason	Date	FR Cite
Withdrawn - Merged into RIN: 2502-AD91 (H-2-87; FR-2294)	01/22/88	

Small Entity: Undetermined

Agency Contact: Madeline Hastings 202 755-6887

RIN: 2502-AE00

980. LOANS FOR HOUSING FOR THE ELDERLY OR HANDICAPPED--ALLOCATION OF LOAN AUTHORITY, PROCESSING OF APPLICATIONS, DIRECT LOAN PROCESSING PROCEDURES (H-21-87; FR2345)

CFR Citation: 24 CFR 885

Completed:

Reason	Date	FR Cite
Withdrawn	01/21/88	

Small Entity: Undetermined

Agency Contact: Robert Wilden 202 755-8730

RIN: 2502-AE20

981. REVISIONS TO PART 886 TERMINATION OF TENANCY (H-59-84; FR-1950)

CFR Citation: 24 CFR 247; 24 CFR 886

Completed:

Reason	Date	FR Cite
Final Action	02/05/88	53 FR 3366
Final Action Effective	03/25/88	53 FR 3366

Small Entity: No

Agency Contact: James J. Tahash 202 426-3970

RIN: 2502-AC59

982. MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS - GENERAL (H-33-86; FR-2276)

CFR Citation: 24 CFR 3280

Completed:

Reason	Date	FR Cite
Withdrawn	02/11/88	

Small Entity: No

Agency Contact: Mark W. Holman 202 755-5210

RIN: 2502-AD58

983. MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS - DEREGULATORY PROPOSALS (H-39-86; FR-2277)

CFR Citation: 24 CFR 3280

Completed:

Reason	Date	FR Cite
Withdrawn	11/27/87	

Small Entity: No

Agency Contact: Mark W. Holman 202 755-5210

RIN: 2502-AD59

984. MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS - THERMAL ENERGY STANDARDS DEREGULATION (H-42-86; FR-2280)

CFR Citation: 24 CFR 3280

Completed:

Reason	Date	FR Cite
Withdrawn	12/29/87	

Small Entity: No

Agency Contact: Mark W. Holman 202 755-5210

RIN: 2502-AD62

985. PART 3280 - INTERPRETATIVE BULLETIN ON THE VAPOR BARRIER REQUIREMENTS OF 24 CFR 3280.504 (H-46-86; FR-2285)

CFR Citation: 24 CFR 3280.504

Completed:

Reason	Date	FR Cite
Withdrawn	11/17/87	

Small Entity: No

Agency Contact: Mark W. Holman 202 755-5210

RIN: 2502-AD82

986. NOTICE REQUESTING A PRIVATE ORGANIZATION TO DEVELOP AND MAINTAIN THE FEDERAL MANUFACTURED HOME CONSTRUCTION AND SAFETY STANDARDS (H-9-87; FR-2271)

Significance: Regulatory Program

CFR Citation: 24 CFR 3280

Completed:

Reason	Date	FR Cite
Notice	02/16/88	53 FR 4463

Small Entity: No

Agency Contact: Mark W. Holman 202 755-5210

RIN: 2502-AD85

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) — Proposed Rule Stage

Office of Community Planning and Development (CPD)

987. COMMUNITY DEVELOPMENT BLOCK GRANTS: STATE'S PROGRAM (CPD-7-83; FR-1877)

Significance: Regulatory Program

Legal Authority: 42 USC 5301; PL 98-181, Sec 104; PL 98-181, Sec 101

CFR Citation: 24 CFR 570.488

Legal Deadline: None.

Abstract: This revision would implement amendments to the State administered CDBG program made in the Housing and Urban-Rural Recovery Act (Pub. L. 98-181) approved November 30, 1983, and the Housing and Community Development Act of 1987 (Pub. L. 100-242) approved February 5, 1988. The rule includes definitions of low and moderate income persons, requirements for meeting the three national objectives, the 60% test for low and moderate income benefit, added local and state public participation, coverage of program income, performance reporting and record keeping, and consequences of States' dropping program administration after FY 85.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Richard J. Kennedy, Asst. Dir. State Small Cities Div., Department of Housing and Urban Development, Office of Community

Planning and Development, Office of Block Grant Assistance, State and Small Cities Division, **202 755-6322**

RIN: 2506-AA38

---

988. COMMUNITY DEVELOPMENT BLOCK GRANTS, URBAN DEVELOPMENT ACTION GRANTS (CPD-9-86; FR-2449)

Significance: Agency Priority

Legal Authority: PL 100-242, Sec 515

CFR Citation: 24 CFR 570.450 to 465

Legal Deadline: Statutory, 00/00/00. Proposed rule promulgated within 60 days of enactment.

Abstract: This rule would implement section 515 of the Housing and Community Development Act of 1987, revising the UDAG selection system formula and criteria, and would incorporate technical changes listed in previous semiannual agendas.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Additional Information: Includes: CPD-14-83 (RIN: 2506-AA40)

Affected Sectors: All

Government Levels Affected: Local, Federal

Agency Contact: Michael McMahon, Dir., Policy/Support Division, Department of Housing and Urban Development, Office of Community Planning and Development, **202 755-8227**

RIN: 2506-AA72

---

989. URBAN DEVELOPMENT ACTION GRANT APPLICATIONS FROM CONSORTIA OF SMALL CITIES (CPD-6-87; FR2381)

Legal Authority: 42 USC 5318

CFR Citation: 24 CFR 570

Legal Deadline: None.

Abstract: The Housing and Urban-Rural Recovery Act of 1983 permits consortia of small cities to apply for UDAG funds. This would allow geographically proximate small communities to apply jointly for funds to deal with common economic development problems beyond the administrative or financial capacities of any one of the communities.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Stanley Newman, Director, Office of Urban Development, Action Grants, Department of Housing and Urban Development, Office of Community Planning and Development, **202 755-6290**

RIN: 2506-AA76

---

990. ● SECRETARY'S DISCRETIONARY FUND - WORK STUDY PROGRAM (CPD-4-88; FR-2475) 1987 HCD ACT

Legal Authority: PL 100-242, Sec 107

CFR Citation: 24 CFR 0570

Legal Deadline: None.

Abstract: The proposed rule would implement section 501(b)(2) of the Housing and Community Development Act of 1987 under which HUD would use amounts set aside for the Secretary's Discretionary Fund for grants to institutions of higher education for the purposes of providing assistance to economically disadvantaged and minority students who participate on community development work-study programs.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	08/00/88	

Small Entity: Undetermined

Agency Contact: James Turk, Technical Assistance Division, Office of Program Policy Development, Department of Housing and Urban Development, Office of Community Planning and Development, **202 755-6092**

RIN: 2506-AA81

---

991. ● MISCELLANEOUS REVISIONS OF PART 570 - 1987 HCD ACT (CPD-5-88; FR-2496)

Legal Authority: Not yet determined

CFR Citation: 24 CFR 570

Legal Deadline: None.

Abstract: The proposed rule would revise the Community Development Block Grants Program rules 24 CFR Part 570 as necessary to implement certain changes made in the Housing and Community Development Act of 1987 (Pub. L. 100-242, approved February 5, 1988). The proposed rule will mainly address those changes to the entitlement program that could not be included in the related rule in FR-1877.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Jim Broughman, Director, Entitlement Cities Division, Department of Housing and Urban Development, Office of Community Planning and Development, **202 755-5977**

RIN: 2506-AA84

---

992. INDIAN COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: REVISION TO CORRECTIVE AND REMEDIAL ACTION (CPD-13-84; FR-2102)

Legal Authority: 42 USC 5301 to 5320

CFR Citation: 24 CFR 571.702 (b); 24 CFR 571.302(a)

Legal Deadline: None.

Abstract: This rule would amend the corrective and remedial actions available against grant recipients who fail to perform properly. One of the actions to be taken is to require recipients to reimburse their program account Letter of Credit in any amounts improperly expended. This amendment would allow the recipient to make such reimbursement through an in-kind contribution if sufficient cash is not available. In addition, it would allow alternative, non-cash transfer remedies to prevent a recurrence of the previous problems.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Leroy P. Gonnella, Director, Secretary's Fund Division, Department of Housing and Urban Development, Office of Community Planning and Development, **202 755-6092**

RIN: 2506-AA58

HUD—CPD **Proposed Rule Stage**

993. ● URBAN HOMESTEADING SELECTION PROCEDURES AND ELIGIBILITY FOR DISCRETIONARY FUND TECHNICAL ASSISTANCE (CPD-1-88; FR-2461)

Significance: Agency Priority

Legal Authority: 12 USC 1706e

CFR Citation: 24 CFR 590

Legal Deadline: None.

Abstract: This rule would establish new selection procedures for urban homesteading programs and would make urban homesteading eligible for technical assistance from the Secretary's Discretionary Fund. This rule would also permit States and units of government to transfer urban homesteading property under the regular homesteading program and the State/local Demonstration Program to a qualified community organization that would carry out the functions of the State or unit of government.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Richard Burk, Dir., Rehabilitation Loans & Homesteading, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-5327

RIN: 2506-AA79

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) — Final Rule Stage
Office of Community Planning and Development (CPD)

994. RESIDENTIAL RENTAL REHABILITATION PROGRAM (CPD-7-84; FR-1901)

Legal Authority: 42 USC 1437o; 42 USC 3535(d); PL 98-479, Sec 103; PL 98-181, Sec 302; PL 98-181, Sec 301

CFR Citation: 24 CFR 511

Legal Deadline: None.

Abstract: This rule implements the Rental Rehabilitation Program authorized by section 17 of the U.S. Housing Act of 1937. The regulation (1) sets out a variety of program and other requirements to be met by grantees, State recipients and others that use or benefit from rental rehabilitation grants amounts, (2) enumerates the requirements for participating in the Rental Rehabilitation Program, (3) sets forth the formula by which allocations of rental rehabilitation grant amounts will be made to eligible grantees, (4) explains the rental housing assistance available for tenants, (5) enumerates administrative requirements for the Program, and (6) explains how HUD will review program performance.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/20/84	49 FR 16936
Interim Rule Effective	05/24/84	49 FR 16936
Final Action	08/00/88	

Small Entity: No

Additional Information: Includes: CPD-17-82; CPD-8-84; FR-1912; FR-2055 (RIN: 2506-AA60)

Agency Contact: Mary Kolesar, Director, Rental Rehabilitation Division, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-5970

RIN: 2506-AA55

995. ● RENTAL REHABILITATION GRANTS (CPD-2-88; FR-2472)

Legal Authority: 42 USC 1437o; PL 100-242, Sec 150

CFR Citation: 24 CFR 511.1; 24 CFR 511.3; 24 CFR 511.4; 24 CFR 511.10; 24 CFR 511.20

Legal Deadline: None.

Abstract: This rule makes a number of changes in the Rental Rehabilitation Grant program. Major changes include (1) making eligible, for rental rehabilitation assistance, real property that will be privately owned upon the completion of assisted rehabilitation or that is owned by certain nonprofit organizations; (2) increasing the $5,000 per-unit limit on the amount of rental rehabilitation assistance for any structure by means of a sliding per-unit scale from $5,000 to $8,500, depending on the number of bedrooms in the unit; (3) permitting a unit of general local government that has an ordinance requiring rehabilitation to meet seismic standards to use all its rental rehabilitation grants to rehabilitate units with one bedroom or less, if the occupants of the units will have incomes not in excess of 50 percent of the median area income; and (4) allowing States and formula cities and counties to retain up to 10 percent of any rental rehabilitation grant amounts they receive for administrative expenses in carrying out their rental rehabilitation programs.

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	
Final Action Effective	06/00/88	

Small Entity: No

Government Levels Affected: Local, Federal

Agency Contact: Mary Ann Kolesar, Dir., Rehab Management Division, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-5970

RIN: 2506-AA80

996. COMMUNITY DEVELOPMENT BLOCK GRANT REGULATIONS (CPD-6-84; FR-1895)

Significance: Regulatory Program

Legal Authority: 42 USC 5301

CFR Citation: 24 CFR 570

Legal Deadline: None.

Abstract: As a result of the 1983, 1984, and 1987 amendments to the Housing and Community Development Act of 1974 as amended, this rule would set forth new requirements governing the administration of Community Development Block Grant funds under Subpart A (General Provisions), C (Eligible Activities), D (Entitlement Grants), F (Small Cities Programs), K (Other Applicable Laws), M (Loan Guarantees), J (Grant Administration), and O (Program Management).

HUD—CPD

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/31/84	49 FR 43852
NPRM Comment Period End	12/31/84	49 FR 43852
Final Action	00/00/00	

Small Entity: No

Additional Information: Includes: FR-1825, FR-1852, FR-1854; FR-1572

Government Levels Affected: Local, Federal

Agency Contact: James R. Broughman, Director, Department of Housing and Urban Development, Office of Community Planning and Development, Office of Block Grant Assistance, Entitlement Cities Division, 202 755-9267

RIN: 2506-AA47

997. COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM: ESCROW ACCOUNTS (CPD-2-86; FR-2164)

Legal Authority: 42 USC 5301 to 5321

CFR Citation: 24 CFR 0570.511

Legal Deadline: None.

Abstract: The Department is proposing to establish a rule that would govern the circumstances under which CDBG program recipients could establish escrow accounts for the purpose of disbursing funds to contractors expeditiously. The rule reflects U.S. Treasury Department requirements governing cash withdrawals.

Timetable:

Action	Date	FR Cite
NPRM	10/05/87	52 FR 37162
NPRM Comment Period End	12/04/87	
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Paul D. Webster, Dir., Financial Management Division, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-1871

RIN: 2506-AA66

998. ● CONSERVING NEIGHBORHOODS BY PROHIBITING DISPLACEMENT (CPD-3-88; FR-2474) 1987 HCD ACT

Legal Authority: Not yet determined

CFR Citation: 24 CFR 570

Legal Deadline: Statutory, October 1988. The program will take effect on 10/00/88 under section 509(b) of the 1987 Act.

Abstract: This proposed rule would implement section 509 of the Housing and Community Development Act of 1987 which requires an antidisplacement program as a condition to CPDG or UDAG amount.

Timetable:

Action	Date	FR Cite
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Harold J. Huecker, Director, Relocation and Real Estate Div., Office of Urban Rehabilitation, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-6336

RIN: 2506-AA82

999. EMERGENCY SHELTER GRANTS ('87 ACT) (CPD-7-87; FR2387)

Legal Authority: 42 USC 11371-77

CFR Citation: 24 CFR 576

Legal Deadline: Statutory, July 1988.

Abstract: This rule will implement statutory changes to the Emergency Shelter Grant Program required by amendments to the program set out in subtitles A and B of Title IV, McKinney Homeless Assistance Act, 42 USC 11301-77.

Timetable:

Action	Date	FR Cite
NPRM	11/06/87	52 FR 42664
NPRM Comment Period End	01/05/88	52 FR 42664
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: Undetermined

Additional Information: In September 1987, the Department published a Notice specifying the conditions under which the Emergency Shelter Grant Program would operate during the period preceding the effectiveness of amended rules implementing the McKinney Act Amendments.

Agency Contact: Don I. Patch, Director, Office of Block Grants Assistance, Department of Housing and Urban Development, Office of Community Planning and Development, 202 755-6587

RIN: 2506-AA77

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Community Planning and Development (CPD)

Completed Actions

1000. UNIFORM RELOCATION ACT AMENDMENTS OF 1987 (CPD-3-87; FR-2357)

CFR Citation: 24 CFR 0042

Completed:

Reason	Date	FR Cite
Withdrawn Replaced by RIN: 2501-AA70 (S-3-88; FR-2357)	02/02/88	

Small Entity: Undetermined

Agency Contact: Harold J. Huecker 202 755-6336

RIN: 2506-AA78

1001. AMENDMENTS TO COMMUNITY DEVELOPMENT BLOCK GRANT REGULATIONS; ENTITLEMENT PROGRAM (CPD-4-86)

CFR Citation: 24 CFR 0570

Completed:

Reason	Date	FR Cite
Withdrawn	02/22/88	

Small Entity: No

Agency Contact: James R. Broughman 202 755-9267

RIN: 2506-AA68

1002. EMERGENCY SHELTER GRANT PROGRAM (CPD-1-87; FR-2298)

Significance: Regulatory Program

CFR Citation: 24 CFR 575

HUD—CPD **Completed Actions**

Completed:

Reason	Date	FR Cite
Final Action	10/19/87	52 FR 38864
Final Action Effective	12/02/87	52 FR 44861

Small Entity: No

Agency Contact: James Broughman 202 755-5977

RIN: 2506-AA74

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) — Proposed Rule Stage
Government National Mortgage Association (GNMA)

1003. BOOK-ENTRY SECURITIES OF GNMA (GNMA-2-85)

Significance: Agency Priority

Legal Authority: 12 USC 1701

CFR Citation: 24 CFR 203

Legal Deadline: None.

Abstract: The regulation will provide for utilization of a book-entry system to govern the issuance and custody of GNMA securities. The system allows for maintenance of records by an Agent Bank and utilization of wire transfers. Further, the book-entry system will curtail loss, theft and repeated pledging of GNMA securities.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Government Levels Affected: Federal

Agency Contact: Walter T. Cassidy, Assistant General Counsel for Finance, Department of Housing and Urban Development, Office of the General Counsel, Office of Insured Housing and Finance, **202 755-7260**

RIN: 2503-AA03

1004. GNMA FEES (GNMA-1-87; FR2395)

Legal Authority: 00 USC 0000

CFR Citation: 24 CFR 390.17

Legal Deadline: None.

Abstract: This proposed rule would revise the regulations in accordance with Pub. L. 100-14 relating to the charges and fees that GNMA may charge for its guaranty of mortgage-backed securities.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Walter J. Cassidy, Assistant General Counsel for Finance, Department of Housing and Urban Development, Office of the General Counsel, **202 755-7260**

RIN: 2503-AA05

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) — Proposed Rule Stage
Office of Fair Housing and Equal Opportunity (FHEO)

1005. NONDISCRIMINATION BASED ON HANDICAPPED IN PROGRAMS CONDUCTED BY HUD (FR-2163; FH&EO-2-85)

Significance: Regulatory Program

Legal Authority: 29 USC 794

CFR Citation: 24 CFR 9.101; 24 CFR 9.102; 24 CFR 9.103; 24 CFR 9.110; 24 CFR 9.111; 24 CFR 9.130; 24 CFR 9.140; 24 CFR 9.149; 24 CFR 9.150; 24 CFR 9.151; 24 CFR 9.160; 24 CFR 9.170

Legal Deadline: None.

Abstract: This proposed rule would implement section 504 of the Rehab Act of 1973 (as extended by the Rehab. Comprehensive Service and Developmental Disabilities Act of 1978) for HUD-conducted programs or activities. This proposed rule will be a companion rule to the Department's rule on nondiscrimination based on handicap in federally assisted programs.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Undetermined

Agency Contact: David Enzel, Attorney, Department of Housing and Urban Development, Office of the General Counsel, **202 755-6207**

RIN: 2529-AA28

1006. REDESIGN FOR FAIR HOUSING ASSISTANCE PROGRAM (FHEO-2-87; FR2403)

Significance: Regulatory Program

Legal Authority: 42 USC 3601-9

CFR Citation: 24 CFR 111

Legal Deadline: None.

Abstract: This proposed rule would change the current funding mechanism of the Fair Housing Assistance Program (FHAP) from a dual noncompetitive and competitive system to a single comprehensive noncompetitive funding mechanism. The new system will allow the same disbursement of 5 million dollars to substantially equivalent agencies. The FHAP agencies would be funded for cases processed and other eligible activities.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Agency Contact: Maxine Cunningham, Director, Federal, State & Local Programs, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, **202 755-0455**

RIN: 2529-AA33

HUD—FHEO

Proposed Rule Stage

1007. RECOGNITION OF JURISDICTION WITH SUBSTANTIALLY FAIR HOUSING LAWS (FHEO-1-87)

Legal Authority: 42 USC 3610; 42 USC 3535(d)

CFR Citation: 24 CFR 115

Legal Deadline: None.

Abstract: Some of the Sections in this Regulation need to be changed to add definitions, set out specific issues and examples that qualify as acceptable/unacceptable under the rule; and clarify time frames. The proposed revisions will make application and recognition procedures easier for the Department relative to implementation. Agencies presently recognized will not be affected. However, agencies in the interim recognition stage may be affected.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	08/00/88	
Final Action	10/00/88	

Small Entity: No

Affected Sectors: 919 General Government, Not Elsewhere Classified

Government Levels Affected: Local, State, Federal

Agency Contact: Wagner Jackson, Acting Director, Office of Fair Housing, Enforcement & Sec. 3 Compliance, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, **202 755-6636**

RIN: 2529-AA31

1008. ● FAIR HOUSING - COORDINATION OF EXECUTIVE AGENCY AND REGULATORY AGENCY AFFIRMATIVE ADMINISTRATION OF PROGRAMS IN CONNECTION WITH HUD (FH&EO-1-88; FR-2480)

Legal Authority: 42 USC 3601

CFR Citation: 24 CFR 125

Legal Deadline: None.

Abstract: The Fair Housing Law, Title VIII of the Civil Rights Act of 1968, charges the Secretary with the responsibility for the administration and enforcement of Title VIII. Section 808 of Title VIII requires the Secretary to administer programs and activities relating to housing and urban development in a manner affirmatively to further fair housing. All other Executive Agencies are required to administer programs relating to housing and urban development in a manner affirmatively to further fair housing and to cooperate with the Secretary in further fair goal of fair housing. In December 1980, Executive Order 12249 was issued to assure interagency coordination and consistent and effective implementation of Section 808. The Order reemphasizes the mandate of Title VII, stipulates the Secretary's leadership and coordination role and states the responsibilities of all Executive Agencies; includes Regulatory Agencies, in connection with the preparation and implementation of rules, regulations and procedures. The time has come to publish a rule for comment. A proposed rule in 1981 failed to be published.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
NPRM Comment Period End	11/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: Wagner D. Jackson, Acting Director, Office of Fair Housing, Enforcement and Sec. 3 Compliance, Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, **202 755-6836**

RIN: 2529-AA36

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)

Final Rule Stage

1009. NONDISCRIMINATION BASED ON HANDICAP IN FEDERALLY-ASSISTED PROGRAMS AND ACTIVITIES (FH&EO-4-84; FR-770)

Significance: Regulatory Program

Legal Authority: 29 USC 794

CFR Citation: 24 CFR 8

Legal Deadline: None.

Abstract: Would add a new 24 CFR 8 Part to set forth procedures and policies to assure nondiscrimination based on handicap in programs and activities receiving Federal financial assistance.

Timetable:

Action	Date	FR Cite
Final Action	06/00/88	

Small Entity: No

Additional Information:

Proposed rule published 04/19/78 43 FR 16652

Interim rule published 05/06/83 48 FR 20638

Republished 05/18/83 48 FR 22470

Effective date revoked 06/15/83 48 FR 27528

(Interim rule was thereafter treated as a proposed rule.)

Agency Contact: David Enzel, Attorney, Department of Housing and Urban Development, Office of the General Counsel, **202 755-6207**

RIN: 2529-AA26

1010. PROCEDURE FOR PROCESSING COMPLAINTS UNDER SECTION 804 OF THE FAIR HOUSING ACT (FH&EO-6-84; FR 2012)

Significance: Regulatory Program

Legal Authority: 42 USC 3601 to 3619; 42 USC 3535(d)

CFR Citation: 24 CFR 105

Legal Deadline: None.

Abstract: This rule would amend 24 CFR Part 105, which governs the processing of complaints under section 810 of the Fair Housing Act. The rule would reorganize Part 105 and would add more specific descriptions of the procedures used to investigate fair housing complaints, to make a determination to resolve matters raised in complaints, and to try to eliminate and correct alleged discriminatory housing practices.

Timetable:

Action	Date	FR Cite
NPRM	10/16/84	49 FR 40528
NPRM Comment Period End	12/17/84	49 FR 40528

HUD—FHEO **Final Rule Stage**

Next Action Undetermined

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Charles M. Farbstein, Assistant General Counsel, Department of Housing and Urban Development, Office of the General Counsel, Equal Opportunity, 202 755-5570

RIN: 2529-AA24

1011. ● THE FAIR HOUSING INITIATIVES PROGRAM (FH&EO; FR-2486) 1987 HCD ACT

Significance: Regulatory Program

Legal Authority: PL 100-242, Sec 561

CFR Citation: 24 CFR 125

Legal Deadline: Statutory, 00/00/00. In addition to regular Congressional review, the authorizing legislation requires that effective date of final rule can not occur prior to 90 days after rule is submitted to Congress and further that no funds can be disbursed without a rule.

Abstract: The regulation describes the method by which HUD will fund fair housing enforcement activities in the fair housing initiatives program (FHIP).

The regulation also describes the guidelines for the conduct of a two fair housing testing demonstration in the private enforcement initiative of FHIP as required by the legislation.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Harry L. Carey, Attorney-Advisor, Department of Housing and Urban Development, Office of the General Counsel, 202 755-5570

RIN: 2529-AA37

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Fair Housing and Equal Opportunity (FHEO)

Completed Actions

1012. AMENDMENTS OF THE COMMUNITY HOUSING RESOURCE BOARD REGULATIONS (FH&EO-1-85; FR-2085)

CFR Citation: 24 CFR 120

Completed:

Reason	Date	FR Cite
Withdrawn	11/23/87	

Small Entity: No

Agency Contact: Nathaniel K. Smith 202 755-5992

RIN: 2529-AA27

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Administration (OA)

Prerule Stage

1013. ORGANIZATION, FUNCTION, AND DELEGATIONS OF AUTHORITY SUBPART C - SECRETARY'S DELEGATIONS OF AUTHORITY TO HEADS OF OFFICES (ADM-2-82)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 3

Legal Deadline: None.

Abstract: Subpart C delegates authority from the Secretary to the Comptroller and then to certain Divisions. This subpart is almost entirely obsolete. The alternatives being considered are to eliminate Subpart C entirely or to update all of the obsolete references. The benefits of both alternatives are to eliminate a potentially confusing delegation of authority.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Albert M. Miller, Deputy Director, Department of Housing and Urban Development, Office of Administration, Office of Finance and Accounting, 202 755-6310

RIN: 2535-AA01

1014. FEDERAL PROCUREMENT OF CEMENT CONTAINING FLY ASH (ADM-1-84; FR-1938)

Legal Authority: 42 USC 3535(d); 42 USC 6962

CFR Citation: 24 CFR 570; 24 CFR 207

Legal Deadline: None.

Abstract: Rule will provide restrictions on Federal procurement of cement and concrete containing fly ash. Will be patterned on Environmental Protection Agency guidelines.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State

Agency Contact: Ed Girovasi, Director, Department of Housing and Urban Development, Office of Administration, Policy and Evaluation Division, Office of Procurement And Contracts, 202 755-5294

RIN: 2535-AA05

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Administration (OA)

Proposed Rule Stage

1015. ● HUD ACQUISITION REGULATION (ADM-2-88; FR-2473)

Legal Authority: 42 USC 3535(d)

CFR Citation: 48 CFR 24

Legal Deadline: None.

Abstract: The proposed rule will update the HUD Acquisition Regulation to conform to changes in the Federal Acquisition Regulation (FAR).

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Edward L. Girovasi, Jr., Director, Policy and Evaluation Division, Office of Procurement and Contracts, Department of Housing and Urban Development, Office of Administration, **202 755-5294**

RIN: 2535-AA16

1016. OMB CIR. A-110, UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH UNIVERSITIES, HOSPITALS AND OTHER NONPROFIT ORGANIZATIONS (ADM-1-87; FR2376)

Legal Authority: 42 USC 3535(d)

CFR Citation: 24 CFR 29

Legal Deadline: None.

Abstract: This proposed rule would follow a government-wide common rule to provide uniformity to the administrative requirements for grants and agreements with universities, hospitals and other nonprofit organizations.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	

Small Entity: Undetermined

Agency Contact: Edward L. Girovasi, Jr., Director, Policy & Evaluation Division, Office of Procurement & Contracts, Department of Housing and Urban Development, Office of Administration, **202 755-5294**

RIN: 2535-AA15

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Administration (OA)

Final Rule Stage

1017. AMENDMENT OF THE HUD ACQUISITION REGULATIONS (ADM-5-85; FR-2131)

Legal Authority: 40 USC 486(c); 42 USC 3535(d)

CFR Citation: 48 CFR Chap. 24

Legal Deadline: None.

Abstract: The rule adds Part 2452, Solicitation Provisions and Contract Clauses and Part 2453, Forms. When the original HUDAR was published in March, 1984, solicitation provisions and contract clauses were incorrectly placed, and no HUD forms were included at all.

Timetable:

Action	Date	FR Cite
NPRM	12/08/87	52 FR 46560
NPRM Comment Period End	02/08/88	52 FR 46560

Next Action Undetermined

Small Entity: No

Agency Contact: Gladyes Gines, Deputy Director, Policy & Evaluation, Divisioin, Department of Housing and Urban Development, Office of Administration, Office of Procurement and Contracts, **202 755-5294**

RIN: 2535-AA10

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Administration (OA)

Completed Actions

1018. OMB CIRCULAR A-102, UNIFORM REQUIREMENT FOR ASSISTANCE TO STATE AND LOCAL GOVERNMENTS (ADM-1-86, FR-2178)

CFR Citation: 24 CFR 0045

Completed:

Reason	Date	FR Cite
Final Action	03/11/88	53 FR 8034
Final Action Effective	10/01/88	53 FR 8034

Small Entity: Undetermined

Agency Contact: Edward L. Girovasi **202 755-5294**

RIN: 2535-AA13

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)
Office of Public and Indian Housing (PIH)

Prerule Stage

1019. ● DETERMINATION OF WAGE RATES FOR MAINTENANCE AND TECHNICAL EMPLOYEES OF PUBLIC HOUSING AGENCIES AND INDIAN HOUSING AUTHORITIES (P-10-88; FR2211)

Legal Authority: 42 USC 1437j

CFR Citation: 24 CFR 0060

Legal Deadline: None.

Abstract: This rule would describe the Department's policies and procedures for determining or adopting prevailing wage rates under section 12 of the United States Housing Act of 1937.

HUD—PIH **Prerule Stage**

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Justin Logsdon, Assistant to the Secretary, Department of Housing and Urban Development, Office of the Secretary, 202 755-5370

RIN: 2577-AA68

1020. ● COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM: MULTI-STAGE FUNDING (P-1-88; FR-2415)

Legal Authority: 42 USC 1437l

CFR Citation: 24 CFR 968.5(g)

Legal Deadline: None.

Abstract: This final rule will change the provision of the current rule that limits multi-stage funding to two stages. Since the statute permits as many as five stages and there are situations where more than two stages are appropriate, the rule will amend sec. 968.5(g) to permit funding in as many as five stages.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/88	

Small Entity: No

Agency Contact: Nancy Chisholm, Director, Policy Staff, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6713

RIN: 2577-AA55

1021. EFFECTS OF DEBT FORGIVENESS ON PUBLIC HOUSING AGENCY ANNUAL CONTRIBUTIONS CONTRACTS (P-6-87; FR-2409)

Legal Authority: 00 USC 0000

CFR Citation: 24 CFR 969; 24 CFR 970

Legal Deadline: None.

Abstract: This statement of policy will clarify the Department's policy with reference to the effect of the debt forgiveness provisions of the Consolidated Omnibus Budget Reconciliation Act of 1985 (COBRA) on public housing agency's annual contributions contracts (ACC) with HUD. The document will provide that debt forgiveness under COBRA does not constitute "payment in full" of ACC indebtedness, and that accordingly the obligations of a PHA under its ACC after debt forgiveness will continue until the ACC would have terminated if the debt had not been forgiven.

Timetable:

Action	Date	FR Cite
Statement of Policy	05/00/88	

Small Entity: No

Agency Contact: Robert Kenison, Associate General Counsel for Assisted, Housing & Community Development, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 426-5212

RIN: 2577-AA51

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) — Proposed Rule Stage

Office of Public and Indian Housing (PIH)

1022. ● ECONOMIC RENT AND PREFERENCE FOR NEAR ELDERLY FAMILIES IN PUBLIC HOUSING PROJECTS (P-4-88; FR-2462) 1987 HCD ACT

Legal Authority: 42 USC 1437a; PL 100-242, Sec 102(a); PL 100-242, Sec 111

CFR Citation: 00 CFR 000

Legal Deadline: None.

Abstract: This rule would permit PHAs to establish monthly ceiling rents for a period of three years of amounts determined by the PHAs to be appropriate but do not exceed certain statutory limitations. This rule would also give PHAs the discretion to give preference to families between 50 years and 62 years of age before families that are below the age of 50.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Nancy Chisholm, Director, Office of Policy, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6713

RIN: 2577-AA57

1023. ● REPLACEMENT HOUSING FOR PUBLIC HOUSING DEMOLITION AND DISPOSITION (P-5-88; FR-2463) 1987 HCD ACT

Legal Authority: 42 USC 1437p; PL 100-242, Sec 121(a)-(d)

CFR Citation: 00 CFR 000

Legal Deadline: None.

Abstract: This rule would establish procedures for the approval and funding of replacement housing for public housing units that have been demolished or disposed of. In addition, this rule would require that HUD may approve an application for demolition if the project is obsolete, making it unusable for housing purposes and if no reasonable program modifications are feasible to return the project to a useful life. The rule would also require HUD, in allocating assistance for public housing acquisition or development or for Section 8 moderate rehabilitation, to give consideration to housing that replaces demolished public housing units in accordance with an approved replacement plan. PHAs would be prohibited from taking any action to demolish or dispose of public housing projects without obtaining HUD's approval and satisfying pertinent statutory requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Undetermined

Agency Contact: Nancy Chisholm, Director, Office of Policy, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6713

RIN: 2577-AA58

1024. ● LIMITATION ON PUBLIC HOUSING DEVELOPMENT (P-6-88; FR-2464) 1987 HCD ACT

Significance: Agency Priority

Legal Authority: 42 USC 1437c; 42 USC 1437d; PL 100-242, Sec 103(a)&(b)

CFR Citation: 00 CFR 000

Legal Deadline: None.

Abstract: This rule would impose limitations on the use of public housing funds for development purposes for fiscal years beginning with fiscal year 1988. This rule would also require that (1) HUD enter into a contract involving new construction only if the PHA demonstrates to HUD's satisfaction that the cost of new construction is less than the cost of acquisition and rehabilitation and (2) the area for making this determination is the neighborhood where the PHA determines that the housing is needed.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Undetermined

Agency Contact: Nancy Chisholm, Director, Office of Policy, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6713

RIN: 2577-AA59

1025. ● IMPLEMENTATION OF PERCENTAGE LIMIT PROVISIONS UNDER SECTION 16 OF THE UNITED HOUSING ACT OF 1937 (P-7-88; FR-2465)1987 HCD ACT

Significance: Agency Priority

Legal Authority: 42 USC 1437n

CFR Citation: 00 CFR 000

Legal Deadline: Statutory, April 1988.

Abstract: This rule would establish admission procedures which set differing percentage limitations on admission of lower income families in separate assisted housing programs that when aggregated will achieve the overall 5 percent limitation on occupancy under public housing annual contribution contracts and section 8 housing assistance payments contracts.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Nancy Chisholm, Director, Office of Policy, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6713

RIN: 2577-AA60

1026. TURNKEY III HOMEOWNERSHIP OPPORTUNITIES PROGRAM (P-3-85; FR-2138)

Legal Authority: 42 USC 1437

CFR Citation: 24 CFR 904

Legal Deadline: None.

Abstract: This would make miscellaneous amendments to the existing Turnkey III program regulations to facilitate program administration and to allow flexibility to address specific local problems. The amendments will clarify appropriate procedures to use when existing occupants are eligible to become homebuyers to facilitate the actual sales of the units.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Wayne Hunter, Senior Program Analyst, Department of Housing and Urban Development, Office of Public and Indian Housing, Office of Public Housing, 202 755-6713

RIN: 2577-AA34

1027. INDIAN HOUSING PROGRAM--REVISED PROGRAM REGULATIONS (P-2-86; FR-2208)

Legal Authority: 25 USC 450e(b)

CFR Citation: 24 CFR 905

Legal Deadline: None.

Abstract: This rule will constitute a consolidation of relevant provisions of regulations flowing from the U.S. Housing Act of 1937, as these affect the Indian housing programs. It is the Department's intention that this consolidated Part 905, followed with a comprehensive Indian Housing Handbook, should be the controlling regulatory package governing the development and operation of Indian housing projects.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Additional Information: Includes: P-31-82 (RIN: 2577-AA17)

Agency Contact: Patricia Arnaudo, Deputy Director, Office of Indian Housing, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-1015

RIN: 2577-AA32

1028. ● PUBLIC HOUSING RESIDENT MANAGEMENT; PUBLIC HOUSING HOMEOWNERSHIP (P-9-88; FR-2489) 1987 HCD ACT

Significance: Regulatory Program

Legal Authority: PL 100-242, Sec 122; PL 100-242, Sec 123

CFR Citation: 24 CFR 905; 24 CFR 965; 24 CFR 967

Legal Deadline: None.

Abstract: Sections 122 and 123 of the Housing and Community Development Act of 1987 (Pub. L. 100-242, approved February 5, 1988) (1987 Act) amended the United States Housing Act of 1937 to encourage increased resident management of public housing projects and to promote homeownership among public housing tenants. The two new statutory initiatives are closely related, in that the homeownership program described in section 123 is intended to be undertaken only where the residents of a multifamily public housing project participating in the program have already formed a resident management corporation as prescribed in section 122. HUD will publish a proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Nancy Chisholm, Director, Office of Policy, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6713

RIN: 2577-AA65

1029. INCREASE IN SINGLE PERSON OCCUPANCY LIMITS (P-48-84; FR-2063)

Legal Authority: 42 USC 1437a

CFR Citation: 24 CFR 812; 24 CFR 912

Legal Deadline: None.

Abstract: Implements Section 202 of the Housing and Urban-Rural Recovery Act of 1983 to permit the Secretary to increase from 15 percent to 30 percent the number of units that may be occupied by single persons and that is

within the jurisdiction of any public housing agency. In addition, this rule would revise the procedures for HUD's approval of single person occupancy for affected dwelling units.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Additional Information: ADDITIONAL CONTACT PERSON: James J. Tahash; Director, Program Planning Division; Office of Multifamily Housing Management. (202) 426-3970.

Agency Contact: Edward Whipple, Chief, Occupancy Branch, Office of Public Housing, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 426-0744

RIN: 2577-AA07

1030. ● CHANGE IN CONSOLIDATED SUPPLY PROGRAM (CSP) (P-11-88; FR2428)

Legal Authority: 42 USC 1437; 42 USC 1437a; 42 USC 1437d; 42 USC 1427g

CFR Citation: 24 CFR 965

Legal Deadline: None.

Abstract: This rule is proposing to remove the requirement to use purchase agreements for buying supplies with a value not in excess of the Open Market Purchase Limitation (currently $10,000).

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Michael E. Diggs, Chief, Consolidation Supply & Procurement, Branch, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 472-4703

RIN: 2577-AA67

1031. ● REVISED COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM (P-8-88; FR-2488)

Significance: Regulatory Program

Legal Authority: PL 100-242, Sec 119

CFR Citation: 24 CFR 967

Legal Deadline: None.

Abstract: Section 119 of the Housing and Community Development Act of 1987 (Pub. L. 100-242, approved February 5, 1988) begins a two-part legislative process designed to develop an improved means of allocating funds for the Comprehensive Improvement Assistance Program (CIAP)

Section 119 contemplates the adoption, by the Congress, of a follow-up statute providing for a revised method for allocating assistance under the new Comprehensive Plan provisions. Until this additional legislation is approved, HUD's current method of allocating funds will continue in effect.

The Department will develop procedural rules to govern administration of CIAP under the new system outlined in section 119, and will publish proposed rules on the subject.

After a new statutory formula is adopted, the Department will publish a final rule linking the statutory allocation method with the previously proposed procedural rule, so that the "CIAP Block Grant" concept can be put into operation as promptly as possible.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Additional Information: Final action dependent on Congressional adoption of CIAP formula revisions to be submitted by HUD in 1988.

Government Levels Affected: Local, State, Federal

Agency Contact: Nancy Chisholm, Director, Office of Policy, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6713

RIN: 2577-AA66

1032. DECONTROL OF PUBLIC HOUSING AUTHORITIES; CIAP DEVELOPMENT (P-5-87; FR2408)

Legal Authority: 42 USC 1437

CFR Citation: 24 CFR 968.12(i); 24 CFR 968.15

Legal Deadline: None.

Abstract: This rule change to Part 968 would allow for PHAs who qualify as Recognized Performers to certify compliance with HUD requirements instead of obtaining HUD approval in two areas: management improvement contracts and line item budget revisions. Recognized Performers would still be required to include all elements of the appropriate certification specified in the rule, and to maintain the certification in their files.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Nancy S. Chisholm, Director, Policy Staff, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6713

RIN: 2577-AA48

1033. PHA OBLIGATIONS WITH RESPECT TO RESIDUAL RECEIPTS IN THE PUBLIC HOUSING, TURNKEY III, AND SEC. 23 PROGRAMS; (P-2-87; FR2354; FORMERLY H-27-87)

Legal Authority: 42 USC 1437g

CFR Citation: 24 CFR 989

Legal Deadline: None.

Abstract: This rule would reiterate the requirement of the Annual Contributions Contract that a PHA must submit to HUD its residual receipts within 60 days of the end of its fiscal year. The rule would also prescribe the method for determining the rate of interest due when residuals are not remitted on time. The rule will contain provisions for retention of residual receipts by the PHA under certain circumstances.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Agency Contact: Nancy Chisholm, Director, Office of Policy, Office of Policy & Indian Housing, Department of Housing and Urban Development, Office of Public and Indian Housing, 202 755-6713

RIN: 2577-AA49

1034. DISALLOWANCE OF LEGAL FEES; LITIGATION CONTROLS FOR HUD ASSISTANCE RECIPIENTS (P-2-85; FR-2134)

Legal Authority: 42 USC 1437g

CFR Citation: 24 CFR 989

Legal Deadline: None.

HUD—PIH **Proposed Rule Stage**

Abstract: This proposed rule will declare HUD policy regarding PHA legal expenses for litigation against HUD and prescribe limited litigation reporting procedures for HUD assistance recipients.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Nancy Chisholm, Director, Office of Policy, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 755-6713**

RIN: 2577-AA33

1035. ● REVISION TO PFS - '87 ACT CHANGES (P-2-88; FR-2437) 1987 HCD ACT

Significance: Regulatory Program

Legal Authority: 42 USC 1437g

CFR Citation: 24 CFR 990

Legal Deadline: Statutory, June 15, 1988. The 1987 Act requires that the PFS be revised by June 15, 1988 for insurance costs. The 1987 Act also directs that changes in PFS generally be made effective before the start of a fiscal year and remain in place unchanged for an entire fiscal year. We expect to publish a proposed rule by June 15, 1988.

Abstract: This proposed rule will explore ways to change PHA/IHA risk protection coverage to reduce the financial impact and will revise the PFS' coverage of insurance costs. It also will include a formal review process, as required by section 118 of the 1987 Act.

Section 118 of the Housing and Community Development Act of 1987 requires that HUD revise the PFS "to accurately reflect the increase in insurance costs incurred by (PHAs)."

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Nancy Chisholm, Director, Policy Staff, Office of Public Housing, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 755-6713**

RIN: 2577-AA56

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) — Final Rule Stage

Office of Public and Indian Housing (PIH)

1036. PUBLIC AND INDIAN HOUSING - COST CONTAINMENT PROCEDURES (P-1-86; FR-2191)

Significance: Regulatory Program

Legal Authority: 42 USC 1437d; PL 99-160

CFR Citation: 24 CFR 968; 24 CFR 941; 24 CFR 905

Legal Deadline: None.

Abstract: This rule will amend Public housing development regulations to reflect the repeal of Sec. 6(b) of the United States Housing Act. Sec. 6(b) limits on dwelling construction and equipment cost for the different areas of the country. The rule will also amend these regulations to incorporate new cost containment procedures.

Timetable:

Action	Date	FR Cite
NPRM	09/24/86	51 FR 33904

Next Action Undetermined

Small Entity: No

Agency Contact: Nancy Chisholm, Director, Office of Policy, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 755-6713**

RIN: 2577-AA37

1037. PREEMPTION OF CERTAIN STATE-DETERMINED PREVAILING WAGE RATES APPLICABLE TO PUBLIC AND INDIAN HOUSING PROJECTS (P-6-86; FR-2231)

Legal Authority: 42 USC 1437j

CFR Citation: 24 CFR 905.211

Legal Deadline: None.

Abstract: This rule would make State-determined prevailing wage rates inapplicable to Public and Indian Housing projects if these wage rates exceed the applicable federally-determined prevailing wage rates.

Timetable:

Action	Date	FR Cite
NPRM	10/21/87	52 FR 39233
NPRM Comment Period End	12/21/87	52 FR 39233
Final Action	06/00/88	

Small Entity: No

Agency Contact: Justin Logsdon, Assistant to the Secretary, Department of Housing and Urban Development, Office of the Secretary, **202 755-5370**

RIN: 2577-AA42

1038. PUBLIC HOUSING -- TENANT LEASES AND PHA GRIEVANCE HEARINGS (P-26-79; FR-1164)

Significance: Regulatory Program

Legal Authority: 42 USC 1437

CFR Citation: 24 CFR 960; 24 CFR 966

Legal Deadline: None.

Abstract: Would amend the regulations to simplify the requirements for provisions included in the lease between a PHA and its tenants and the requirements for the grievance procedure.

Timetable:

Action	Date	FR Cite
NPRM	07/23/86	51 FR 26504
NPRM Comment Period End	09/22/86	
Final Action	05/00/88	

Small Entity: No

Agency Contact: Edward Whipple, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 426-0744**

RIN: 2577-AA18

1039. INDIVIDUAL METERING OF UTILITIES OF EXISTING PHA-OWNED PROJECTS (P-36-83; FR-1769)

Legal Authority: 42 USC 1437 note; 42 USC 1437a; 42 USC 1437d; 42 USC 1437g

CFR Citation: 24 CFR 965.304; 24 CFR 965.310; 24 CFR 965.404; 24 CFR 965.408

Legal Deadline: None.

Abstract: Rule would revise the factors that PHAs use in estimating utility consumption savings resulting from conversions from mastermetered

HUD—PIH **Final Rule Stage**

utilities systems to individually metered system and would amend energy audit provisions.

Timetable:

Action	Date	FR Cite
NPRM	11/14/83	48 FR 51785
NPRM Comment Period End	01/13/84	48 FR 51785

Next Action Undetermined

Small Entity: No

Agency Contact: Charles R. Ashmore, Utilities Officer, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 755-6649**

RIN: 2577-AA27

1040. PHA-OWNED AND LEASED PROJECT; MAINTENANCE AND OPERATION; TENANT ALLOWANCE FOR UTILITIES (P-8-86; FR-2260)

Legal Authority: 42 USC 1437; 42 USC 1437a; 42 USC 1437d; 42 USC 1437g

CFR Citation: 24 CFR 965

Legal Deadline: None.

Abstract: HUD's procedures for the establishment and administration by PHAs of allowances for utilities and surcharges for excess consumption are contained in Part 965, Subpart E. This rule amends Subpart E to clarify how utility consumption attributable to air conditioning and certain tenant supplied major equipment will be treated under the allowance and surcharge provisions.

Timetable:

Action	Date	FR Cite
NPRM	10/16/87	52 FR 38470
NPRM Comment Period End	12/04/87	52 FR 38470
Final Action	00/00/00	

Small Entity: No

Agency Contact: Charles Ashmore, Utility Specialist, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 755-6640**

RIN: 2577-AA40

1041. PUBLIC AND INDIAN HOUSING COST CONTAINMENT PROCEDURES - COMPREHENSIVE IMPROVEMENT ASSISTANCE PROGRAM AND INDIAN HOUSING (P-9-86; FR-2262)

Legal Authority: 42 USC 1437d; PL 99-160

CFR Citation: 24 CFR 968; 24 CFR 905

Legal Deadline: None.

Abstract: This rule would amend the Comprehensive Improvement Assistance Program and the Indian Housing Program regulations to reflect the repeal of Section 6(b) of the United States Housing Act. Section 6(b) limits dwelling construction and equipment costs for various areas of the country. This rule will also amend the regulations to incorporate new cost containment procedures.

Timetable:

Action	Date	FR Cite
NPRM	02/11/87	52 FR 4349
NPRM Comment Period End	04/13/87	52 FR 4349

Next Action Undetermined

Small Entity: No

Additional Information: This proposed rule was split off from FR-2191.

Government Levels Affected: Local

Agency Contact: Nancy Chisholm, Director, Office of Policy, Department of Housing and Urban Development, Office of Public and Indian Housing, **202 755-6713**

RIN: 2577-AA43

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD)

Office of Public and Indian Housing (PIH) **Completed Actions**

1042. INDIAN PREFERENCE (P-4-87; FR2391)

CFR Citation: 24 CFR 905.20y

Completed:

Reason	Date	FR Cite
Withdrawn	03/11/88	

Small Entity: Undetermined

Agency Contact: Joan Ladesh 202 755-1015

RIN: 2577-AA50

1043. CHANGE IN INFLATION FACTOR USED TO CALCULATE PUBLIC HOUSING OPERATING SUBSIDY (P-1-87 (FORMERLY H-24-87); FR-2353)

CFR Citation: 24 CFR 990.102

Completed:

Reason	Date	FR Cite
Withdrawn	01/06/88	

Small Entity: Undetermined

Agency Contact: Nancy S. Chisholm 202 755-6713

RIN: 2577-AA47

[FR Doc. 88-5083 Filed 04-22-88; 8:45 am]

BILLING CODE 4210-01-T

federal register

Monday
April 25, 1988

Part X

Department of the Interior

Semiannual Regulatory Agenda

DEPARTMENT OF THE INTERIOR (DOI)

DEPARTMENT OF THE INTERIOR

Office of the Secretary

25 CFR Ch. I

30 CFR Chs. II, IV and VII

36 CFR Ch. I

43 CFR Subtitle A, Chs. I and II

48 CFR Ch. 14

50 CFR Chs. I and IV

Semiannual Agenda of Rules Scheduled for Review or Development

AGENCY: Office of the Secretary, Interior.

ACTION: Semiannual agenda of rules scheduled for review or development.

SUMMARY: This notice provides the semiannual agenda of rules scheduled for review or development between April 1988 and October 1988. An agenda is required by Executive Order 12291 and the Regulatory Flexibility Act.

ADDRESS: Unless otherwise indicated, all Agency Contacts are located at the Department of the Interior, 18th and C Streets, NW., Washington, DC 20240.

FOR FURTHER INFORMATION CONTACT: All comments and inquiries with regard to these rules should be directed to the appropriate Agency Contact. General comments relating to the agenda should be directed to the Division of Directives and Regulatory Management, Office of Management Analysis, Department of the Interior, at the address above or on 202-343-6191.

SUPPLEMENTARY INFORMATION: With this publication, the Department satisfies the requirement of Executive Order 12291 that the Department publish in April and October of each year an agenda of rules that have been issued or are expected to be issued, and currently effective rules that are scheduled for review.

Simultaneously, the Department meets the requirement of the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) that an agenda be published in April and October of each year identifying rules which will have significant economic effects on a substantial number of small entities; those rules which will have such effects are specifically identified in the agenda.

This agenda also identifies rules determined to be "significant" under Executive Order 12498 and which are included in this Department's 1988-89 regulatory program. A more comprehensive discussion of this program and the rules are contained in the Regulatory Program of the United States Government which is published by the Office of Management and Budget.

Dated: February 25, 1988.

Rick Ventura,

Assistant Secretary, Policy, Budget & Administration.

Assistant Secretary for Policy, Budget, and Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1044	Natural Resource Damage Assessments	1090-AA21
1045	Natural Resource Damage Assessments	1090-AA23

Assistant Secretary for Policy, Budget, and Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1046	Natural Resource Damage Assessments	1090-AA22
1047	Certification of Non-Delinquency by Applicants for Federal Financial Assistance	1090-AA19
1048	Department of the Interior Acquisition Regulation	1090-AA10
1049	Department of the Interior Acquisition Regulation	1090-AA14
1050	Department of the Interior, Procurement Ethics Regulation	1090-AA15

Assistant Secretary for Policy, Budget, and Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1051	Department of the Interior - Nonprocurement Debarment and Suspension Regulation	1090-AA12
1052	Department of the Interior Acquisition Regulation	1090-AA13

DOI

Assistant Secretary for Policy, Budget, and Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1053	Privacy Act	1090-AA20
1054	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	1090-AA11

Office of the Solicitor—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1055	Practices Before the Department	1092-AA00

Office of the Solicitor—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1056	Records and Testimony; Freedom of Information Act	1092-AA02
1057	Trans-Alaska Pipeline Liability Fund	1092-AA03
1058	Implementation of the Program Fraud Civil Remedies Act	1092-AA05
1059	Take Pride in America	1092-AA06

Office for Equal Opportunity—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1060	Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting from Federal Financial Assistance	1091-AA02

Office for Equal Opportunity—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1061	Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance	1091-AA00

Office of Hearings and Appeals—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1062	Tribal Acquisition of Interests Under Special Statute	1094-AA08
1063	Special Rules Applicable to Public Land Hearings and Appeals	1094-AA25

DOI

Office of Hearings and Appeals—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1064	Department Hearings and Appeals Procedures	1094-AA26
1065	Special Rules Applicable in Indian Affairs Hearings and Appeals	1094-AA31
1066	Special Rules Applicable to Surface Coal Mining Hearings and Appeals	1094-AA28
1067	Burden of Proof in Civil Penalty Proceedings	1094-AA33
1068	Amendment of Regulation Establishing Age at Which an Indian Can Execute a Will Devising Trust or Restricted Property	1094-AA35
1069	Special Rules Applicable to Public Land Hearings and Appeals	1094-AA30
1070	Service of Notice of Appeal and of Other Documents	1094-AA34

Office of Hearings and Appeals—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1071	Special Rules Applicable to Surface Coal Mining Hearings and Appeals	1094-AA29
1072	Department Hearings and Appeals Procedures; Subpart A--General; Office of Hearings and Appeals; Power of the Secretary and Director	1094-AA32

United States Fish and Wildlife Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1073	Injurious Wildlife - Mitten Crabs	1018-AB04
1074	Injurious Wildlife	1018-AB13
1075	Captive Bred Wildlife	1018-AB10
1076	Proposed Determination of Nonessential Experimental Population Status for an Introduced Population of the Nashville Crayfish in Tennessee	1018-AB12
1077	Marine Mammals: Incidental Taking by Commercial Fishing Operations	1018-AA96
1078	Marine Mammals: Take of Small Numbers Incidental to Specified Activities	1018-AB05
1079	Migratory Bird Hunting	1018-AA24
1080	Nontoxic Shot Regulations for Hunting Migratory Birds	1018-AA93
1081	Subsistence Take of Migratory Birds in Alaska	1018-AB03
1082	Hunting	1018-AA71
1083	Sport Fishing	1018-AA50
1084	Implementation of Klamath River Basin Fishery Resources Restoration Act	1018-AB11

United States Fish and Wildlife Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1085	Humane Transport of Wild Mammals and Birds	1018-AA07
1086	Importation, Exportation, and Transportation of Wildlife	1018-AA79
1087	Endangered and Threatened Wildlife and Plants	1018-AA10
1088	Endangered and Threatened Wildlife and Plants	1018-AA84
1089	Endangered and Threatened Wildlife and Plants	1018-AA85
1090	Endangered and Threatened Wildlife and Plants	1018-AA95
1091	Endangered and Threatened Wildlife and Plants	1018-AA98
1092	Endangered and Threatened Wildlife and Plants	1018-AB02
1093	Endangered and Threatened Wildlife and Plants	1018-AB06
1094	Proposed Determination of Nonessential Experimental Population Status for an Introduced Population of the Yellowfin Madtom in Virginia	1018-AB08
1095	Proposed Determination of Experimental Population Status for an Introduced Population of Colorado Squawfish	1018-AB09
1096	Endangered and Threatened Wildlife and Plants	1018-AB14
1097	Marine Mammals: Reporting and Sealing Requirements for Alaska Natives	1018-AA20

DOI

United States Fish and Wildlife Service—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
1098	Subsistence Take of Migratory Birds	1018-AA92
1099	General Permit Procedures and Migratory Bird Permits: Raptor Propagation and Falconry Regulations	1018-AB01
1100	Endangered Species Convention	1018-AA29
1101	Public Entry and Use	1018-AA36
1102	Fish and Wildlife Restoration Grants; Interest Earned on License Fees	1018-AA97

National Park Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1103	National Park Service Acquisition Regulation	1024-AB35

National Park Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1104	Appalachian National Scenic Trail	1024-AB07
1105	Hawaii Volcanoes National Park: Fishing Regulations	1024-AB66
1106	Mammoth Cave NP: Fishing	1024-AA94
1107	Cape Hatteras National Seashore: Off-Road Vehicle Regulations	1024-AB54
1108	Rocky Mountain National Park: Fishing Regulations	1024-AB46
1109	Rocky Mountain National Park: Trucking Regulations	1024-AB67
1110	Glen Canyon National Recreation Area: Commercial Operations and Whitewater Boating Regulations	1024-AB72
1111	Big Thicket National Preserve: Hunting Regulations	1024-AB48
1112	Whiskeytown National Recreation Area Fishing Regulations	1024-AB61
1113	Cape Lookout National Seashore: Off-Road Vehicles	1024-AA89
1114	Minerals Management - Non-Federal Oil and Gas	1024-AB39
1115	Management of Mineral Development Associated with Mining Claims	1024-AB74
1116	Minerals Management: Nonfederal Rights Other Than Oil and Gas	1024-AB75
1117	NPS Units in Alaska: Concessions	1024-AB18
1118	Archeological and Historic Preservation Act; Department of the Interior Regulations	1024-AA49
1119	Historic Preservation Certifications Pursuant to Section 48(g) and Section 170(h) of the Internal Revenue Code of 1986	1024-AB73
1120	Cemetery Sites and Historical Places	1024-AA84

National Park Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1121	Cuyahoga Valley NRA: Off-Road Vehicles and Snowmobiles	1024-AB44
1122	Canyon De Chelly National Monument	1024-AB47
1123	Fort Jefferson NM: Fishing; Boundary Adjustments	1024-AA96
1124	Jean Lafitte NHP: Crawfishing Regulations	1024-AB33
1125	Everglades NP: Mining	1024-AB10
1126	Lake Mead National Recreation Area: Noise Abatement Exemption	1024-AB50
1127	Lake Chelan NRA: Target Practice	1024-AB19
1128	Ross Lake NRA: Target Practice	1024-AB28
1129	Big Cypress National Preserve: Indian Use and Occupancy	1024-AA07
1130	Whiskeytown Unit, Whiskeytown - Shasta - Trinity NRA Gold Panning Regulations	1024-AB71
1131	Bighorn Canyon National Recreation Area - Fishing Regulations	1024-AB63
1132	Management of Mining Claim Activities	1024-AB37
1133	NPS Units in Alaska: Closure Regulations	1024-AA71
1134	Fire Island National Seashore: Zoning	1024-AA80

DOI

National Park Service—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
1135	National Register of Historic Places	1024-AA44
1136	Determination of Eligibility for Inclusion in the National Register of Historic Places	1024-AA46
1137	Curation of Federally Owned and Administered Archeological Collections	1024-AB13

National Park Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1138	Applicability and Scope	1024-AB64
1139	Discrimination in Employment Practices and Furnishing Public Services	1024-AB65
1140	Upper Delaware SRR: Fishing	1024-AA87
1141	Springfield Armory Museum Closure	1024-AB70
1142	Delaware Water Gap NRA: Fishing	1024-AA98
1143	Appraisal Authority Under the Land and Water Conservation Fund State Grant Program	1024-AB68

Bureau of Indian Affairs—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1144	Revision of the Membership Roll of the Eastern Band of Cherokee Indians, North Carolina	1076-AB54

Bureau of Indian Affairs—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1145	Procedures for Establishing that an American Indian Group Exists as an Indian Tribe	1076-AC15
1146	The Indian Police	1076-AB98
1147	Financial Assistance and Social Services Program	1076-AB99
1148	Financial Assistance and Social Services Program	1076-AC13
1149	Federal Schools For Indians (Revision)	1076-AB47
1150	School Boards	1076-AC14
1151	The Indian School Equalization Program (New School Starts, Program Expansions, School Closures, Consolidations, and Program Reductions)	1076-AB48
1152	Grants to Tribally Controlled Community Colleges and Navajo Community College	1076-AA11
1153	Preparation of Rolls of Indians	1076-AC11
1154	Loans to Indians from the Revolving Loan Fund	1076-AC00
1155	Revolving Cattle Pool	1076-AC02
1156	Loan Guaranty, Insurance, and Interest Subsidy	1076-AC01
1157	Individual Indian Money Accounts	1076-AB91
1158	Management of Osage Judgment Funds for Education and Socio-Economic Programs	1076-AB51
1159	Leasing of Restricted Lands of Members of Five Civilized Tribes, Oklahoma, for Mining	1076-AB41
1160	Contracts Under Indian Self-Determination Act (Subpart H - New School Starts and Program Expansions)	1076-AB49
1161	Small Tribes Governmental Assistance Grant Program	1076-AC10
1162	Indian Business Development Program	1076-AA55
1163	Tribal Gaming Management Contracts	1076-AC07
1164	Buy Indian Act Contracting	1076-AA56

DOI

Bureau of Indian Affairs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1165	Appeals from Administrative Actions	1076-AB21
1166	Law and Order on Indian Reservations	1076-AA01
1167	Education Personnel	1076-AB02
1168	Administration of the Higher Education Program	1076-AA10
1169	Administration of the Indian Adult Education Programs	1076-AA15
1170	Preparation of a Roll of Alaska Natives	1076-AC12
1171	Attorney Fee Contracts with Indian Tribes; Payment of Tribal Attorney Fees with Federally Appropriated Funds	1076-AB87
1172	Navajo Grazing Regulations	1076-AA33
1173	Rights-of-Way Over Indian Lands	1076-AB89
1174	San Carlos Indian Irrigation Project, Arizona	1076-AC08
1175	Life Estates and Future Interests	1076-AC06
1176	Contracts for Prospecting and Mining on Indian Mineral Lands	1076-AA38
1177	Leasing of Allotted Lands for Mining	1076-AA39
1178	Oil and Gas Mineral Agreements	1076-AA82
1179	Leasing of Osage Reservation Lands for Oil and Gas Mining	1076-AC09
1180	Indian Fishing: Hoopa Valley Indian Reservation	1076-AA83

Bureau of Indian Affairs—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1181	Law Enforcement Expenditures	1076-AB97
1182	Enrollment Appeals	1076-AB95
1183	Enrollment of Indians of the San Pasqual Band of Mission Indians in California	1076-AB59
1184	Use or Distribution of Indian Judgment Funds	1076-AB20
1185	Annuity and Other Per Capita Payments	1076-AB45
1186	Procedures for Depositing Funds to the Credit of 14X6140- Deposits of Proceeds of Lands Withdrawn for Native Selection, BIA	1076-AB67
1187	Land Records and Title Documents	1076-AB68
1188	Roads of the Bureau of Indian Affairs	1076-AB05
1189	Leasing of Osage Reservation Lands for Oil and Gas Mining	1076-AB79

Minerals Management Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1190	Air Quality -- Outer Continental Shelf Wide	1010-AB14

Minerals Management Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1191	Processing and Transportation Allowances, Return on Capital Investment	1010-AB12
1192	Recoupments and Refunds of Excess Payments Under Federal Offshore Mineral Leases	1010-AB11
1193	Revision of Regulations Governing Appeals	1010-AB13
1194	Air Quality - Offshore California	1010-AA61
1195	Leasing of Minerals Other than Oil, Gas, and Sulphur in the Outer Continental Shelf	1010-AA82
1196	Mining Operations for Minerals Other Than Oil, Gas, and Sulphur in the Outer Continental Shelf	1010-AA81

DOI

Minerals Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1197	Valuation of Coal for Royalty Purposes from Federal and Indian Leases	1010-AA83
1198	Onshore Production Reporting and Accounting	1010-AB10
1199	Oil and Gas and Sulphur Operations on the Outer Continental Shelf (OCS)	1010-AA53
1200	Supplemental Sales	1010-AB05
1201	Nondiscrimination in Employment in the Outer Continental Shelf	1010-AA87
1202	Prospecting for Minerals Other than Oil, Gas, and Sulphur in the Outer Continental Shelf	1010-AA71

Minerals Management Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1203	Valuation of Oil for Royalty Purposes from Federal and Indian Leases	1010-AA30
1204	Valuation of Gas and Gas Products for Royalty Purposes, from Federal and Indian Leases	1010-AA54
1205	Change Effective Date of Adopted Modifications to NTL-5	1010-AB09
1206	Royalty-In-Kind Crude Oil	1010-AA31
1207	Extension of Protection of Proprietary Data and Information Until a Subsequent Lease Sale in an Area	1010-AA93

Office of Surface Mining Reclamation and Enforcement—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1208	Surface Coal Mining and Reclamation Operations; Two Acre Exemption Repeal	1029-AB16
1209	Surface Coal Mining Operations; Definition of In Connection With	1029-AB08
1210	Permanent Regulatory Program; Requirements for Permits for Special Categories of Mining	1029-AA54
1211	Permanent Regulatory Program Definition of Support Facilities	1029-AA94
1212	Interim Program Revisions	1029-AB24
1213	Requirements for Coal Exploration--Permit Requirements for Exploration Removing More than 250 Tons of Coal	1029-AA92
1214	Federal Regulatory Programs; Permit Application Fees	1029-AB15
1215	Federal Lands Program	1029-AA76
1216	Definition and Criteria for Valid Existing Rights	1029-AA77
1217	Lands Unsuitable Regulations	1029-AA90
1218	Permanent Regulatory Program Definitions; Areas Unsuitable for Mining	1029-AA80
1219	Reprocessing Coal Waste	1029-AB23
1220	Permanent Program Performance Standards; Disposal of Coal Mine Waste	1029-AB09
1221	Permanent Program Performance Standards; Surface Mining Activities; Contemporaneous Reclamation	1029-AB02
1222	Permanent Program Performance Standards; Surface and Underground Mining Activities; Backfilling and Grading	1029-AA57
1223	Disposal of Excess Spoil on Preexisting Benches	1029-AB18
1224	Assessment Conference Scheduling	1029-AB22
1225	Improvidently Issued Permits	1029-AB20
1226	Delinquent Abandoned Mine Land Reclamation Fees	1029-AB21
1227	Abandoned Mine Land Reclamation; State Reclamation Grants	1029-AB13
1228	Tennessee Program Amendment; Significant Permit Revisions	1029-AB17

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1229	Termination of Jurisdiction Under SMCRA	1029-AB07
1230	Permanent Program Performance Standards; Surface and Underground Activities; Roads	1029-AA60
1231	Exemption for Coal Extraction Incidental to the Extraction of Other Minerals	1029-AA53
1232	Surface Coal Mining and Reclamation Operations on Indian Lands	1029-AB04
1233	Substantial Legal and Financial Commitment	1029-AB01
1234	Surface Coal Mining and Reclamation Operations; Permanent Regulatory Program-Ownership And Control	1029-AA56

DOI

Office of Surface Mining Reclamation and Enforcement—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
1235	Requirements For Permits and Permit Processing; Permit Applications Minimum Requirements For Legal Financial Civil Penalties	1029-AA66
1236	Permit Processing	1029-AB14
1237	Permanent Regulatory Program - Ownership Information	1029-AA96
1238	Permanent Regulatory Program; Requirements for Permits, Information on Hydrologic Impacts	1029-AB11
1239	Permanent Program Performance Standards; Highwall Policy	1029-AB10
1240	Permanent Program Performance Standards - Surface Mining Activities, Underground Mining Activities -- Revegetation	1029-AA86
1241	Permanent Program Performance Standards - Surface Mining Activities, Underground Mining Activities - Impoundments	1029-AA79
1242	Special Permanent Program Performance Standards; Operations on Prime Farmland	1029-AA64
1243	Surface Coal Mining and Reclamation Operations; Permanent Regulatory Programs; Permanent Program Inspection and Enforcement Procedures	1029-AA67
1244	Ten Day Notice Review Criteria	1029-AB12
1245	Collection of AML Fees - Moisture Content of Coal	1029-AB03
1246	California Federal Program	1029-AB05

Office of Surface Mining Reclamation and Enforcement—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1247	Exemption for Coal Extraction Incidental to Government Financed Construction	1029-AA58
1248	Individual Civil Penalties	1029-AA81
1249	Surface Coal Mining and Reclamation Operations; Permanent Regulatory Program; Federal Program for A State; Procedural Requirements	1029-AA71
1250	Unsuitability Petition Process	1029-AB00
1251	Surface Mining Permit Applications; Minimum Requirements for Information on Environmental Resources	1029-AA74
1252	Permanent Regulatory Program - Mountaintop Removal	1029-AA97
1253	Requirements for Permits for Special Categories of Mining; Experimental Practices	1029-AB06
1254	Requirement to Release Performance Bonds	1029-AA91
1255	Permanent Program Performance Standards Underground Mining Activities - Hydrologic Balance Protection	1029-AA75
1256	State-Federal Cooperative Agreements	1029-AA40

Bureau of Reclamation—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1257	Acreage Limitation Rules and Regulations	1006-AA17
1258	Procedure to Process and Recover the Value of Rights-of-Use and Administrative Costs Incurred in Permitting Such Use	1006-AA18

Bureau of Reclamation—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1259	Off-Road Vehicle Use	1006-AA06
1260	Acreage Limitation Rules and Regulations	1006-AA16

DOI

Bureau of Land Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1261	Public Land Records	1004-AA77
1262	Minerals (Nonmineral Entries on Mineral Lands)	1004-AB20
1263	Exchanges - General Procedures	1004-AB28
1264	Indian Allotments	1004-AB10
1265	Rights-of-Way, Principles and Procedures	1004-AB00
1266	Rights-of-Way under the Mineral Leasing Act	1004-AA98
1267	Recreation and Public Purposes Act Leases	1004-AA73
1268	Exploration Activity; Oil and Gas Leasing; Geothermal Resource Leasing - General	1004-AB13
1269	Oil and Gas Leasing - Fees, Rentals and Royalties	1004-AB31
1270	Oil and Gas Leasing Competitive Leases	1004-AB41
1271	Onshore Oil and Gas Order No. 8 - Well Workovers, Completions, Abandonments	1004-AB37
1272	Onshore Oil and Gas Order No. 7 - Disposal of Produced Water	1004-AA66
1273	Onshore Oil and Gas Order No. 6 - Hydrogen Sulfide Operations	1004-AA67
1274	Onshore Oil and Gas Operations - Onshore Oil and Gas Order Number 4-Measurement of Crude Oil	1004-AA96
1275	Onshore Oil and Gas Operations - Cooperative Agreements, Delegations of Authority and Contracts for Oil and Gas Inspection and Enforcement	1004-AB32
1276	Geothermal Resource Operations	1004-AB18
1277	Sales of Forest Products; General - Preparation for Sale	1004-AB34
1278	Onshore Oil and Gas Order No. 5 - Measurement of Natural Gas	1004-AB22
1279	Coal Exploration and Mining Operations Rules	1004-AB42
1280	Operating Regulations for Exploration, Development and Production	1004-AA68
1281	Multiple Use: Mining: Mining Claims Under the General Mining Laws	1004-AB04
1282	Mining Claims Under the General Mining Law Nature and Classes of Mining Claims Assessment Work	1004-AB43
1283	Mining Claims Under the General Mining Laws	1004-AB36
1284	Sales of Forest Products; Conduct of Sales	1004-AB39
1285	Sales of Forest Products; Award of Contract	1004-AB40
1286	Protection of Special Status Plants	1004-AB09
1287	Cultural Resource Management	1004-AA69
1288	Paleontology	1004-AA27
1289	Recreation: General	1004-AA35
1290	Cadastral Survey	1004-AB07
1291	Unauthorized Use of Public Lands	1004-AA38

Bureau of Land Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1292	Oil and Gas Leasing and Geothermal Resource Leasing-General	1004-AA97
1293	Land Classification	1004-AB19
1294	Onshore Oil and Gas Order No. 2 - Drilling Operations	1004-AB21
1295	Onshore Oil and Gas Order No. 3 - Site Security	1004-AB24
1296	Management of Existing Leases	1004-AB38
1297	Grazing Administration - Exclusive of Alaska	1004-AB23
1298	Conduct of Sales (Timber)	1004-AB35
1299	Off-Road Vehicles	1004-AB26
1300	Use Authorizations; Special Recreation Permits	1004-AA36

Bureau of Land Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1301	Alaska State Selection	1004-AA12
1302	Leases, Permits and Easements	1004-AB29
1303	Competitive Leasing; Environment	1004-AB25

DOI

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1304	Natural Resource Damage Assessment - Type B Amendments	1093-AA05
1305	Department of the Interior, Procurement Ethics Regulation	1093-AA06

DEPARTMENT OF THE INTERIOR (DOI)

Prerule Stage

Assistant Secretary for Policy, Budget, and Administration (ASPBA)

1044. ● NATURAL RESOURCE DAMAGE ASSESSMENTS

Significance: Regulatory Program

Legal Authority: 42 USC 9651(c) CERCLA

CFR Citation: 43 CFR 11

Legal Deadline: Statutory, March 20, 1989. 42 USC 9651(c)(3) requires biennial review and revision as appropriate of the regulations.

Abstract: CERCLA allows natural resource trustees to bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance or, under certain circumstances, a discharge of oil. Section 301(c)(2)(A) calls for the promulgation of simplified procedures for coastal and marine environments through the use of a computer model known as the natural resource damage assessment model for coastal and marine environments (NRDAM/CME). Section 301(c)(3) of CERCLA requires the biennial review of these natural resource damage assessment regulations. Since type A regulations were published as a final rule with an effective date of April 20, 1987, the Department will issue an advance notice of proposed rulemaking (ANPRM). This ANPRM will ask trustees, other interested parties, and members of the public to draw upon their experience with the type A procedures to advise the Department of areas where revisions to the type A procedures may be appropriate.

Timetable:

Action	Date	FR Cite
ANPRM	10/20/88	

Small Entity: No

Agency Contact: Bruce Blanchard, Director, Office of Envir. ProjectReview, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, Room 4239, MIB, 1801 C Street, NW, Washington, DC 20240, 202 343-3891

RIN: 1090-AA21

1045. ● NATURAL RESOURCE DAMAGE ASSESSMENTS

Significance: Regulatory Program

Legal Authority: 42 USC 9651(c) CERCLA

CFR Citation: 43 CFR 11

Legal Deadline: None.

Abstract: The Department has promulgated regulations, codified at 43 CFR Part 11, for the assessment of damages to natural resources injured by a release of a hazardous substance or, under certain circumstances, a discharge of oil. The regulations provide two types of assessment procedures: simplified procedures requiring minimal field investigation, referred to as the type A procedures; and alternative protocols for the testing, sampling, and valuing of natural resource damages, referred to as the type B procedures. The type A procedures that have been developed are for use in coastal and marine environments. The Department has stated that, when possible, it would develop additional type A procedures for other environments or natural resources. An advance notice of proposed rulemaking (ANPRM) will be issued by the Department. This ANPRM will solicit suggestions and supporting technical information for possible development of other type A procedures.

Timetable:

Action	Date	FR Cite
ANPRM	01/15/89	

Small Entity: No

Agency Contact: Bruce Blanchard, Director, Office of Envir. ProjectReview, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, Room 4239, 1801 C St., NW, Washington, DC 20240, 202 343-3891

RIN: 1090-AA23

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Assistant Secretary for Policy, Budget, and Administration (ASPBA)

1046. ● NATURAL RESOURCE DAMAGE ASSESSMENTS

Significance: Regulatory Program

Legal Authority: 42 USC 9651(c) CERCLA

CFR Citation: 43 CFR Part 11

Legal Deadline: Statutory, September 1, 1988. 42 USC 9651(c)(3) requires biennial review and revision as appropriate of the regulations.

Abstract: CERCLA allows natural resource trustees to bring a claim against a potentially responsible party for resources that have been injured by a release of a hazardous substance or, under certain circumstances, a discharge of oil. Section 301(c)(2)(B) calls for the promulgation of a set of

alternative protocols for the testing, sampling, and valuing of natural resource damages, referred to as the type B procedures. Section 301(c)(3) of CERCLA requires the biennial review of these natural resource damage assessment regulations. Since the general process and type B regulations were published as a final rule with an effective date of September 1, 1986, the Department will issue an advance notice of proposed rulemaking. This ANPRM will ask trustees, other interested parties, and members of the public to draw upon their experience with the type B procedures, and the general assessment process, to advise the Department of areas where revisions to the process and the type B procedures may be appropriate.

Timetable:

Action	Date	FR Cite
ANPRM	03/00/88	
NPRM	09/01/88	

Small Entity: No

Agency Contact: Bruce Blanchard, Director, Office of Envir. ProjectReview, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, Room 4239, 1801 C St., NW, Washington, DC 20240, 202 343-3891

RIN: 1090-AA22

1047. ● CERTIFICATION OF NON-DELINQUENCY BY APPLICANTS FOR FEDERAL FINANCIAL ASSISTANCE

Legal Authority: 31 USC 3511; 31 USC 3512; 31 USC 3302; 31 USC 3701; 31 USC 3711; 31 USC 3716 to 3719

CFR Citation: 43 CFR 12

Legal Deadline: None.

Abstract: This Notice of Proposed Rulemaking proposes a regulation requiring that a certification of nondelinquency be included in applications for Federal financial assistance. This proposed regulation will implement Paragraph 6 of Office of Management and Budget Circular A-129, "Managing Federal Credit Programs."

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: William Opdyke, Acting Chief, Acquisition and AssistanceDiv, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, Asst. Secretary for Policy Budget & Admin., 18th & C Sts., NW, Washington, DC 20240, 202 343-3433

RIN: 1090-AA19

1048. DEPARTMENT OF THE INTERIOR ACQUISITION REGULATION

Legal Authority: 5 USC 301

CFR Citation: 48 CFR 1400

Legal Deadline: None.

Abstract: This rule will implement changes in the FAR as a result of the Small Business and Federal Procurement Competition Enhancement Act of 1984, P.L. 98-577.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: William S. Opdyke, Acting Chief, Acquisition and AssistanceDiv, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, 18th & C Streets, NW, Washington, DC 20240, 202 343-3433

RIN: 1090-AA10

1049. DEPARTMENT OF THE INTERIOR ACQUISITION REGULATION

Legal Authority: 5 USC 301

CFR Citation: 48 CFR 1400

Legal Deadline: None.

Abstract: This rule makes miscellaneous revisions to the Department of the Interior Acquisition Regulation.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: William Opdyke, Acting Chief, Acquisition and AssistanceDiv, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, 18th & C Streets, NW, Washington, DC 20240, 202 343-3433

RIN: 1090-AA14

1050. ● DEPARTMENT OF THE INTERIOR, PROCUREMENT ETHICS REGULATION

Legal Authority: 5 USC 301; EO 11222; 43 CFR 20.735

CFR Citation: 48 CFR 1400

Legal Deadline: None.

Abstract: This notice of proposed rulemaking proposes to provide implementing regulations in the Department of the Interior Acquisition Regulation for EO 11222 governing ethics conduct for Government employees. The proposed rule would also provide a special code of conduct for employees with procurement responsibilities in accordance with 43 CFR 20.735-2(h).

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: William S. Opdyke, Chief, Division of Acquisition and Assistance, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, 18th and C Streets,NW, Washington, DC 20240, 202 343-3433

RIN: 1090-AA15

DEPARTMENT OF THE INTERIOR (DOI)

Final Rule Stage

Assistant Secretary for Policy, Budget, and Administration (ASPBA)

1051. DEPARTMENT OF THE INTERIOR - NONPROCUREMENT DEBARMENT AND SUSPENSION REGULATION

Legal Authority: 5 USC 301; EO 12549

CFR Citation: 43 CFR 12

Legal Deadline: None.

Abstract: This notice of proposed rulemaking proposes common regulations implementing the Office of Management and Budget guidelines which prescribe the scope, government criteria, minimum due process procedures, and other guidance for a system for nonprocurement debarment or suspension of a nonprocurement program participant and will have governmentwide effect.

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	52 FR 39042
NPRM Comment Period End	12/21/87	52 FR 39042
Final Action	05/26/88	

Small Entity: Undetermined

Agency Contact: Colonel C. Armstrong, Deputy Director, Office of Acquisition & Property Management, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, Washington, DC 20240, **202 343-6431**

RIN: 1090-AA12

1052. DEPARTMENT OF THE INTERIOR ACQUISITION REGULATION

Legal Authority: 5 USC 301

CFR Citation: 48 CFR 1415

Legal Deadline: None.

Abstract: This rule will establish formal source selection procedures for the Department pursuant to FAR 15.612.

Timetable:

Action	Date	FR Cite
NPRM	12/21/87	52 FR 48301
Final Action	06/00/88	

Small Entity: No

Agency Contact: William Opdyke, Acting Chief, Acquisition and Assistance, Division, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, 18th & C Streets, NW, Washington, DC 20240, **202 343-3433**

RIN: 1090-AA13

DEPARTMENT OF THE INTERIOR (DOI)

Completed Actions

Assistant Secretary for Policy, Budget, and Administration (ASPBA)

1053. ● PRIVACY ACT

Legal Authority: 5 USC 552a

CFR Citation: 43 CFR 2.45 to 2.75

Legal Deadline: None.

Abstract: The Interior Department Privacy Act regulations are being revised to make them compatible with regulations of the Office of Personnel Management (OPM) regarding the handling of appeals of denials of access to, or amendment of records falling under the jurisdiction of OPM.

Timetable:

Action	Date	FR Cite
Final Action	02/09/88	53 FR 03748
Final Action Effective	03/10/88	53 FR 03748

Small Entity: No

Agency Contact: David R. DeAngelis, Privacy Act Officer, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, Office of Management Analysis, Office of the Secretary, Washington, DC 20240, **202 343-6191**

RIN: 1090-AA20

1054. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

Legal Authority: 31 USC 501 et seq; 16 USC 452; EO 11541; 31 USC 6503 to 6504; Act of 1968; 16 USC 831h; 31 USC 6301; 5 USC 301; 24 USC 278; 31 USC 701 et seq as amended; 40 USC 474 et seq; 41 USC 5 et seq

CFR Citation: 43 CFR 12

Legal Deadline: None.

Abstract: This Notice of Proposed Rulemaking proposes common regulations establishing consistency and uniformity among Federal agencies in the administration of grants to State, local, and federally recognized Indian tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	06/09/87	52 FR 21837
Final Action	03/11/88	53 FR 8034
Final Action Effective	10/01/88	

Small Entity: No

Agency Contact: Colonel C. Armstrong, Deputy Director, Office of Acquisition & Property Management, Department of the Interior, Assistant Secretary for Policy, Budget, and Administration, 18th & C Streets, NW, Washington, DC 20240, **202 343-6431**

RIN: 1090-AA11

BILLING CODE 4310-RK-T

DEPARTMENT OF THE INTERIOR (DOI)

Proposed Rule Stage

Office of the Solicitor (OSOL)

1055. PRACTICES BEFORE THE DEPARTMENT

Legal Authority: 43 USC 1464

CFR Citation: 43 CFR 1

Legal Deadline: None.

Abstract: This rule governs practice in administrative proceedings before the Department. It will be revised to update its provisions and assure that they are consistent with the Department's employee conduct regulations (43 CFR Part 20) and the Ethics in Government Act.

DOI—OSOL **Proposed Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: Barbara Abate, Paralegal, Department of the Interior, Office of the Solicitor, 18th and C Streets, NW, Washington, DC 20240, 202 343-5216

RIN: 1092-AA00

DEPARTMENT OF THE INTERIOR (DOI)
Office of the Solicitor (OSOL)

Completed Actions

1056. RECORDS AND TESTIMONY; FREEDOM OF INFORMATION ACT

Legal Authority: 5 USC 552

CFR Citation: 43 CFR 2

Legal Deadline: None.

Abstract: The Department's regulation will be amended to incorporate amendments to the FOIA made by the FOIA Reform Act of 1986, P.L. 99-570, and to update and clarify provisions that have been in effect since 1975.

Timetable:

Action	Date	FR Cite
NPRM	05/12/87	52 FR 17780
NPRM Comment Period End	06/11/87	
Final Action	11/30/87	52 FR 45584
Final Action Effective	12/30/87	52 FR 45584

Small Entity: No

Agency Contact: Barbara Abate, Paralegal, Department of the Interior, Office of the Solicitor, 18th & C Streets, NW, Washington, DC 20240, 202 343-5216

RIN: 1092-AA02

1057. TRANS-ALASKA PIPELINE LIABILITY FUND

Legal Authority: 43 USC 1653(c); 33 USC 1321(p)(1),(2)

CFR Citation: 43 CFR 29

Legal Deadline: None.

Abstract: These regulations, which supervise and administer the Fund provided for by Sec. 204(c) of the Trans-Alaska Pipeline Authorization Act, 43 USC Sec 1653(c) will be amended to eliminate inconsistencies between the existing regulations and the Act, clarify language which has been found to be confusing, delete provisions that are no longer necessary, and provide a more efficient process for filing and considering claims made against the Fund.

Timetable:

Action	Date	FR Cite
NPRM	06/29/87	52 FR 24181
NPRM Comment Period End	08/28/87	
Final Action	02/05/88	53 FR 3395
Final Action Effective	03/07/88	53 FR 3395

Small Entity: No

Agency Contact: Robert H. Moll, Attorney-Advisor, Department of the Interior, Office of the Solicitor, Washington, DC 20240, 202 343-5216

RIN: 1092-AA03

1058. IMPLEMENTATION OF THE PROGRAM FRAUD CIVIL REMEDIES ACT

Legal Authority: 15 USC 301; 31 USC 3801 to 3812

CFR Citation: 43 CFR 35

Legal Deadline: Statutory, April 19, 1987.

Abstract: The regulation will implement the Program Fraud Civil Remedies Act of 1986. It will establish administrative procedures for imposing the statutorily authorized civil penalties and assessments against any person who makes, submits, or presents a false, fictitious, or fraudulent claim or written statement to the Department of the Interior.

Timetable:

Action	Date	FR Cite
NPRM	06/29/87	52 FR 24186
NPRM Comment Period End	07/29/87	
Final Action	02/12/88	53 FR 4159
Final Action Effective	03/14/88	53 FR 4159

Small Entity: No

Agency Contact: Barbara Abate, Paralegal, Department of the Interior, Office of the Solicitor, 18th & C Streets, NW, Washington, DC 20240, 202 343-5216

RIN: 1092-AA05

1059. TAKE PRIDE IN AMERICA

Legal Authority: 5 USC 301; 15 USC Chapter 22; 18 USC 701

CFR Citation: 43 CFR 37

Legal Deadline: None.

Abstract: The regulation will govern the commercial and noncommercial use of the Take Pride in America campaign slogan and logo by Federal agencies, States, and the private sector.

Timetable:

Action	Date	FR Cite
No further action to be taken at this time.	00/00/00	

Small Entity: Undetermined

Agency Contact: Deborah Ryan Howard, Attorney-Advisor, Department of the Interior, Office of the Solicitor, 18th and C Streets, NW, Washington, DC 20240, 202 343-5216

RIN: 1092-AA06

BILLING CODE 4310-17-T

DEPARTMENT OF THE INTERIOR (DOI)
Office for Equal Opportunity (OEO)

Proposed Rule Stage

1060. NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES RECEIVING OR BENEFITING FROM FEDERAL FINANCIAL ASSISTANCE

Legal Authority: PL 92-318 Title IX of the Education Amendment of 1972; PL 93-568; PL 94-482; 20 USC 1681 to 1686

CFR Citation: 43 CFR 17, Subpart D

Legal Deadline: None.

Abstract: The Title IX regulation is intended to address the problem of discrimination on the basis of sex in any education program or activity receiving or benefiting from Federal financial assistance administered by the Department of the Interior (DOI).

No alternative for addressing problems of discrimination in DOI's education programs can be considered due to the fact that Title IX requires each Federal agency which extends Federal financial assistance to any educational program or activity, to issue rules and regulations implementing Title IX.

DOI's recipients are anticipated to incur expenses in two (2) areas: (1) Data collection and recordkeeping; (2) rectifying areas of noncompliance with Title IX. With respect to DOI, expenses will be incurred in three (3) areas: (1) Development and publication of the Title IX rule; (2) Provision of technical assistance; and (3) Accomplishing compliance reviews and enforcement activities.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Not Applicable

Agency Contact: Melvin C. Fowler, Supv. Equal Opportunity Spc., Department of the Interior, Office for Equal Opportunity, Washington, DC 20240, **202 343-3455**

RIN: 1091-AA02

DEPARTMENT OF THE INTERIOR (DOI)
Office for Equal Opportunity (OEO)

Final Rule Stage

1061. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Legal Authority: The Age Discrimination Act of 1975, as amended; 42 USC 6101; 45 CFR 90

CFR Citation: 43 CFR 17, Subpart C

Legal Deadline: None.

Abstract: This rule will set forth guidelines for non-discrimination on the basis of age in programs or activities receiving Federal financial assistance from the Department.

Timetable:

Action	Date	FR Cite
NPRM	10/21/87	52 FR 39243
NPRM Comment Period End	11/20/87	52 FR 39243
Final Action	05/00/88	

Small Entity: No

Additional Information: LEGAL AUTHORITY: Originally scheduled: January 1979.

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1986

Affected Sectors: None

Government Levels Affected: Local, State

Agency Contact: Melvin C. Fowler, Supervisory Equal Opportunity Spc., Department of the Interior, Office for Equal Opportunity, 18th and C Streets, NW, Washington, DC 20240, **202 343-3455**

RIN: 1091-AA00

BILLING CODE 4310-RE-T

DEPARTMENT OF THE INTERIOR (DOI)
Office of Hearings and Appeals (OHA)

Proposed Rule Stage

1062. TRIBAL ACQUISITION OF INTERESTS UNDER SPECIAL STATUTE

Legal Authority: 25 USC 2201 to 2210

CFR Citation: 43 CFR 4.300; 43 CFR 4.301; 43 CFR 4.302; 43 CFR 4.303; 43 CFR 4.304; 43 CFR 4.305; 43 CFR 4.306; 43 CFR 4.307; 43 CFR 4.308

Legal Deadline: None.

Abstract: The Indian Land Consolidation Act (Act) was enacted on January 12, 1983, and changes existing law regarding the descent of Indian trust and restricted lands. The Act provides that certain undivided fractional interests in such lands can now be acquired by the tribe instead of descending by intestacy or devise. Existing regulations governing the probate of Indian lands by Indian Probate Judges must therefore be amended to conform with the Act.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Parlen L. McKenna, Chief Administrative Law Judge, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Blvd., Arlington, VA 22203, **703 235-3800**

RIN: 1094-AA08

1063. SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS

Legal Authority: 43 USC 1201

CFR Citation: 43 CFR 4.401(c); 43 CFR 4.413

Legal Deadline: None.

Abstract: Rulemaking is being proposed to amend the requirements for proof of service of documents to require that a party serving a document other than the

DOI—OHA **Proposed Rule Stage**

notice of appeal certify that he sent the document to the adverse party by mail.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: Undetermined

Agency Contact: Wm. Philip Horton, Chief Administrative Judge, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, **703 235-3750**

RIN: 1094-AA25

DEPARTMENT OF THE INTERIOR (DOI)
Office of Hearings and Appeals (OHA)

Final Rule Stage

1064. DEPARTMENT HEARINGS AND APPEALS PROCEDURES

Legal Authority: 43 USC 1201

CFR Citation: 43 CFR 4, Subpart B

Legal Deadline: None.

Abstract: Rulemaking is being proposed to make express provision for in camera review of information which is exempt, protected, or prohibited from unauthorized disclosure by Federal statute when such information is submitted in an administrative proceeding.

Timetable:

Action	Date	FR Cite
NPRM	06/03/87	52 FR 20755
NPRM Comment Period End	07/06/87	52 FR 20755
Final Action	04/01/88	

Small Entity: No

Agency Contact: Bruce A. Johnson, Deputy Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, **703 235-3810**

RIN: 1094-AA26

1065. SPECIAL RULES APPLICABLE IN INDIAN AFFAIRS HEARINGS AND APPEALS

Legal Authority: 36 Stat. 855, as amended; 38 Stat. 586; 42 Stat. 1185, as amended; 56 Stat. 1021-1022; R.S. 463; R.S. 465; 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 372; 25 USC 373; 25 USC 374; 25 USC 373a; 25 USC 373b

CFR Citation: 43 CFR 4, Subpart D

Legal Deadline: None.

Abstract: The agency is proposing to make changes to its regulations governing appeals to the Board of Indian Appeals in order to ensure compatibility between those regulations and proposed changes to administrative appeals regulations of the Bureau of Indian Affairs in 25 CFR Part 2. The rulemaking would incorporate two specific changes to regulations in 43 CFR Part 4, Subpart D, listed on previous agenda.

Timetable:

Action	Date	FR Cite
NPRM	11/06/87	52 FR 43009
NPRM Comment Period End	01/05/88	52 FR 43009
Final Action	09/00/88	

Small Entity: No

Agency Contact: Kathryn Lynn, Chief Administrative Judge, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, **703 235-3816**

RIN: 1094-AA31

1066. SPECIAL RULES APPLICABLE TO SURFACE COAL MINING HEARINGS AND APPEALS

Legal Authority: 30 USC 1201

CFR Citation: 43 CFR 4.1100 et seq, Subpart L

Legal Deadline: None.

Abstract: Regulations will be proposed to add procedures for the assessment of individual civil penalties under 30 USC 1268(f).

Timetable:

Action	Date	FR Cite
NPRM	12/24/86	51 FR 46846
NPRM Comment Period End	02/23/87	51 FR 46846
Final Action	04/01/88	

Small Entity: Undetermined

Agency Contact: Will A. Irwin, Administrative Judge, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, **703 235-3750**

RIN: 1094-AA28

1067. BURDEN OF PROOF IN CIVIL PENALTY PROCEEDINGS

Legal Authority: 30 USC 1268; 5 USC 301

CFR Citation: 43 CFR 4.1155

Legal Deadline: None.

Abstract: The proposed amendment of 43 CFR 4.1155 would correct the allocation of the ultimate burden of persuasion as to the fact of a violation in a civil penalty proceeding under section 518 of the Surface Mining Control and Reclamation Act of 1977 by changing it from the Office of Surface Mining Reclamation and Enforcement to the person who petitions for review of the civil penalty.

Timetable:

Action	Date	FR Cite
NPRM	10/15/87	52 FR 38246
NPRM Comment Period End	11/16/87	52 FR 38246
Final Action	04/01/88	

Small Entity: No

Agency Contact: Will A. Irwin, Administrative Judge, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, **703 235-3750**

RIN: 1094-AA33

1068. ● AMENDMENT OF REGULATION ESTABLISHING AGE AT WHICH AN INDIAN CAN EXECUTE A WILL DEVISING TRUST OR RESTRICTED PROPERTY

Legal Authority: 25 USC 373

CFR Citation: 43 CFR 4.260

Legal Deadline: None.

Abstract: The amendment to the regulation will reflect the congressional determination to reduce from 21 to 18 the age at which an Indian can execute a will devising trust or restricted property. The amendment is contained

in section 2 of the Act of Nov. 5, 1987, 101 Stat. 886, P.L. 100-153.

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	
Final Action Effective	05/00/88	

Small Entity: No

Agency Contact: Parlen McKenna, Chief Administrative Law Judge, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, **703 235-3800**

RIN: 1094-AA35

1069. SPECIAL RULES APPLICABLE TO PUBLIC LAND HEARINGS AND APPEALS

Legal Authority: 43 USC 1201

CFR Citation: 43 CFR 4.411

Legal Deadline: None.

Abstract: The agency will propose to amend its procedural regulations to provide relief to appellants who mistakenly file their notices of appeal with the Board instead of the office specified in the regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	52 FR 38950
NPRM Comment Period End	11/19/87	52 FR 38950
Final Action	05/00/88	

Small Entity: No

Agency Contact: David L. Hughes, Attorney-Advisor, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, **703 235-3750**

RIN: 1094-AA30

1070. ● SERVICE OF NOTICE OF APPEAL AND OF OTHER DOCUMENTS

Legal Authority: 43 USC 1201

CFR Citation: 43 CFR 4.413

Legal Deadline: None.

Abstract: The rulemaking revises the existing rule to clarify and update procedural requirements for service by appellants of a notice of appeal and of other documents upon counsel who may represent the Government as a party in appeal proceedings before the Interior Board of Land Appeals. The outdated reference in the existing rule for service of appeals documents upon the Director of the U.S. Geological Survey is removed.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	

Small Entity: No

Agency Contact: Frances A. Patton, Special Counsel to the Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, **703 235-3810**

RIN: 1094-AA34

DEPARTMENT OF THE INTERIOR (DOI)
Office of Hearings and Appeals (OHA)

Completed Actions

1071. SPECIAL RULES APPLICABLE TO SURFACE COAL MINING HEARINGS AND APPEALS

Legal Authority: 30 USC 1201

CFR Citation: 43 CFR 4.1100 et seq, Subpart L

Legal Deadline: None.

Abstract: Regulations are being proposed to add procedures for hearings and appeals under the permanent regulatory program of the Surface Mining Control and Reclamation Act of 1977 (including review of approval or disapproval of applications for permits).

Timetable:

Action	Date	FR Cite
NPRM	10/02/86	51 FR 35248
NPRM Comment Period End	11/03/86	51 FR 35248
Final Action	10/22/87	52 FR 39521
Final Action Effective	11/23/87	52 FR 39521

Small Entity: Undetermined

Agency Contact: Will A. Irwin, Administrative Judge, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, **703 235-3750**

RIN: 1094-AA29

1072. DEPARTMENT HEARINGS AND APPEALS PROCEDURES; SUBPART A--GENERAL; OFFICE OF HEARINGS AND APPEALS; POWER OF THE SECRETARY AND DIRECTOR

Legal Authority: 43 USC 1201

CFR Citation: 43 CFR 4.5

Legal Deadline: None.

Abstract: The rulemaking corrects the language in the regulation to except from the reserved powers of the Secretary and the Director in appellate and other review proceedings before the Department only those proceedings before the Interior Board of Contract Appeals which are subject to the Contract Disputes Act of 1978. Other editorial changes are made to clarify the reserved powers of the Director under delegated authority of the Secretary.

Timetable:

Action	Date	FR Cite
Final Action	12/07/87	52 FR 46355
Final Action Effective	01/06/88	52 FR 46355

Small Entity: No

Agency Contact: Frances A. Patton, Special Counsel to the Director, Department of the Interior, Office of Hearings and Appeals, 4015 Wilson Boulevard, Arlington, VA 22203, **703 235-3810**

RIN: 1094-AA32

BILLING CODE 4310-79-T

DEPARTMENT OF THE INTERIOR (DOI)
United States Fish and Wildlife Service (FWS)

Proposed Rule Stage

1073. INJURIOUS WILDLIFE - MITTEN CRABS

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None.

Abstract: Regulations will be developed which would determine whether to add the mitten crab to the list of injurious wildlife, under the Lacey Act. Such act prohibits importation and introduction into the natural eco-system of the United States any species which may pose a threat to agriculture, the health and welfare of human beings and the welfare and survival of native wildlife species.

Timetable:

Action	Date	FR Cite
ANPRM	01/26/87	52 FR 2748
Request for Information Mitten crabs	01/26/87	52 FR 2748
NPRM	10/00/88	

Small Entity: Not Applicable

Agency Contact: Lynn B. Starnes, Chief, Division of Fish and Wildlife, Management Assistance, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 632-2202**

RIN: 1018-AB04

1074. INJURIOUS WILDLIFE

Legal Authority: 18 USC 42

CFR Citation: 50 CFR 16

Legal Deadline: None.

Abstract: Regulations will be revised regarding importation of fish or fish eggs of the fish family Salmonidae.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: Undetermined

Agency Contact: Joseph J Webster, Acting Chief, National Fish Hatcheries, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, D.C. 20240, **202 653-8746**

RIN: 1018-AB13

1075. CAPTIVE BRED WILDLIFE

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None.

Abstract: This rule will be revised to relieve certain restrictions on the public that have been determined to be outmoded, burdensome and counter productive.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Not Applicable

Agency Contact: Marshall Jones, Acting Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4955**

RIN: 1018-AB10

1076. PROPOSED DETERMINATION OF NONESSENTIAL EXPERIMENTAL POPULATION STATUS FOR AN INTRODUCED POPULATION OF THE NASHVILLE CRAYFISH IN TENNESSEE

Significance: Regulatory Program

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None.

Abstract: The Service proposes to reintroduce the Nashville Crayfish (Orconectes shoupi), federally listed as an endangered species, into Richland Creek, Davison County, Tennessee, and to determine this population to be a nonessential experimental population according to Section 10(j) of the Endangered Species Act of 1973, as amended. Section 10(j) of the Act authorizes nonessential experimental populations to be treated as if they were proposed species for the purposes of Section 7 of the Act. The Nashville crayfish is presently know to inhabit Mill Creek and five of its tributaries in Davidson and Williamson Counties, Tennessee.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	12/00/88	

Small Entity: Not Applicable

Agency Contact: Kenneth Stansell, Chief, Branch of Listing and Recovery, Department of the Interior, United States Fish and Wildlife Service, Washington, DC 20240, **703 235-1975**

RIN: 1018-AB12

1077. MARINE MAMMALS: INCIDENTAL TAKING BY COMMERCIAL FISHING OPERATIONS

Legal Authority: 16 USC 13

CFR Citation: 50 CFR 18

Legal Deadline: None.

Abstract: The Service will develop regulations to implement a provision contained in the 1981 amendments to the Marine Mammal Protection Act, concerning the incidental taking of marine mammals by commercial fishermen. The rules would apply to those species of marine mammals for which the Service has responsibility, i.e. sea otters, walrus, polar bears, manatees, and dugongs, except those listed as depleted.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: Lynn Starnes, Chief, Division of Fish and Wildlife, Management Assistance, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 632-2202**

RIN: 1018-AA96

1078. MARINE MAMMALS: TAKE OF SMALL NUMBERS INCIDENTAL TO SPECIFIED ACTIVITIES

Legal Authority: 16 USC 1371; 16 USC 1536

CFR Citation: 50 CFR 18; 50 CFR 402

Legal Deadline: None.

Abstract: This rule will implement the 1986 amendments to the Marine Mammal Protection Act to allow the incidental take of depleted as well as non-depleted marine mammals, modify standards for determining whether to allow incidental taking and require that the incidental take of endangered or threatened marine mammals not be authorized until authorized under the provisions of the Marine Mammal Protection Act.

DOI—FWS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Not Applicable

Agency Contact: Lynn B. Starnes, Chief, Division of Fish and, Wildlife Management Assistance, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 632-2202**

RIN: 1018-AB05

1079. MIGRATORY BIRD HUNTING

Significance: Regulatory Program

Legal Authority: 16 USC 703 to 711

CFR Citation: 50 CFR 20

Legal Deadline: None.

Abstract: The Service annually publishes a series of documents establishing migratory bird hunting regulations for the 1988-89 season. This annual process consists of proposed frameworks providing outside limits for dates and hours of shooting, as well as bag and possession limits; final frameworks for hunting seasons from which States may select regulations; and final rules approving such State selections.

Timetable:

Action	Date	FR Cite
ANPRM	03/00/88	
NPRM	06/00/88	
Final Action	09/00/88	
1987-88 seasons		
ANPRM 03/13/87 (52 FR 7900)		
NPRM 06/03/87 (52 FR 20757)		
Final Action 09/29/87 (52 FR 36496)		
1987-88 seasons final frameworks		
Final Action 08/06/87 (52 FR 28176)		

Small Entity: Yes

Additional Information: SMALL BUSINESSES CONT: Small entities likely to be affected by these rules include some sporting goods stores, hardware stores, motels and hotels, restaurants, clothing stores, boat and marine equipment stores, marinas, gasoline stations, private hunting clubs, land owners' leasing hunting rights, and mail order houses selling hunting equipment and supplies. Originally scheduled: April 1985. E.O. 12291: These rules are major because of the economic values associated with migratory game bird hunting; however, the need to obtain and consider the latest population data for these migratory birds requires that the regulatory schedule be shortened. The regulatory impact analysis, as required by E.O. 12291, and the small entity flexibility analysis, as required by 5 U.S.C. 601 et seq., have been combined into one analysis as provided for by both authorities. Copies of the combined analysis will be available from the Agency Contact upon publication of the Notice of Intent in March 1985.

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Rollin D. Sparrowe, Chief, Migratory Bird Management Office, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 254-3207**

RIN: 1018-AA24

1080. NONTOXIC SHOT REGULATIONS FOR HUNTING MIGRATORY BIRDS

Significance: Regulatory Program

Legal Authority: 16 USC 701 to 718

CFR Citation: 50 CFR 20

Legal Deadline: None.

Abstract: The Service, in coordination with the States, identifies areas of migratory bird hunting where the use of conventional lead shotshells results in lead poisoning of such birds and other wildlife. The Service will review existing nontoxic shot zones for the continued need for inclusion, and propose new areas for consideration as appropriate.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	09/00/88	
1987-88 season zones		
Final Action 10/05/87 (52 FR 37147)		
1988-89 season zones		
Final Action 09/00/88		

Small Entity: No

Agency Contact: Rollin Sparrowe, Chief, Office of Migratory Bird Management, Department of the Interior, United States Fish and Wildlife Service, Room 536 Matomic, Washington, DC 20240, **202 254-3207**

RIN: 1018-AA93

1081. SUBSISTENCE TAKE OF MIGRATORY BIRDS IN ALASKA

Significance: Regulatory Program

Legal Authority: 16 USC 703

CFR Citation: 50 CFR 20

Legal Deadline: None.

Abstract: The Service will develop regulations that provide for subsistence harvest of migratory birds in Alaska. This action is being developed in cooperation with the State of Alaska, Alaskan Native organizations, and Canada.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: Undetermined

Agency Contact: Marvin L. Plenert, Acting Assistant Director, Refuges and Wildlife, Department of the Interior, United States Fish and Wildlife Service, Room 3252 Interior, US Fish and Wildlife Service, Washington, DC 20240, **202 343-5333**

RIN: 1018-AB03

1082. HUNTING

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 32

Legal Deadline: None.

Abstract: The Service will review annually and prior to each hunting season may amend hunting regulations for specific national wildlife refuges.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	51 FR 24179
Final Action	09/00/88	
1987-88 season refuge specific hunting regulations		
Final Action 10/09/87 (52 FR 37789)		

Small Entity: No

Additional Information: Originally scheduled: April 1983.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA71

DOI—FWS

Proposed Rule Stage

1083. SPORT FISHING

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 33

Legal Deadline: None.

Abstract: The Service will review annually, and prior to each fishing season may amend fishing regulations for specific national wildlife refuges.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	12/00/88	
1987-88 refuge-specific regulations		
NPRM 01/20/88 (53 FR 1487)		

Small Entity: No

Additional Information: Originally scheduled: October 1983

Agency Contact: James F. Gillett, Chief, Division of Refuges, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA50

1084. IMPLEMENTATION OF KLAMATH RIVER BASIN FISHERY RESOURCES RESTORATION ACT

Legal Authority: 16 USC 460

CFR Citation: 50 CFR 72

Legal Deadline: None.

Abstract: This rule is necessary to implement the Klamath River Basin Fishery Resources Restoration Act. These include designation of the Klamath River Basin Conservation Area, establishment of qualifications of volunteers who carry out surveys, censuses, and other scientific studies, establishment of standards for determining the value of in-kind contributions and real and personal property provided by non-Federal sources to implement the conservation area restoration program, and establishment of the basis for determining whether matching funds will be provided in a timely and appropriate manner.

Timetable:

Action	Date	FR Cite
ANPRM	03/25/87	52 FR 9550
ANPRM Comment Period End	05/11/87	
NPRM	11/00/88	

Small Entity: Not Applicable

Agency Contact: Gary Edwards, Assistant Director - Fisheries, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-6394**

RIN: 1018-AB11

DEPARTMENT OF THE INTERIOR (DOI)
United States Fish and Wildlife Service (FWS)

Final Rule Stage

1085. HUMANE TRANSPORT OF WILD MAMMALS AND BIRDS

Significance: Regulatory Program

Legal Authority: PL 97-79, 95 Stat, 073

CFR Citation: 50 CFR 14

Legal Deadline: Statutory. 180 days after enactment of Public Law 97-79, dated November 16, 1981.

Abstract: Section 9(d) of the Lacey Act Amendments of 1981 shifts authority for prescribing requirements for the humane and healthful transport of wild mammals and birds from the Secretary of the Treasury to the Secretary of the Interior. This authority will be promulgated in Part 14.

Timetable:

Action	Date	FR Cite
ANPRM Notice of Public Meeting	02/26/82	47 FR 8386
ANPRM	06/30/82	47 FR 28431
NPRM	12/04/85	50 FR 49709
NPRM Comment Period End	03/05/86	51 FR 4945
Final Action	11/10/87	
Begin Review	02/08/88	53 FR 3894
Final Action Delay of effective date of final rule	02/10/88	53 FR 3894
Final Action Effective	08/00/88	
End Review	08/00/88	

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: Marshall Jones, Acting Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4968**

RIN: 1018-AA07

1086. IMPORTATION, EXPORTATION, AND TRANSPORTATION OF WILDLIFE

Legal Authority: 16 USC 3376(a)(2)

CFR Citation: 50 CFR 14

Legal Deadline: None.

Abstract: The Service would amend the requirements for marking and labeling containers or packages containing fish or wildlife in a joint rulemaking with the Department of Commerce. The Lacey Act Amendments of 1981 make it unlawful to import, export, or transport in interstate commerce any containers or packages containing fish or wildlife that are not marked or labeled in accordance with regulations jointly issued by the Secretaries of the Interior and of Commerce. Such regulations will be in accordance with existing commercial practices.

Timetable:

Action	Date	FR Cite
NPRM	07/07/86	51 FR 24559
NPRM Comment Period End	09/05/86	51 FR 24559
Final Action	09/00/88	

Small Entity: No

Additional Information: Originally scheduled: October 1983.

Agency Contact: Clark R. Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-9242**

RIN: 1018-AA79

1087. ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Legal Deadline: Statutory. In accordance with 16 U.S.C. 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

Abstract: Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither and are based solely on the biological information available to the Department.

Timetable:

Aleutian shield-fern
NPRM 04/24/87 (52 FR 13729)
Final Action 02/17/88 (53 FR 4626)
Bariaco
NPRM 04/24/87 (52 FR 13790)
Final Action 02/05/88 (53 FR 3565)
California freshwater shrimp
NPRM 04/22/87 (52 FR 13754)
Final Action 04/00/88
Chisos Mountain hedgehog cactus
NPRM 07/06/87 (52 FR 25275)
Final Action 07/00/88
Cumberland sandwort
NPRM 07/06/87 (52 FR 25268)
Final Action 07/00/88
Daphnopsis hellerana
NPRM 07/06/87 (52 FR 25265)
Final Action 07/00/88
Granite outcrop plants
NPRM 02/19/87 (52 FR 5150)
Final Action 02/05/88 (53 FR 3560)
Heller's blazing star
NPRM 02/19/87 (52 FR 5155)
Final Action 11/19/87 (52 FR 44397)
Higuero de Sierra
NPRM 01/14/87 (52 FR 1494)
Final Action 12/04/87 (52 FR 46085)
Houghton's goldenrod
NPRM 08/19/87 (52 FR 31045)
Final Action 08/00/88
Kearney's blue star
NPRM 07/10/87 (52 FR 26030)
Final Action 07/00/88
Lakeside daisy
NPRM 08/19/87 (52 FR 31048)
Final Action 08/00/88
Large-fruited sand verbena
NPRM 06/16/87 (52 FR 22944)
Final Action 06/00/88
Louisiana pearlshell
NPRM 04/24/87 (52 FR 13794)
Final Action 02/05/88 (53 FR 3567)
Mathis spiderling
NPRM 07/10/87 (52 FR 26033)
Final Action 07/00/88
Mexican and Sanborn's long nosed bats
NPRM 07/06/87 (52 FR 25271)
Final Action 07/00/88
Palo de Nigua
NPRM 04/24/87 (52 FR 13792)
Final Action 04/00/88
Pitcher's thistle
NPRM 07/20/87 (52 FR 27229)
Final Action 07/00/88
Relict trillium
NPRM 06/04/87 (52 FR 21088)
Final Action 06/00/88
Sacramento prickly poppy
NPRM 07/13/87 (52 FR 26164)
Final Action 07/00/88
Shasta crayfish
NPRM 07/10/87 (52 FR 26036)
Extend Comment Period 09/09/87 (52 FR 33980)
Final Action 11/00/88
Tipton kangaroo rat
NPRM 07/10/87 (52 FR 26040)
Extend Comment Period 09/09/87 (52 FR 33980)
Final Action 11/00/88
Visayan deer
NPRM 08/19/87 (52 FR 31051)
Final Action 08/00/88
White-haired goldenrod
NPRM 04/24/87 (52 FR 13797)
Final Action 04/00/88

Small Entity: No

Additional Information: After reviewing the biological status of candidate and listed species, the Service promptly proceeds to propose rules to list, delist, or reclassify such species as appropriate. Generally, final action on the proposed rules must be taken within one year.

Agency Contact: Kenneth Stansell, Chief, Branch of Listing and Recovery, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1975**

RIN: 1018-AA10

1088. ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Legal Deadline: Statutory. In accordance with 16 U.S.C. 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

Abstract: Regulations will be developed to list, reclassify or delist certain species of wildlife and plants as endangered or threatened species. When prudent, critical habitat will also be identified.

Timetable:

Thornber's fishhook cactus
NPRM 04/24/84 (49 FR 17551)
Final Action 00/00/00
Welsh's milkweed
NPRM 06/06/84 (49 FR 23399)
Final Action 10/28/87 (52 FR 41435)

Small Entity: Not Applicable

Additional Information: Originally scheduled: October 1984.

Agency Contact: Kenneth Stansell, Chief, Branch of Listing and Recovery, Department of the Interior, United States Fish and Wildlife Service, Washington, DC 20240, **703 235-1975**

RIN: 1018-AA84

1089. ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Legal Deadline: Statutory. In accordance with 16 U.S.C. 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

Abstract: Regulations will be developed to list, reclassify, or delist certain species of wildlife and plants as endangered or threatened species. When prudent, critical habitat will also be identified.

Timetable:

Blackside dace
NPRM 05/21/86 (51 FR 18624)
Final Action 06/12/87 (52 FR 22580)
Inyo brown towhee (critical habitat)
NPRM 08/03/87 (52 FR 28787)
Final Action 00/00/00
Inyo brown towhee(listing)
NPRM 03/07/85 (50 FR 9300)
Final Action 08/03/87 (52 FR 28717)

Small Entity: Not Applicable

Additional Information: Originally scheduled: April 1985.

Agency Contact: Kenneth Stansell, Chief, Branch of Listing and Recovery, Department of the Interior, United States Fish and Wildlife Service, 18th & C Streets, NW, Washington, DC 20240, **703 235-1975**

RIN: 1018-AA85

1090. ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 153[illegible] to 1543

CFR Citation: 50 CFR 17

Legal Deadline: Statutory. In accordance with 16 U.S.C. 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

Abstract: Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife and plants under the Endangered Species Act, and where prudent would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither and are based solely on the biological information available to the Department.

Timetable:

Least Bell's vireo critical habitat
Final Action 00/00/00
Least Bell's vireo listing
NPRM 05/03/85 (50 FR 18968)
Final Action 05/02/86 (51 FR 16474)

Small Entity: Not Applicable

Additional Information: After reviewing the biological status of candidate and listed species, the Service promptly proceeds to propose rules to list, delist, or reclassify such species as appropriate. Generally, final action on the proposed rules must be taken within one year.

Agency Contact: Kenneth Stansell, Chief, Branch of Listing and Recovery, Department of the Interior, United States Fish and Wildlife Service, 6th Floor Broyhill (OES), Washington, DC 20240, **703 235-1975**

RIN: 1018-AA95

1091. ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Legal Deadline: Statutory. In accordance with 16 U.S.C. 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

Abstract: Regulations will be developed which would list, reclassify, or delist, as appropriate, certain species of fish, wildlife and plants under the Endangered Species Act, and where prudent would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither and are based solely on the biological information available to the Department.

Timetable:

Bruneau hot spring snail
NPRM 12/30/86 (51 FR 47033)
Final Action 00/00/00
Leopard, goral, serow in Nepal
NPRM 06/14/85 (50 FR 24917)
Final Action 00/00/00

Small Entity: Not Applicable

Agency Contact: Kenneth Stansell, Chief, Branch of Listing and Recovery, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1975**

RIN: 1018-AA98

1092. ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531

CFR Citation: 50 CFR 17

Legal Deadline: Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

Abstract: Regulations will be developed which would list, reclassify, or delist, as appropriate certain species of fish, wildlife and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither and are based solely on the biological information available to the Department.

Timetable:

Blowout penstemon
NPRM 04/29/86 (51 FR 15929)
Final Action 09/01/87 (52 FR 32926)
Fish Creek Springs tui chub
NPRM 03/10/86 (51 FR 8215)
Final Action 00/00/00
Spreading wild buckwheat
NPRM 04/07/86 (51 FR 11880)
Extend Comment Period 09/08/87 (52 FR 33849)
Withdrawn 01/25/88 (53 FR 7929)
Virgin River chub
NPRM 06/24/86 (51 FR 22949)
Final Action 00/00/00
Wild Nile crocodile-Zimbabwe
NPRM 01/21/87 (52 FR 2227)
Extension of comment period 10/08/87 (52 FR 37640)
Final Action 00/00/00

Small Entity: Not Applicable

Agency Contact: Kenneth Stansell, Chief, Branch of Listing and Recovery, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1975**

RIN: 1018-AB02

1093. ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531

CFR Citation: 50 CFR 017

Legal Deadline: Statutory. In accordance with 16 USC 1533, the Service must take action (list, withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

Abstract: Regulations will be developed which would list, reclassify, or delist, as appropriate certain species of fish, wildlife and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither and are based solely on the biological information available to the Department.

Timetable:

Black capped vireo
NPRM 12/12/86 (51 FR 44808)
Final Action 10/06/87 (52 FR 37420)
Bradshaw's lomatium
NPRM 11/21/86 (51 FR 42116)
Final Action 00/00/00
Florida bonamia
NPRM 11/04/86 (51 FR 40044)
Final Action 11/02/87 (52 FR 42068)
Florida lizards
NPRM 01/21/87 (52 FR 2242)
Final Action 00/00/00
Miami palmetto
NPRM - Extend comment period 07/21/87 (52 FR 27437)
Final Action 05/00/88
Puerto Rican crested toad
NPRM 12/23/86 (51 FR 45923)
Final Action 08/04/87 (52 FR 28828)
Roseate tern
NPRM 11/04/86 (51 FR 40047)
Final Action 11/02/87 (52 FR 42063)

Small Entity: Not Applicable

Agency Contact: Kenneth Stansell, Chief, Branch of Listing and Recovery, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1975**

RIN: 1018-AB06

1094. PROPOSED DETERMINATION OF NONESSENTIAL EXPERIMENTAL POPULATION STATUS FOR AN INTRODUCED POPULATION OF THE YELLOWFIN MADTOM IN VIRGINIA

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None.

Abstract: The Service proposes to reintroduce a small catfish, the yellow madtom (Noturus flavipinnis), into the North Fork Holston River, Smyth County, Virginia, and determine this population to be a nonessential experimental population according to Section 10(j) of the Endangered Species Act of 1973, as amended. The Yellowfin madtom once likely inhabited many of the lower gradient streams of the Tennessee River basin upstream of Chattanooga, Tennessee. Presently, populations are confined to only three stream reaches in the Tennessee River Valley. This action is being taken in an effort to re-establish the yellowfin madtom within its historic range.

Timetable:

Action	Date	FR Cite
NPRM	09/08/87	52 FR 33850
Final Action	09/00/88	

Small Entity: Not Applicable

Agency Contact: Kenneth Stansell, Chief, Branch of Listing and Recovery, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1975**

RIN: 1018-AB08

1095. PROPOSED DETERMINATION OF EXPERIMENTAL POPULATION STATUS FOR AN INTRODUCED POPULATION OF COLORADO SQUAWFISH

Legal Authority: 16 USC 1531 et seq

CFR Citation: 50 CFR 17

Legal Deadline: None.

Abstract: The Service proposes to introduce Colorado squawfish (Ptychocheilus lucius) into the lower Colorado River in Arizona and to determine the population to be "nonessential experimental" population according to Section 10(j) of the Endangered Species Act. The Service will propose a special rule to allow take in accordance with State law. In the past, Colorado squawfish were more widespread in the State of Arizona, occurring in several river drainages. This action is being taken in an effort to establish an additional population within the species' historic range.

Timetable:

Action	Date	FR Cite
NPRM	08/28/87	52 FR 32143
Final Action	09/00/88	

Small Entity: Not Applicable

Agency Contact: Kenneth Stansell, Chief, Branch of Listing and Recovery, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington DC 20240, **703 235-1975**

RIN: 1018-AB09

1096. ● ENDANGERED AND THREATENED WILDLIFE AND PLANTS

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 17

Legal Deadline: Statutory. In accordance with 16 USC 1533, the Service must take action (list withdraw, or extend the rulemaking for six months) on a proposed listing no later than one year after such proposal.

Abstract: Regulations will be developed which would list, reclassify or delist, as appropriate, certain species of fish, wildlife, and plants under the Endangered Species Act, and where prudent, would identify critical habitat for endangered and threatened species. Such actions are taken upon determination that species are endangered, threatened, or neither and are based solely on the biological information available to the Department.

Timetable:

Alabama cave shrimp
NPRM 11/19/87 (52 FR 44578)
Final Action 11/00/88

Alabama cavefish
NPRM 12/04/87 (52 FR 46106)
Final Action 12/00/88

Boulder darter
NPRM 11/17/87 (52 FR 43921)
Final Action 11/00/88

Decurrent false aster
NPRM 02/25/88 (53 FR 5598)
Final Action 02/00/89

Dwarf lake iris
NPRM 12/04/87 (52 FR 46334)
Final Action 12/00/88

Erubia
NPRM 11/19/87 (52 FR 44580)
Final Action 11/00/88

Fassett's locoweed
NPRM 12/04/87 (52 FR 46336)
Final Action 12/00/88

Gila trout
NPRM 10/21/87 (52 FR 37424)
Final Action 10/00/88

Harperella
NPRM 02/25/88 (53 FR 5736)
Final Action 02/00/89

Hinckley oak
NPRM 09/16/87 (52 FR 34966)
Final Action 09/00/88

Independence Valley Speckled & Clover Valley dace
NPRM 09/18/87 (52 FR 35282)
Final Action 09/00/88

James River spiny mussell
NPRM 09/01/87 (52 FR 32939)
Final Action 09/00/88

Marshallia mohrii
NPRM 11/19/87 (52 FR 44583)
Final Action 11/00/88

Mead's milkweed
NPRM 10/21/87 (52 FR 39255)
Final Action 10/00/88

Sandplain gerardia
NPRM 11/19/87 (52 FR 44450)
Final Action 11/00/88

Short nose & Lost River sucker
NPRM 08/26/87 (52 FR 32145)
Final Action 08/00/88

Stephen's kangaroo rat
NPRM 11/19/87 (52 FR 44453)
Final Action 11/00/88

Swamp pink
NPRM 02/25/88 (53 FR 5740)
Final Action 02/00/89

Small Entity: No

Agency Contact: Kenneth Stansell, Chief, Branch of Listing and Recovery, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW., Washington, D.C. 20240, **703 235-1975**

RIN: 1018-AB14

1097. MARINE MAMMALS: REPORTING AND SEALING REQUIREMENTS FOR ALASKA NATIVES

Legal Authority: 16 USC 1382(a)

CFR Citation: 50 CFR 18

Legal Deadline: None.

Abstract: The Service will propose rules that would require the marking, tagging, or otherwise identifying of raw parts of certain marine mammals lawfully taken for Alaska Natives for purposes of subsistence or the creation and selling of authentic native articles of handicrafts and clothing. This rule is necessary for management purposes.

Timetable:

Action	Date	FR Cite
NPRM	12/03/85	50 FR 49577
Extend comment period	03/25/86	51 FR 10243
Final Action	08/00/88	

Small Entity: No

Additional Information: Originally scheduled: July 1980.

Agency Contact: Lynn Starnes, Chief, Division of Fish and Wildlife, Management Assistance, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 632-2202**

RIN: 1018-AA20

1098. SUBSISTENCE TAKE OF MIGRATORY BIRDS

Significance: Regulatory Program

Legal Authority: 16 USC 701 to 718

CFR Citation: 50 CFR 20

Legal Deadline: None.

Abstract: In 1979, the United States and Canada signed a protocol to amend the 1916 treaty concerning management of migratory birds. The protocol initiated efforts to recognize historical native subsistence of such birds. A rule will be developed to implement this international agreement.

Timetable:

Action	Date	FR Cite
ANPRM	03/10/83	48 FR 10101
NPRM	05/19/86	51 FR 18349
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: This action will follow that in RIN 1018-AA90 that is listed in the Regulatory Program of the United States Government. The Protocol in 1018-AA90 was reviewed by Canadian officials and they wish to reopen negotiations. This will delay indefinitely final action on development of an international agreement.

Agency Contact: Marvin Plenert, Acting Assistant, Director - Refuges and Widlife, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-5333**

RIN: 1018-AA92

1099. GENERAL PERMIT PROCEDURES AND MIGRATORY BIRD PERMITS: RAPTOR PROPAGATION AND FALCONRY REGULATIONS

Legal Authority: 16 USC 703; 16 USC 1531

CFR Citation: 50 CFR 21; 50 CFR 13

Legal Deadline: None.

Abstract: This action will examine changes to the restrictions concerning propagation of raptors and standards for falconry. The Service will expand authorized activities and de-regulate certain other activities.

Timetable:

Action	Date	FR Cite
ANPRM	05/22/86	51 FR 18812
ANPRM Comment Period End	05/23/86	51 FR 18812
NPRM	12/28/87	52 FR 48948
NPRM Comment Period End	02/26/88	52 FR 48948
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: Clark Bavin, Chief, Division of Law Enforcement, Department of the Interior, United States Fish and Wildlife Service, Room 300 Hamilton, US Fish and Wildlife Service, Washington, DC 20240, **202 343-9242**

RIN: 1018-AB01

1100. ENDANGERED SPECIES CONVENTION

Legal Authority: 16 USC 1531 to 1543

CFR Citation: 50 CFR 23

Legal Deadline: None.

Abstract: The regulations implementing the Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) will be clarified and revised to incorporate recommendations of the Parties.

Timetable:

Action	Date	FR Cite
NPRM	09/23/87	52 FR 35743
Final Action	12/00/88	

Changes in list of species in Appendices to CITES
Final Action 12/28/87 (52 FR 46820)

Small Entity: No

Agency Contact: Marshall Jones, Acting Chief, Office of Management Authority, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4968**

RIN: 1018-AA29

1101. PUBLIC ENTRY AND USE

Legal Authority: 16 USC 460k; 16 USC 668dd

CFR Citation: 50 CFR 26

Legal Deadline: None.

Abstract: Regulations will be proposed which will simplify and reduce administrative costs related to the process by which special regulations, relating to public, access use, and recreation are issued for units of the National Wildlife Refuge system. Special regulations will be used for public access use and recreation on individual national wildlife refuges.

Timetable:

Action	Date	FR Cite
Final Action	12/00/88	

Public entry and use, Back Bay NWR
Final Action 09/23/87 (52 FR 35710)

Small Entity: No

Additional Information: Originally scheduled: April 1981.

Agency Contact: James F. Gillett, Chief, Division of Refuge Management Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-4311**

RIN: 1018-AA36

1102. FISH AND WILDLIFE RESTORATION GRANTS; INTEREST EARNED ON LICENSE FEES

Legal Authority: 16 USC 669i; 16 USC 777i

CFR Citation: 50 CFR 80

Legal Deadline: None.

Abstract: This action proposes to incorporate general accepted accounting principles related to interest earned on fees collected by the States through the sale of hunting and fishing licenses. The rule would require States to ensure that such interest is used in their fish and wildlife conservation programs.

DOI—FWS **Final Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	12/09/85	51 FR 50185
NPRM Comment Period End	03/26/86	51 FR 7579
Final Action	10/00/88	

Small Entity: No

Agency Contact: Conley Moffett, Chief, Division of Federal Aid, Department of the Interior, United States Fish and Wildlife Service, 18th and C Streets, NW, Washington, DC 20240, **703 235-1526**

RIN: 1018-AA97

BILLING CODE 4310-55-T

DEPARTMENT OF THE INTERIOR (DOI)
National Park Service (NPS)

Prerule Stage

1103. NATIONAL PARK SERVICE ACQUISITION REGULATION

Legal Authority: 5 USC 301; 40 USC 486(c)

CFR Citation: 48 CFR 1489; 48 CFR 1452.289; 48 CFR 1453.2; 48 CFR 1453.3

Legal Deadline: None.

Abstract: The proposed regulation would establish Bureau-specific solicitation provisions, contract clauses and prescriptions for their use. These are necessary to supplement and implement the Federal Acquisition Regulation and the Department of the Interior Acquisition Regulation. This will provide standard contractual language for provisions and clauses not otherwise available in the Federal or Interior regulations that are needed by our operational contracting activities. This action should result in cost savings as this development and standardization will relieve the individual contracting activities of the responsibility of developing their own.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Lawrence E. Sawler, Chief, Acquisition and Assistance System Branch, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127, **202 523-5021**

RIN: 1024-AB35

DEPARTMENT OF THE INTERIOR (DOI)
National Park Service (NPS)

Proposed Rule Stage

1104. APPALACHIAN NATIONAL SCENIC TRAIL

Legal Authority: 16 USC 3; 16 USC 1246(i)

CFR Citation: 36 CFR 7.100

Legal Deadline: None.

Abstract: The Service proposes to review the levels of resource and visitor protection on the Appalachian Trail provided by the General Regulations in 36 CFR Parts 1 and 2 and to revise 36 CFR 7.100 accordingly.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: David A. Ritchie, Project Manager, Department of the Interior, National Park Service, Appalachian Trail Project Office, Harpers Ferry Center, Harpers Ferry, WV 25425, **304 535-2346**

RIN: 1024-AB07

1105. HAWAII VOLCANOES NATIONAL PARK: FISHING REGULATIONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.25

Legal Deadline: None.

Abstract: The Service is proposing to revise the fishing regulations that pertain to Hawaii Volcanoes National Park to clarify provisions that address Native Hawaiian fishing rights in the Kalapana extension area of the Park.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: David Ames, Superintendent, Hawaii Volcanoes National Park, Department of the Interior, National Park Service, Hawaii 96718-0052, **808 967-7311**

RIN: 1024-AB66

1106. MAMMOTH CAVE NP: FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.36

Legal Deadline: None.

Abstract: This proposed regulation pertains to Mammoth Cave National Park. The regulation will allow fishing to take place in accordance with applicable Kentucky State law.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: William Sturgeon, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, **404 221-4916**

RIN: 1024-AA94

1107. CAPE HATTERAS NATIONAL SEASHORE: OFF-ROAD VEHICLE REGULATIONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.58

Legal Deadline: None.

Abstract: The Service proposes to designate by regulation routes available for off-road vehicle use at Cape Hatteras National Seashore, NC.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: Undetermined

Agency Contact: Thomas Hartman, Superintendent, Cape Hatteras National Seashore, Department of the Interior, National Park Service, Route 1, Box 675, Manteo, NC 27954, **919 473-2111**

RIN: 1024-AB54

1108. ROCKY MOUNTAIN NATIONAL PARK: FISHING REGULATIONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.7(a)

Legal Deadline: None.

Abstract: The Service proposes to revise this section to further define waters closed to fishing as well as to further clarify the possession limit of fish.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Agency Contact: David R. Stevens, Research Biologist, Department of the Interior, National Park Service, Rocky Mountain National Park, Estes Park, CO 80517, **303 586-2371**

RIN: 1024-AB46

1109. ROCKY MOUNTAIN NATIONAL PARK: TRUCKING REGULATIONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.7

Legal Deadline: None.

Abstract: The Service proposes to revise regulations that address permit requirements and establish a fee schedule for commercial trucks that use Trail Ridge Road within Rocky Mountain National Park.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: Undetermined

Agency Contact: David Essex, Chief Ranger, Rocky Mountain National Park, Department of the Interior, National Park Service, Estes Park, CO 80517, **303 586-2371**

RIN: 1024-AB67

1110. GLEN CANYON NATIONAL RECREATION AREA: COMMERCIAL OPERATIONS AND WHITEWATER BOATING REGULATIONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.70

Legal Deadline: None.

Abstract: The Service proposes to amend special regulations that apply to Glen Canyon National Recreation Area by clarifying provisions that pertain to commercial operations and deleting duplicative provisions that pertain to Colorado River Whitewater boat trips.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: John Lancaster, Superintendent, Department of the Interior, National Park Service, Glen Canyon National Recreation Area, Box 1507, Page, AZ 86040, **602 645-2471**

RIN: 1024-AB72

1111. BIG THICKET NATIONAL PRESERVE: HUNTING REGULATIONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.85

Legal Deadline: None.

Abstract: The Service proposes to revise the hunting regulations that apply to the Big Thicket. Changes proposed include dates for open seasons, the use of temporary blinds, permits, the use of calling devices and the use of dogs.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Ken Mabery, Park Ranger, Department of the Interior, National Park Service, Southwest Region, P.O. Box 728, Santa Fe, NM 87501, **505 988-6371**

RIN: 1024-AB48

1112. WHISKEYTOWN NATIONAL RECREATION AREA FISHING REGULATIONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.91

Legal Deadline: None.

Abstract: The Service is proposing to allow fishing at Whiskeytown National Recreation area in any manner authorized under applicable state law.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Agency Contact: Ray Foust, Superintendent, Department of the Interior, National Park Service, PO Box 188, Whiskeytown, CA 96095, **916 241-6584**

RIN: 1024-AB61

1113. CAPE LOOKOUT NATIONAL SEASHORE: OFF-ROAD VEHICLES

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.98

Legal Deadline: None.

Abstract: This proposed regulation pertains to Cape Lookout National Seashore and will establish criteria for the operation of vehicles in off road situations consistent with existing NPS policy.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Agency Contact: William Sturgeon, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, **404 221-4916**

RIN: 1024-AA89

1114. ● MINERALS MANAGEMENT - NON-FEDERAL OIL AND GAS

Significance: Agency Priority

Legal Authority: 16 USC 1 et seq.; 16 USC 410g; 16 USC 4101; 16 USC 459d-3; 16 USC 459h-3; 16 USC 698c; 16 USC 698i; 16 USC 460-2(i); 16 USC 450kk; 16 USC 230a

CFR Citation: 36 CFR 9, Subpart B

Legal Deadline: None.

Abstract: Several sections of 36 CFR Part 9, Subpart B contain ambiguous language which has caused confusion in interpreting the existing regulations The NPS wants to make technical revisions to clarify requirements for both applicants and the Service. Also, the existing regulations exempt two classes of operators from compliance.

Because of these exemptions, the regulations apply to only 35% of the existing operations resulting in avoidable impacts to park resources and visitor values from unregulated operations. Examples of such revisions include: Making the regulations applicable to all oil and gas operations within all units of the National Park System by removing exemptions for operators; updating terms for consistency with existing policies, practices, and laws; removing the monetary ceiling and floor on bonds and security deposits so that bonds may be calculated and posted commensurate with reclamation costs; revising sections of the regulations to make them consistent with the enabling legislation of affected units; and, clarifying compliance issues associated with different access conditions. Revisions will decrease the potential for prolonged (Cont)

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	07/00/88	
Final Action	11/00/88	
Final Action Effective	12/00/88	

Small Entity: Undetermined

Additional Information: ADDITIONAL ABSTRACT: uncertainty among applicants.

Agency Contact: Pam Matthes, Environmental Protection Specialist, Land Resources Division, Department of the Interior, National Park Service, P.O. Box 37127, Room 3223, 1100 L St. NW, Washington, DC 20013-7127, **202 523-5120**

RIN: 1024-AB39

1115. ● MANAGEMENT OF MINERAL DEVELOPMENT ASSOCIATED WITH MINING CLAIMS

Significance: Agency Priority

Legal Authority: 16 USC 1901 et seq Mining in the Parks Act of 1976; 16 USC 1 et seq NPS Organic Act; 30 USC 21 et seq Mining Law of 1872

CFR Citation: 36 CFR 9, Subpart A

Legal Deadline: None.

Abstract: The existing regulations at 36 CFR Part 9, Subpart A, promulgated in January of 1977, contain several provisions that are either outdated or have proven difficult to understand, enforce and comply with. Most notable is a provision regarding the use of water in connection with mining claims within National Park System units. The current language creates a "catch 22" for miners seeking to use water in connection with their claims. In order to use water in a park, a miner must have perfected water right. However, to obtain a perfected water right, a miner must use water. Herein lies the "catch 22." The National Park Service (NPS) would like to rectify this dilemma through a rule change that would eliminate the perfected water right language while at the same time preserve the Service's ability to protect water quality and quantity. Additional changes sought by the NPS are as follows: (1) Several sections of the regulations refer to a surface disturbance moratorium (mandated by the Mining in the Parks Act of 1976, 16 USC 1901 et seq.) which expired in 1980. Other sections include transitional procedures used temporarily in implementing the regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action Effective	10/00/88	

Small Entity: Undetermined

Agency Contact: Carol McCoy, Chief, Policy and Regulations Section, Land Resources Division, Department of the Interior, National Park Service, P.O. Box 37127, Room 3223, 1100 L St., NW, Washington, DC 20013-7127, **202 523-5120**

RIN: 1024-AB74

1116. ● MINERALS MANAGEMENT: NONFEDERAL RIGHTS OTHER THAN OIL AND GAS

Significance: Agency Priority

Legal Authority: 16 USC 1 et seq; 31 USC 9701; 5 USC 301

CFR Citation: 36 CFR Part 9, Subpart C

Legal Deadline: None.

Abstract: Extensive nonfederal mineral rights exist within units of the National Park System. The Service presently regulates only nonfederal oil and gas activities occurring in those units. Mineral activities, other than those associated with nonfederal oil and gas, are occurring in approximately 13 units of the System. There are also 7 additional units in which nonfederal mineral development is currently proposed or has recently been proposed. The Service is charged by Congress to ensure that the development of nonfederal mineral rights within park boundaries is consistent with the purposes for which the units were established. The proposed regulation would establish procedures and standards governing nonfederal mineral development, other than nonfederal oil and gas, in a manner that protects affected park units until such time that the Service has sufficient funds to acquire the mineral right.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	
Final Action	01/00/89	

Small Entity: Undetermined

Government Levels Affected: Local, State, Federal

Agency Contact: Sharon Kliwinski, Environmental Protection Specialist, Land Resources Division, Department of the Interior, National Park Service, P.O. Box 37127, Room 3223, 1100 L Street, NW, Washington, DC 20013-7127, **202 523-5120**

RIN: 1024-AB75

1117. NPS UNITS IN ALASKA: CONCESSIONS

Legal Authority: 16 USC 1

CFR Citation: 36 CFR 13

Legal Deadline: None.

Abstract: This rulemaking will establish procedures for providing commercial visitor services in certain Alaska national park areas as provided for by the Alaska National Interest Lands Act.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: David B. Ames, Associate Regional Director, Department of the Interior, National Park Service, Alaska Regional Office -

DOI—NPS

Proposed Rule Stage

NPS, 2525 Gambell Street, Anchorage, AK 99503, **907 271-4551**

RIN: 1024-AB18

1118. ARCHEOLOGICAL AND HISTORIC PRESERVATION ACT DEPARTMENT OF THE INTERIOR REGULATIONS

Legal Authority: 16 USC 469; 16 USC 470; 16 USC 470aa

CFR Citation: 36 CFR 66

Legal Deadline: None.

Abstract: This rule is part of the Department's proposed overall rulemaking with respect to the Archeological and Historic Preservation Act of 1974. This guidance will facilitate the Department's coordination of activities authorized under the Act, and its reporting to Congress on the scope and effectiveness of the program, as required by section 5(c) of the Act.

Timetable:

Action	Date	FR Cite
ANPRM	10/28/85	50 FR 43587
ANPRM Comment Period End	11/27/85	50 FR 43587
NPRM	08/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: Bennie Keel, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127, **202 343-1876**

RIN: 1024-AA49

1119. HISTORIC PRESERVATION CERTIFICATIONS PURSUANT TO SECTION 48(G) AND SECTION 170(H) OF THE INTERNAL REVENUE CODE OF 1986

Legal Authority: 16 USC 470(a) (1)(A); 26 USC 48 (g); 26 USC 170(h)

CFR Citation: 36 CFR 67, (Revised)

Legal Deadline: None.

Abstract: This proposed rule restates and makes amendments to the procedures by which owners desiring tax benefits for rehabilitation of historic buildings apply for certifications pursuant to Section 48(g) and Section 170(h) of the Internal Revenue Code of 1986. These tax laws require certifications from the Secretary of the Interior in order for taxpayers to receive tax benefits.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: H. Ward Jandl, Chief, Technical Preservation Services Branch, Department of the Interior, National Park Service, P O Box 37127, Washington, DC 20013-7127, **202 343-9584**

RIN: 1024-AB73

1120. CEMETERY SITES AND HISTORICAL PLACES

Legal Authority: 16 USC 3

CFR Citation: 43 CFR 2653

Legal Deadline: None.

Abstract: The Service is proposing to amend 43 CFR 2653.5 by deleting all references to the Service as the consulting agency concerning the cultural value and significance of existing Alaska Native cemetery sites and historical places. This revision will relieve the Service from the responsibility of being the consulting agency for sites located on all Federal lands in Alaska, thus eliminating an expensive duplication of Federal effort.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: Originally scheduled: October 1983.

Agency Contact: Rich O'Guinn, Department of the Interior, National Park Service, Alaska Regional Office, 2525 Gambell Street, Anchorage, AK 99503, **907 271-2660**

RIN: 1024-AA84

DEPARTMENT OF THE INTERIOR (DOI)
National Park Service (NPS)

Final Rule Stage

1121. CUYAHOGA VALLEY NRA: OFF-ROAD VEHICLES AND SNOWMOBILES

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.17

Legal Deadline: None.

Abstract: The Service proposes to designate routes for off-road vehicles and snowmobile use in compliance with Executive Order 11644, in an area west of Riverview Road bounded by I-80 and I-271.

Timetable:

Action	Date	FR Cite
NPRM	06/15/87	52 FR 22662
NPRM Comment Period End	07/15/87	52 FR 22662
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: Brian McHugh, Chief Park Ranger, Cuyahoga Valley NRA, Department of the Interior, National Park Service, 15610 Vaughn Road, Brecksville, Ohio 44141, **216 526-5256**

RIN: 1024-AB44

1122. CANYON DE CHELLY NATIONAL MONUMENT

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.19

Legal Deadline: None.

Abstract: This proposed rulemaking will establish criteria for the operation of horse rental facilities within Canyon De Chelly National Monument.

Timetable:

Action	Date	FR Cite
NPRM	05/27/87	52 FR 19735
NPRM Comment Period End	06/26/87	52 FR 19735
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: Ken Mabery, Park Ranger, Department of the Interior, National Park Service, Southwest Region, P.O. Box 728, Santa Fe, NM 87501, **505 988-6371**

RIN: 1024-AB47

1123. FORT JEFFERSON NM: FISHING; BOUNDARY ADJUSTMENTS

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.27

Legal Deadline: None.

Abstract: This proposed regulation pertains to Fort Jefferson National Monument and will delete references to the taking of crayfish and conch. Information will be included to redefine the park boundary. These changes are necessary to reflect a closure of park waters to the removal of crayfish and conch and to update boundary changes mandated by Congressional action in 1980 that enlarged the park area.

Timetable:

Action	Date	FR Cite
NPRM	08/05/86	51 FR 28110
Final Action	07/00/88	

Small Entity: Undetermined

Agency Contact: William Sturgeon, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 75 Spring Street, SW, Atlanta, GA 30303, **404 221-4916**

RIN: 1024-AA96

1124. JEAN LAFITTE NHP: CRAWFISHING REGULATIONS

Legal Authority: 16 USC 3; 16 USC 230d

CFR Citation: 36 CFR 7.37

Legal Deadline: None.

Abstract: The proposed rulemaking pertains to Jean Lafitte National Historical Park located in Louisiana. The rulemaking will establish criteria for the harvesting of crawfish in the Barataria Unit and will establish a recreational and subsistence season. The policy is consistent with Public Law 95-625 and existing National Park Service and Department of the Interior policies.

Timetable:

Action	Date	FR Cite
NPRM	08/18/86	51 FR 29498
Final Action	07/00/88	

Small Entity: Undetermined

Agency Contact: James L. Isenogle, Superintendent, Jean Lafitte National Historical Park Department of the Interior, National Park Service, 423 Canal Street, Rm. 206, New Orleans, LA 70130, **504 589-3882**

RIN: 1024-AB33

1125. EVERGLADES NP: MINING

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.45(a)

Legal Deadline: None.

Abstract: This deletion applies to Everglades National Park in Florida. Section 7.45(a) will be deleted because it is a duplication of the General Regulations 36 CFR, Sections 1.6, 1.7 and 2.1.

Timetable:

Action	Date	FR Cite
NPRM	08/05/86	51 FR 28108
NPRM Comment Period End	09/04/86	51 FR 28108
Final Action	07/00/88	

Small Entity: No

Additional Information: FTS 242-4916.

Agency Contact: William Sturgeon, Regional Law Enforcement Specialist, Department of the Interior, National Park Service, Southeast Regional Office, 75 Spring Street, SW, Atlanta, GA 30303, **404 221-4916**

RIN: 1024-AB10

1126. LAKE MEAD NATIONAL RECREATION AREA: NOISE ABATEMENT EXEMPTION

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.48(i)

Legal Deadline: None.

Abstract: The proposed rulemaking pertains to Lake Mead National Recreation Area, located in Arizona and Nevada. It would allow motor vessels to exceed existing noise limitations while participating in regattas; thereby, making possible the continuation of a traditional activity.

Timetable:

Action	Date	FR Cite
NPRM	12/20/85	50 FR 51866
NPRM Comment Period End	01/21/86	50 FR 51866
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Newton Sikes, Chief Ranger, Department of the Interior, National Park Service, 601 Nevada Hwy., Boulder City, NV 89005, **702 293-9041**

RIN: 1024-AB50

1127. LAKE CHELAN NRA: TARGET PRACTICE

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.62

Legal Deadline: None.

Abstract: This proposed rulemaking pertains to Lake Chelan NRA and will designate a specially designed and constructed facility and time and location for target practice.

Timetable:

Action	Date	FR Cite
NPRM	05/09/85	50 FR 19546
NPRM Comment Period End	06/10/85	50 FR 19546
Final Action	09/00/88	

Small Entity: No

Agency Contact: John Reynolds, Superintendent, North Cascades National Park, Department of the Interior, National Park Service, 800 State Street, Sedro Wooley, WA 98284, **206 855-1331**

RIN: 1024-AB19

1128. ROSS LAKE NRA: TARGET PRACTICE

Legal Authority: 16 USC 1

CFR Citation: 36 CFR 7.69

Legal Deadline: None.

Abstract: This proposed rulemaking pertains to Ross Lake National Recreation Area and will designate a specially designed and constructed facility and time and location for target practice.

Timetable:

Action	Date	FR Cite
NPRM	05/09/85	50 FR 19546
NPRM Comment Period End	06/10/85	50 FR 19546
Final Action	09/00/88	

Small Entity: No

Agency Contact: John Reynolds, Superintendent, North Cascades National Park, Department of the Interior, National Park Service, 800 State Street, Sedro Wooley, WA 98284, **206 855-1331**

RIN: 1024-AB28

1129. BIG CYPRESS NATIONAL PRESERVE: INDIAN USE AND OCCUPANCY

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.86

Legal Deadline: None.

Abstract: This rule will define the Statutory rights of the Miccosukee and Seminole Indians within Big Cypress National Preserve. Although a proposed rule was published in 1981, a revised proposed rulemaking will be developed.

Timetable:

Action	Date	FR Cite
NPRM	11/21/81	46 FR 55709
Final Action	05/00/88	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: William Sturgeon, Acting Chief, Ranger Activities, Department of the Interior, National Park Service, Southeast Regional Office, 75 Spring Street, SW, Atlanta, GA 30303, **404 242-4916**

RIN: 1024-AA07

1130. WHISKEYTOWN UNIT, WHISKEYTOWN - SHASTA - TRINITY NRA GOLD PANNING REGULATIONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.91

Legal Deadline: None.

Abstract: The Service proposes to allow visitors to engage in limited Gold Panning Activities, using pan and trowel only, in certain designated streams within the recreation area. Any gold recovered by such methods could be retained for personal, non-commercial use.

Timetable:

Action	Date	FR Cite
NPRM	02/09/88	53 FR 3759
Final Action	04/00/88	

Small Entity: Undetermined

Agency Contact: Ray Foust, Superintendent, Department of the Interior, National Park Service, Whiskeytown National Recreation Area, Box 188, Whiskeytown, CA 96095, **916 241-6584**

RIN: 1024-AB71

1131. BIGHORN CANYON NATIONAL RECREATION AREA - FISHING REGULATIONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.92

Legal Deadline: None.

Abstract: The Service proposes to authorize fishing at Bighorn Canyon National Recreation area in any manner authorized under the applicable laws of Montana and Wyoming.

Timetable:

Action	Date	FR Cite
NPRM	10/10/86	51 FR 36409
NPRM Comment Period End	11/10/86	51 FR 36409
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: Richard Lake, Chief, Park Ranger, Bighorn Canyon NRS, Department of the Interior, National Park Service, PO Box 458, Ft. Smith, MT 59035, **406 666-2412**

RIN: 1024-AB63

1132. MANAGEMENT OF MINING CLAIM ACTIVITIES

Legal Authority: 16 USC 3 et seq NPS Organic Act; 16 USC 1901 et seq Mining in the Parks Act of 1976

CFR Citation: 36 CFR 9, Subpart A

Legal Deadline: None.

Abstract: The intent of this current rulemaking is to explain that mineral development on mining claims within the boundaries of units of the National Park System is governed by regulations at 36 CFR Part 9, Subpart A without regard to whether the claim is patented or how the claim is accessed. This rulemaking also explains the relationship of the 36 CFR Part 9, Subpart A regulations to those governing access in Alaska in 43 CFR Part 36. This rulemaking is necessary because confusion exists in the mining community in Alaska as to the scope of these regulations due to a regulatory provision that was contained at 36 CFR Part 13.15(d)(1) that exempted operators from compliance with the 36 CFR Part 9, Subpart A regulations if the operators could access their patented claims without crossing federally-owned parklands. Because there was no legal basis for such an exemption in either the Mining In The Parks Act or the Alaska National Interest Lands Conservation Act of 1980, the Department eliminated the exemption when it promulgated its regulations at 43 CFR Part 36.

Timetable:

Action	Date	FR Cite
ANPRM	07/20/84	49 FR 29415
ANPRM Comment Period End	08/20/84	49 FR 29415
30 day extension to ANPRM comment period to	09/20/84	
NPRM	04/03/87	52 FR 10866
NPRM Comment Period End	09/04/87	52 FR 28850
Final Action	04/00/88	

Small Entity: No

Agency Contact: Carol McCoy, Chief, Policy and Regulations Section, Land Resources Division, Department of the Interior, National Park Service, Room 3223 (660), Box 37127, Washington, DC 20013-7127, **202 523-5120**

RIN: 1024-AB37

1133. NPS UNITS IN ALASKA: CLOSURE REGULATIONS

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 13

Legal Deadline: None.

Abstract: This rule will provide for the closure of certain areas within Denali National Park and Preserve, Glacier Bay National Park and Preserve, Gates of the Arctic National Park and Preserve and Katmai National Park and Preserve to snowmachines, motorboat and aircraft use.

Timetable:

Action	Date	FR Cite
NPRM	04/06/83	48 FR 14978
NPRM Comment Period End	06/06/83	48 FR 14978
Comment Period Extension Begin	06/06/83	48 FR 26319
Comment Period Extension Ends	08/06/83	
Final Action	04/00/88	

Small Entity: No

Additional Information: Originally scheduled: April 1982.

Agency Contact: David B. Ames, Associate Regional Director, Department of the Interior, National Park Service, Alaska Regional Office, 2525 Gambell Street, Anchorage, AK 99503, **907 271-2664**

RIN: 1024-AA71

DOI—NPS

Final Rule Stage

1134. FIRE ISLAND NATIONAL SEASHORE: ZONING

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 28

Legal Deadline: None.

Abstract: This rule will be revised to add new definitions, to amend permitted and prohibited uses and to update zoning standards to reflect Seashore policy and local zoning ordinances.

Timetable:

Action	Date	FR Cite
NPRM	10/07/87	52 FR 37586
NPRM Comment Period End	11/06/87	52 FR 37586
Final Action	07/00/88	

Small Entity: Undetermined

Agency Contact: Larry Hovig, Department of the Interior, National Park Service, North Atlantic Regional Office, 15 State Street, Boston, MA 02109, **617 223-1178**

RIN: 1024-AA80

1135. NATIONAL REGISTER OF HISTORIC PLACES

Legal Authority: 16 USC 470 et seq

CFR Citation: 36 CFR 60

Legal Deadline: None.

Abstract: This rule is being amended to revise: appeals for listing nominations by persons or local governments in States without approved State historic preservation programs; procedures for nominations from State and Federal agencies; and procedures for making changes to listed properties and removals from the National Register, including appeals, and to incorporate 36 CFR Part 63.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/16/81	
NPRM	08/05/86	51 FR 28204
NPRM Comment Period End	10/06/86	51 FR 28204
Final Action	05/16/88	
Final Action Effective	06/16/88	

Small Entity: No

Additional Information: Originally scheduled: January 1981.

Agency Contact: Carol Shull, Chief, National Register Branch, Interagency Resources Division, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-9500**

RIN: 1024-AA44

1136. DETERMINATION OF ELIGIBILITY FOR INCLUSION IN THE NATIONAL REGISTER OF HISTORIC PLACES

Legal Authority: 16 USC 470 et seq

CFR Citation: 36 CFR 63

Legal Deadline: None.

Abstract: This rule incorporates certain revisions responding to the National Historic Preservation Act Amendments of 1980. In addition to responding to the new law, these changes update and revise in other minor respects the procedures for determining the eligibility of properties for the National Register. This rule will be consolidated with 36 CFR Part 60. Proposed rule (36 CFR Part 1204) was published May 23, 1980 (45 FR 34909).

Timetable:

Action	Date	FR Cite
NPRM 36 CFR 1204	05/23/80	45 FR 34909
NPRM	08/05/86	51 FR 28216
NPRM Comment Period End	10/06/86	51 FR 28216
Final Action	05/16/88	
Final Action Effective	06/16/88	

Small Entity: No

Additional Information: Originally scheduled: July 1979.

Agency Contact: Carol Shull, Chief, National Register Branch, Interagency Resources Division, Department of the Interior, National Park Service, 18th and C Streets, NW, Washington, DC 20240, **202 343-9539**

RIN: 1024-AA46

1137. CURATION OF FEDERALLY OWNED AND ADMINISTERED ARCHEOLOGICAL COLLECTIONS

Legal Authority: 16 USC 470a; 16 USC 470dd

CFR Citation: 36 CFR 79

Legal Deadline: None.

Abstract: This rule fulfills the Secretary of the Interior's responsibility to issue regulations on the disposition, exchange and curation of federally-owned and administered prehistoric and historic archeological artifacts and associated records recovered under the Antiquities Act of 1906, the Reservoir Salvage Act of 1960 (as amended by the Archeological and Historic Preservation Act of 1974), Section 110 of the National Historic Preservation Act of 1966 (as amended) and the Archeological Resources Protection Act of 1979. The regulation will establish (a) minimum standards for repositories that provide long-term curatorial services; (b) guidelines for Federal agencies for entering into contracts and agreements with repositories and other parties for the care and management of collections; (c) guidelines for access to, loan of and use of collections; and (d) guidelines for the exchange and ultimate disposition of collections.

Timetable:

Action	Date	FR Cite
ANPRM	10/11/85	50 FR 41527
ANPRM Comment Period End	11/12/85	50 FR 41527
NPRM	08/28/87	52 FR 32740
NPRM Comment Period End	10/27/87	52 FR 32740
Final Action	08/00/88	

Small Entity: No

Additional Information: The proposed rule was published for public comment on August 28, 1987. Comments were received from 41 agencies and organizations, including 11 Federal agencies, 7 State agencies, 8 Indian tribes and organizations, 7 museums, 5 archeological and museum organizations, 2 industrial firms, and 1 individual. The National Park Service is in the process of analyzing the comments, making appropriate revisions, and preparing responses to the comments for publication in the preamble of the final rulemaking.

Agency Contact: Dr. Bennie C. Keel, Departmental Consulting Archeologist, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127, **202 343-1876**

RIN: 1024-AB13

DEPARTMENT OF THE INTERIOR (DOI)
National Park Service (NPS)

Completed Actions

1138. APPLICABILITY AND SCOPE

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 1.2; 36 CFR

Legal Deadline: None.

Abstract: The Service intends to make minor administrative changes to eleven general regulations to clarify their applicability on non-Federal lands under the legislative jurisdiction of the United States.

Timetable:

Action	Date	FR Cite
NPRM	04/14/87	52 FR 12037
NPRM Comment Period End	05/14/87	52 FR 12037
Final Action	09/18/87	52 FR 35238
Final Action Effective	10/19/87	52 FR 35238

Small Entity: No

Agency Contact: Andy Ringgold, Staff Park Ranger, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127, **202 343-1360**

RIN: 1024-AB64

1139. DISCRIMINATION IN EMPLOYMENT PRACTICES AND FURNISHING PUBLIC SERVICES

Significance: Agency Priority

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 5.8; 36 CFR 5.9

Legal Deadline: None.

Abstract: The Service intends to update these two regulations to reflect provisions of existing nondiscrimination statutes and Executive Orders, although the standard provisions of contracts issued by the Service reflect current nondiscrimination policies, these regulations were not revised as new statutory provisions were enacted.

Timetable:

Action	Date	FR Cite
Final Action	01/12/88	53 FR 739
Final Action Effective	02/11/88	53 FR 739

Small Entity: Yes

Agency Contact: David Gackenbach, Chief, Concessions Division, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013-7127, **202 343-8953**

RIN: 1024-AB65

1140. UPPER DELAWARE SRR: FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7

Legal Deadline: None.

Abstract: This regulation pertains to the Upper Delaware Scenic and Recreation River in New York State. The final regulations published on June 30, 1983 prohibit certain fishing methods that are allowed by New York State law. This proposed regulation would authorize fishing in any manner consistent with existing State law.

Timetable:

Action	Date	FR Cite
NPRM	08/24/87	52 FR 31788
NPRM Comment Period End	09/23/87	52 FR 31788
Final Action	02/09/88	53 FR 3747
Final Action Effective	03/10/88	53 FR 3747

Small Entity: Undetermined

Agency Contact: William Supernaugh, Acting Chief, Ranger Activities, Department of the Interior, National Park Service, 143 South Third Street, Philadelphia, PA 19106, **215 597-7075**

RIN: 1024-AA87

1141. SPRINGFIELD ARMORY MUSEUM CLOSURE

Significance: Agency Priority

Legal Authority: 16 USC 3

CFR Citation: 36 CFR 7.23

Legal Deadline: None.

Abstract: The service is issuing an interim rule closing the Springfield Armory Museum to public access and use from September 8, 1987, through April 3, 1989. This closure is necessary because of serious public safety hazards that will exist during the complete renovation of the museum and research facilities.

Timetable:

Action	Date	FR Cite
Final Action	08/24/87	52 FR 31764
Final Action Effective	09/08/87	52 FR 31764

Small Entity: No

Agency Contact: W. Douglas Lindsay, Superintendent, Department of the Interior, National Park Service, Springfield Armory National Historic Site, One Armory Square, Springfield, MA 01105, **413 734-6477**

RIN: 1024-AB70

1142. DELAWARE WATER GAP NRA: FISHING

Legal Authority: 16 USC 1; 16 USC 3

CFR Citation: 36 CFR 7.71

Legal Deadline: None.

Abstract: Final regulations published June 30, 1983 in the Federal Register prohibit several fishing methods that are authorized by State laws in Pennsylvania and New Jersey. This proposed regulation affects the Delaware Water Gap National Recreation Area and would allow fishing in any manner consistent with the State laws of Pennsylvania and New Jersey.

Timetable:

Action	Date	FR Cite
NPRM	02/12/87	52 FR 4511
NPRM Comment Period End	03/16/87	52 FR 4511
Final Action	09/15/87	52 FR 34776
Final Action Effective	10/15/87	52 FR 34776

Small Entity: Undetermined

Agency Contact: William Supernaugh, Acting Chief, Ranger Activities Branch, Department of the Interior, National Park Service, 143 South Third Street, Philadelphia, PA 19106, **215 597-7057**

RIN: 1024-AA98

1143. APPRAISAL AUTHORITY UNDER THE LAND AND WATER CONSERVATION FUND STATE GRANT PROGRAM

Legal Authority: 42 USC 4601; 42 USC 4633

CFR Citation: 41 CFR 114-50

Legal Deadline: None.

Abstract: Currently, appraisals of land acquisitions supported by Land and Water Conservation Fund State Grants must be reviewed by the National Park Service if they are estimated at $100,000 or more. The National Park Service will examine whether this is an appropriate threshold given the administrative burden placed on the States and the potential for abuse of the program.

DOI—NPS **Completed Actions**

Timetable:

Action	Date	FR Cite
Withdrawn No further action expected at this time.	02/26/88	

Small Entity: No

Government Levels Affected: State, Federal

Agency Contact: Sam Hall, Chief of Recreation Grants Division, Department of the Interior, National Park Service, P.O. Box 37127, Washington, DC 20013, **202 343-3700**

RIN: 1024-AB68

BILLING CODE 4310-70-T

DEPARTMENT OF THE INTERIOR (DOI) — Prerule Stage

Bureau of Indian Affairs (BIA)

1144. REVISION OF THE MEMBERSHIP ROLL OF THE EASTERN BAND OF CHEROKEE INDIANS, NORTH CAROLINA

Legal Authority: PL 85-154

CFR Citation: 25 CFR 75

Legal Deadline: None.

Abstract: This rule, which is subject to review, governed the revision authorized by the Act of August 21, 1957, Pub. L. 85-154, (71 Stat. 374), of the membership roll of the Eastern Band of Cherokee Indians, North Carolina, prepared and approved in accordance with the Act of June 4, 1924 (43 Stat. 376), and the Act of March 4, 1931 (46 Stat. 1518). The rule also provides procedures for maintaining a current membership roll. This Part has been redesignated from 25 CFR Part 47.

Timetable:

Action	Date	FR Cite
Begin Review	01/01/85	
End Review	09/00/88	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Tribal Enrollment Specialist, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-3592**

RIN: 1076-AB54

DEPARTMENT OF THE INTERIOR (DOI) — Proposed Rule Stage

Bureau of Indian Affairs (BIA)

1145. ● PROCEDURES FOR ESTABLISHING THAT AN AMERICAN INDIAN GROUP EXISTS AS AN INDIAN TRIBE

Significance: Regulatory Program

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 83

Legal Deadline: None.

Abstract: The proposed rule revision will resolve problems encountered with existing regulations published almost ten years ago. Revisions will reduce time and resources required to process petitions, clarify terms and definitions, interpret criteria, add a process whereby groups may withdraw a petition, improve the appeal process and respond to changing conditions. The revised rule will be more cost effective for the Department and Indian groups petitioning for Federal acknowledgment. The proposed revisions will be published taking into consideration ten years of experience with the regulations. Revisions will reflect recommendations received from the Congress, Indian groups and tribes, other Federal agencies and national organizations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	08/00/88	
Final Action	11/00/88	

Small Entity: No

Agency Contact: John A. Shapard, Chief, Branch of Acknowledgment and Research, Department of the Interior, Bureau of Indian Affairs, Room 32 SIB, 18th & C Streets, NW, Washington, DC 20240, **202 343-3568**

RIN: 1076-AC15

1146. THE INDIAN POLICE

Significance: Agency Priority

Legal Authority: 25 USC 2; 25 USC 9; 25 USC 13

CFR Citation: 25 CFR 11

Legal Deadline: None.

Abstract: The Bureau of Indian Affairs is revising its regulations governing the Bureau's police operations to make them consistent with contemporary enforcement policies and procedures and changes in the Interior Department Manual and the DIA Manual.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	09/00/88	
Final Action	12/00/88	

Small Entity: No

Agency Contact: James P. Donovan, Acting Chief, Division of Law Enforcement Services, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Ave., NW, Room 1342, Code 430, Washington, DC 20245, **202 343-5786**

RIN: 1076-AB98

1147. FINANCIAL ASSISTANCE AND SOCIAL SERVICES PROGRAM

Significance: Regulatory Program

Legal Authority: 25 USC 13; PL 98-473

CFR Citation: 25 CFR 20

Legal Deadline: None.

Abstract: The Bureau is amending existing Financial Assistance and Social Services Program regulations to further define the adult care services provided to Indian people. These proposed regulations define the extent

of the program, establish eligibility requirements, and establish adult care services as a social services program separate and distinct from the general assistance program. The revision is needed to specifically define the Bureau's role in the provision of institutional and in-home care to Indian adults who are mentally or physically handicapped or otherwise disabled. The Bureau is also amending miscellaneous assistance provisions to conform with the congressional directive in Public Law 98-473. Miscellaneous assistance will be revised and defined as burial assistance. Emergency assistance previously provided under miscellaneous assistance was transferred to general assistance by revision of 25 CFR Part 20(c) on September 30, 1985.

Timetable:

Action	Date	FR Cite
Distribute draft rule to all Area Offices for review	04/30/88	
NPRM	06/30/88	
Final Action	09/30/88	

Small Entity: Undetermined

Agency Contact: David Hickman, Acting Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Ave., NW, Washington, DC 20245, **202 343-6434**

RIN: 1076-AB99

1148. ● FINANCIAL ASSISTANCE AND SOCIAL SERVICES PROGRAM

Legal Authority: 25 USC 13

CFR Citation: 25 CFR 20

Legal Deadline: None.

Abstract: This rulemaking action is being taken to further define various programmatic responsibilities of the Child Welfare Assistance and Child and Family Service Program under this part.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action Effective	08/00/88	

Small Entity: No

Agency Contact: David L. Hickman, Acting Chief, Division of Social Services, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-6434**

RIN: 1076-AC13

1149. FEDERAL SCHOOLS FOR INDIANS (REVISION)

Legal Authority: 34 Stat. 1018; 35 Stat. 783; 40 Stat. 564; 25 USC 288; 25 USC 289

CFR Citation: 25 CFR 31, (Revision)

Legal Deadline: None.

Abstract: The purpose of the proposed revision is to define the various types of schools funded by the Bureau and to clarify and define eligibility for non-Indian and Indian children of less than one-fourth blood who wish to attend Bureau-funded day and boarding schools. This proposed revision will also address criteria by which these students may attend Bureau-funded schools and tuition payments related thereto. Costs related to this part will be assumed by the public school district in the form of tuition payments, at no cost to the Bureau. Tuition fees charged will be comparable to but will not exceed the tuition cost charged by the State or County in which the Bureau school is located.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	09/00/88	

Small Entity: No

Additional Information: Section 31.3 was revised separately and published as a proposed rule. The passage of Pub. L. 99-228 supersedes that earlier revision and the conditions under which non-eligible students may attend Bureau-funded schools are incorporated in the current revision.

Agency Contact: Elizabeth Holmgren, Education Specialist, Branch of Elementary and Secondary Programs, Department of the Interior, Bureau of Indian Affairs, 18th & C Sts. NW, Washington, DC 20240, **202 343-4071**

RIN: 1076-AB47

1150. ● SCHOOL BOARDS

Significance: Agency Priority

Legal Authority: 25 USC 2001 et seq

CFR Citation: 25 CFR 35

Legal Deadline: None.

Abstract: The purpose of this rule is to define and delineate the duties and responsibilities of local Indian School Boards in accordance with Federal statutes and regulations. This rule will provide Bureau-wide consistency for the overall exercise of authority and control of Bureau operated schools.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Agency Contact: George D. Scott, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th & C Streets, NW, Washington, DC 20240, **202 343-4872**

RIN: 1076-AC14

1151. THE INDIAN SCHOOL EQUALIZATION PROGRAM (NEW SCHOOL STARTS, PROGRAM EXPANSIONS, SCHOOL CLOSURES, CONSOLIDATIONS, AND PROGRAM REDUCTIONS)

Significance: Regulatory Program

Legal Authority: 92 Stat 2320; 42 Stat 208

CFR Citation: 25 CFR 39.22

Legal Deadline: None.

Abstract: The addition of regulations for "School Closures and Consolidations" will address a uniform procedure for school closure and consolidation in the Bureau-operated and funded schools. The new rule would provide the Bureau advance planning time in the development of its future budgets. The companion regulation on new school starts and program expansions will appear at 25 CFR 271, Subpart H and are incorporated by reference in this Part.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	09/00/88	

Small Entity: No

Agency Contact: Elizabeth Holmgren, Education Specialist, Department of the

Interior, Bureau of Indian Affairs, 18th & C Streets, NW, Washington, DC 20240, **202 343-4071**

RIN: 1076-AB48

1152. GRANTS TO TRIBALLY CONTROLLED COMMUNITY COLLEGES AND NAVAJO COMMUNITY COLLEGE

Significance: Agency Priority

Legal Authority: 25 USC 1815; 25 USC 640

CFR Citation: 25 CFR 41, (Revision)

Legal Deadline: None.

Abstract: The Secretary proposes to revise the current regulations which are used to govern the administration of grants to the Tribally Controlled Community Colleges. The revision is mandatory since the current regulations do not apply to the new requirements which were made under the Amendments Act. The revision will govern the new requirements which include: 1. Planning Grants; 2. Forward Funding; 3. Facility Construction; 4. Endowments; and 5. New Method of Counting Students.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: Esther Whalen, Chief, Branch of Postsecondary Education, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-4871**

RIN: 1076-AA11

1153. ● PREPARATION OF ROLLS OF INDIANS

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; PL 100-139

CFR Citation: 25 CFR 61

Legal Deadline: Statutory, October 26, 1988. One year from date of enactment for completion of the tribal membership roll.

Abstract: This rulemaking action is being taken to amend the regulations contained in 25 CFR Part 61. Part 61 contains general enrollment procedures which can be made specifically applicable in the preparation of a particular roll by the Secretary by amending section 61.4 to include the qualifications for enrollment for that particular roll. Under the Cow Creek Band of Umpqua Tribe of Indians Distribution of Judgment Funds Act of 1987, the Secretary has been directed to prepare certain rolls of Cow Creek Indians to be used in the implementation of the Act. The proposed amendment is, therefore, to make the procedures contained in Part 61 applicable to the preparation of the Cow Creek rolls by adding in section 61.4 the qualifications for enrollment for each of the rolls to be prepared.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: Kathleen L. Slover, Tribal Enrollment Specialist, Department of the Interior, Bureau of Indian Affairs, Room 1352 Main Interior, 1951 Constitution Ave., NW, Washington, DC 20245, **202 343-3592**

RIN: 1076-AC11

1154. LOANS TO INDIANS FROM THE REVOLVING LOAN FUND

Legal Authority: 25 USC 1451; PL 93-262

CFR Citation: 25 CFR 101

Legal Deadline: None.

Abstract: This part is being revised to incorporate legislative changes made pursuant to the Amendments to the Indian Financing Act of 1984, to reflect policy changes in program administration and to add clarifying language to the existing rule.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	07/00/88	
Final Action	12/00/88	

Small Entity: No

Agency Contact: J. D. Colbert, Chief, Division of Financial Assistance, Office of Trust and Economic Development, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-5831**

RIN: 1076-AC00

1155. REVOLVING CATTLE POOL

Legal Authority: 5 USC 301

CFR Citation: 25 CFR 102

Legal Deadline: None.

Abstract: This program was transferred to the Bureau of Indian Affairs in the 1950's and is currently inactive. There have been no funds appropriated for the program; therefore, this part is proposed for removal. The terms and conditions of loans of cattle by the United States government to tribes, tribal corporations or tribal members were prescribed in 25 CFR 102. The loans consisted of cattle repayable in kind or assignment of cattle under specific agreements.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	07/00/88	
Final Action	12/00/88	

Small Entity: No

Agency Contact: J. D. Colbert, Chief, Division of Financial Assistance, Office of Trust and Economic Development, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-3657**

RIN: 1076-AC02

1156. LOAN GUARANTY, INSURANCE, AND INTEREST SUBSIDY

Legal Authority: 88 Stat. 77

CFR Citation: 25 CFR 103

Legal Deadline: None.

Abstract: This part is being revised to incorporate legislative changes made pursuant to the Amendments to the Indian Financing Act of 1984, to reflect policy changes in program administration and to add clarifying language to the existing rule.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	07/00/88	
Final Action	12/00/88	

Small Entity: No

Agency Contact: J. D. Colbert, Chief, Division of Financial Assistance, Office of Trust and Economic Development, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-5831**

RIN: 1076-AC01

1157. INDIVIDUAL INDIAN MONEY ACCOUNTS

Significance: Regulatory Program

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 43 USC 1457

CFR Citation: 25 CFR 115

Legal Deadline: None.

Abstract: The Individual Indian Money Account program involves funds held in trust status for individuals. Although the rule generally prohibits voluntary accounts, except in circumstances of substantial hardship, the Bureau currently maintains many such accounts in the program. The current regulations will be revised to include specific criteria which must be met by voluntary depositors and which determine cases of "substantial hardship" as required by the regulations.

Timetable:

Action	Date	FR Cite
Revise regulations for Exception Criteria	01/31/87	
NPRM	06/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: Betty L. Wilkinson, Chief, Division of Accounting Management, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-2578

RIN: 1076-AB91

1158. MANAGEMENT OF OSAGE JUDGMENT FUNDS FOR EDUCATION AND SOCIO-ECONOMIC PROGRAMS

Significance: Agency Priority

Legal Authority: 86 Stat 1295

CFR Citation: 25 CFR 122

Legal Deadline: None.

Abstract: The implementing rule for 25 CFR 122 has been reviewed and a determination was made that the portion of the regulations governing socio-economic programs is no longer needed. The rule will be revised to remove that portion of the program.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Esther Whalen, Chief, Branch of Postsecondary Education, Division of Education Programs, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-4871

RIN: 1076-AB51

1159. LEASING OF RESTRICTED LANDS OF MEMBERS OF FIVE CIVILIZED TRIBES, OKLAHOMA, FOR MINING

Legal Authority: Sec. 2, 35 Stat. 312; Sec. 18, 41 Stat. 426; Sec. 1, 45 Stat. 495; Sec. 1, 47 Stat. 777; 25 USC 356; Secs. 3, 11, 35 Stat. 313, 316; Sec. 8, 47 Stat. 779

CFR Citation: 25 CFR 213

Legal Deadline: None.

Abstract: This rule is being revised to insure consistency with existing law and to improve operating procedures. Issues to be addressed include authority to lease inherited restricted land, the processing of lease payments through the Minerals Management Service, and the approval process for division orders. There are no alternatives being considered and the potential cost is unknown.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Not Applicable

Agency Contact: Joseph Johnston, Chief, Division of Mineral Resources, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-2790

RIN: 1076-AB41

1160. CONTRACTS UNDER INDIAN SELF-DETERMINATION ACT (SUBPART H - NEW SCHOOL STARTS AND PROGRAM EXPANSIONS)

Significance: Agency Priority

Legal Authority: 88 Stat. 2203; 42 Stat. 208

CFR Citation: 25 CFR 271

Legal Deadline: None.

Abstract: The purpose of the addition of the new rule "New Starts and Program Expansions," is to establish uniform application procedures and approval criteria for tribes seeking to operate new schools or to expand existing education programs through funding by the Indian School Equalization Formula. This rule would provide further clarification of the clause "adequate, free public school facilities" and refine existing criteria.

Timetable:

Action	Date	FR Cite
Hearings held with Indian leadership	08/00/86	
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	08/00/88	

Small Entity: No

Additional Information: Adds a new Subpart H to 25 CFR 271.

Agency Contact: Elizabeth Holmgren, Education Specialist, Department of the Interior, Bureau of Indian Affairs, 18th & C Sts., NW, Washington, DC 20245, 202 343-4071

RIN: 1076-AB49

1161. SMALL TRIBES GOVERNMENTAL ASSISTANCE GRANT PROGRAM

Significance: Agency Priority

Legal Authority: 25 USC 450; 25 USC 13

CFR Citation: 25 CFR 279

Legal Deadline: None.

Abstract: This is a new program which will provide grants to small tribes to enable them to establish, improve or maintain basic governmental functions. This grant program will provide resources needed to allow small tribes to improve their capacity and ability to govern. The program also represents a refocus or redirection of activities previously conducted under the Self-Determination and Small Tribes Core Management Grant Programs. Therefore, Part 278 is proposed for removal from 25 CFR Subchapter M.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: No

Agency Contact: George Clark, Division of Self-Determination Services, Office of Tribal Services, Department of the Interior, Bureau of Indian Affairs,

1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-4098**

RIN: 1076-AC10

1162. INDIAN BUSINESS DEVELOPMENT PROGRAM

Significance: Regulatory Program

Legal Authority: 25 USC 1524 Indian Financing Act of 1974

CFR Citation: 25 CFR 286

Legal Deadline: None.

Abstract: This rule will activate an old grant program that has been granted appropriation authority since FY 1986. The Indian Financing Act amendments of 1984 authorize grants up to $250,000 to tribes and up to $100,000 to individual Indians for economic enterprises.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: J. D. Colbert, Chief, Division of Financial Assistance, Department of the Interior, Bureau of Indian Affairs, Office of Trust and Economic Development, Division of Financial Assistance, Washington, DC 20240, **202 343-5831**

RIN: 1076-AA55

1163. TRIBAL GAMING MANAGEMENT CONTRACTS

Significance: Regulatory Program

Legal Authority: 25 USC 81; 25 USC 415; 25 USC 301

CFR Citation: 25 CFR 287

Legal Deadline: None.

Abstract: The Bureau of Indian Affairs is proposing a new rule which establishes the requirements to be met and procedures to be followed to obtain approval of management contracts for tribal gaming enterprises. This action is necessary because the federal courts have held that such management contracts are null and void without Secretarial approval pursuant to 25 U.S.C. 81. The intended effect of this rule is to replace the administrative guidelines previously announced by the Bureau for approval of such contracts and to establish uniform minimum standards for the review and approval of all such gaming management contracts.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	08/00/88	
Final Action	12/00/88	

Small Entity: No

Agency Contact: Joel Starr, Staff Assistant, Office of the Assistant Secretary, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Ave., NW, Washington, DC 20245, **202 343-6031**

RIN: 1076-AC07

1164. BUY INDIAN ACT CONTRACTING

Legal Authority: 25 USC 47; 36 Stat. 891

CFR Citation: 48 CFR 1480

Legal Deadline: None.

Abstract: This rule will be codified as the new 48 CFR 1480 instead of the old 41 CFR Part 14H to establish policies and procedures concerning the Bureau of Indian Affairs acquisition management system. This issuance pertains to contracts (excluding building construction) entered pursuant to the Act of June 25, 1910 (25 U.S.C. 47), which is usually referred to as the "Buy Indian Act."

Timetable:

Action	Date	FR Cite
Proposed	11/15/84	49 FR 45187
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	10/00/88	

Small Entity: Yes

Additional Information: Originally scheduled: April 1982.

Agency Contact: Peter A. Campanelli, Procurement Analyst, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-3498**

RIN: 1076-AA56

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Indian Affairs (BIA)

Final Rule Stage

1165. APPEALS FROM ADMINISTRATIVE ACTIONS

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 2

Legal Deadline: None.

Abstract: The present administrative appeal regulations are ambiguous and misleading. It is difficult to tell what issues may be appealed and to whom the appeal should be sent. Most deadlines are uncertain. Those that are certain are often unrealistic. It is also unclear when a final decision will be rendered by the Interior Board of Indian Appeals and when it will be rendered by the Assistant Secretary for Indian Affairs. Alternatives will be developed by reviewing the existing appeal regulations of other agencies. Consideration will be given to specifying which types of appeals go to the Assistant Secretary and which to the Board. The alternative of providing for the Assistant Secretary to make a case-by-case decision whether or not to refer the matter to the Board will also be considered. The primary benefit should be reduced frustration for both appellants and the BIA officials who handle the appeals. The greatest cost may be that both appellants and BIA officials may have to comply with more specified procedures and meet more deadlines in order for the system to work.

Timetable:

Action	Date	FR Cite
NPRM	11/06/87	52 FR 43006
NPRM Comment Period End	01/05/88	52 FR 43006
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: Anne Bolton, Management Analyst, Department of the Interior, Bureau of Indian Affairs, Room 320 - Interior South, 1951

Constitution Avenue, NW, Washington, DC 20245, **202 343-4689**

RIN: 1076-AB21

1166. LAW AND ORDER ON INDIAN RESERVATIONS

Significance: Agency Priority

Legal Authority: 25 USC 2; 25 USC 9; 25 USC 13

CFR Citation: 25 CFR 11

Legal Deadline: None.

Abstract: The present regulations contain a very incomplete criminal code that does not cover many areas of the law that are usually in the laws of the state where the reservation is located. The current regulations also contain very sketchy provisions on criminal and civil procedure. It is proposed to update the sections on criminal offenses, and essentially create new sections on criminal procedures, domestic relations, probate proceedings, appellate proceedings and juvenile proceedings. This will provide the Courts of Indian Offenses with more complete and up to date procedures and rules. Courts will have a six month period from the date of publications of the final rule to the effective date in which to revise their court codes. It is not anticipated that this revision will have any effect on the annual case load for these courts or require additional staffing. Therefore, the initiation of these rules should not result in additional costs.

Timetable:

Action	Date	FR Cite
NPRM	10/24/85	50 FR 43235
NPRM Comment Period End	01/31/86	51 FR 400
Final Action	04/00/88	
Code revisions by courts	10/00/88	
Final Action Effective	10/00/88	

Small Entity: Undetermined

Additional Information: Originally scheduled: January 1981.

Agency Contact: **Joseph Little**, Branch of Judicial Services, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-7915**

RIN: 1076-AA01

1167. EDUCATION PERSONNEL

Significance: Agency Priority

Legal Authority: 25 USC 2011; 25 USC 2015

CFR Citation: 25 CFR 38, (Revision)

Legal Deadline: None.

Abstract: The review of this rule is to update and/or delete the requirements that apply to all individuals appointed or converted to contract education positions in the Bureau of Indian Affairs. The review applies to employees with continuing tenure in both the competitive and excepted service who incumber education positions.

Timetable:

Action	Date	FR Cite
NPRM	09/02/87	52 FR 33382
NPRM Comment Period End	10/02/87	52 FR 33382
Final Action	04/00/88	

Small Entity: No

Agency Contact: **George D. Scott**, Education Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4872**

RIN: 1076-AB02

1168. ADMINISTRATION OF THE HIGHER EDUCATION PROGRAM

Significance: Regulatory Program

Legal Authority: 25 USC 13; PL 67-85

CFR Citation: 25 CFR 40

Legal Deadline: None.

Abstract: This rule will revise established policies and provide uniform procedures to govern the higher education program administered under the authority of 25 U.S.C. 13. This rule applies only to educational grants; Bureau educational loans are governed by 25 CFR Part 91. This Part has been redesignated from 25 CFR Part 32.

Timetable:

Action	Date	FR Cite
NPRM	03/03/87	52 FR 6482
NPRM Comment Period End	05/04/87	52 FR 11503
Final Action	04/00/88	

Small Entity: No

Additional Information: Originally scheduled: January 1980.

Agency Contact: **Esther Whalen**, Chief, Branch of Postsecondary Education, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4871**

RIN: 1076-AA10

1169. ADMINISTRATION OF THE INDIAN ADULT EDUCATION PROGRAMS

Significance: Agency Priority

Legal Authority: 25 USC 13

CFR Citation: 25 CFR 46

Legal Deadline: None.

Abstract: These proposed regulations are designed to provide standardized administrative procedures for administering and operating Indian adult education programs.

Timetable:

Action	Date	FR Cite
NPRM	12/30/87	52 FR 49172
NPRM Comment Period End	02/29/88	52 FR 49172
Final Action	07/00/88	

Small Entity: No

Agency Contact: **Esther Whalen**, Chief, Branch of Postsecondary Education, Department of the Interior, Bureau of Indian Affairs, Office of Indian Education Programs, 18th and C Streets, NW, Washington, DC 20240, **202 343-4871**

RIN: 1076-AA15

1170. ● PREPARATION OF A ROLL OF ALASKA NATIVES

Legal Authority: 43 USC 1601 et seq; 5 USC 301; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 69

Legal Deadline: None.

Abstract: This rulemaking action is being taken to remove 25 CFR Part 69 from the Code of Federal Regulations. The regulations provided procedural rules governing the preparation of a roll of Alaska Natives pursuant to the Alaska Native Claims Settlement Act of 1971, as amended. The application and appeal processes for preparing the roll of Alaska Natives were completed in 1981 and the rule is no longer needed. This Part has been redesignated from 25 CFR Part 43h.

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	

Small Entity: No

Additional Information: It has been determined that this is a rule of agency procedure and practice and therefore does not require publication of a proposed rule.

Agency Contact: Kathleen L. Slover, Tribal Enrollment Specialist, Department of the Interior, Bureau of Indian Affairs, Room 1352 Main Interior, 1951 Constitution Ave., NW, Washington, DC 20245, **202 343-3592**

RIN: 1076–AC12

1171. ATTORNEY FEE CONTRACTS WITH INDIAN TRIBES; PAYMENT OF TRIBAL ATTORNEY FEES WITH FEDERALLY APPROPRIATED FUNDS

Significance: Agency Priority

Legal Authority: 5 USC 301; 25 USC 476; 25 USC 13; 25 USC 2; 25 USC 9

CFR Citation: 25 CFR 89.40 to 89.46

Legal Deadline: None.

Abstract: The Bureau of Indian Affairs proposes to revise the rule concerning the circumstances under which the Bureau of Indian Affairs, in the performance of the Federal Government's trust responsibility to Indian tribes, may, in its discretion, provide Departmental funds to an Indian tribe or other Indian organization for the payment of a private attorney's legal services. The proposed revisions would not change the underlying policy of the current rule which is to pay for private counsel to represent Indian tribes only in exceptional circumstances. The principal changes involve representation in child custody proceedings, services of tribal court personnel, and non-litigation services. The proposed revision would also provide that when trust resources are involved, tribes and individual Indian allottees are eligible to apply for and receive Federally appropriated funds under 25 CFR 89.

Timetable:

Action	Date	FR Cite
NPRM	01/21/86	51 FR 2722
NPRM Comment Period End	03/24/86	51 FR 2722
Final Action	06/00/88	

Small Entity: No

Agency Contact: Frank Keel, Special Assistant, Office of Trust and Economic Development, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Code 201, Washington, DC 20245, **202 343-1861**

RIN: 1076–AB87

1172. NAVAJO GRAZING REGULATIONS

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 640d; 25 USC 640d-28

CFR Citation: 25 CFR 167

Legal Deadline: None.

Abstract: This rule will be revised to clarify the Secretary's responsibilities over grazing control and range restoration activities in the area formerly known as the Joint Use Area under the July 9, 1980 amendments to the Navajo-Hopi Settlement Act, 25 U.S.C. 640d and 640d-28. The rule will form Subpart B of the Existing Navajo Grazing Regulations, which are redesignated as Subpart A of 25 CFR Part 167.

Timetable:

Action	Date	FR Cite
NPRM	03/05/87	52 FR 6822
NPRM Comment Period End	08/03/87	52 FR 6822
Final Action	04/00/88	

Small Entity: No

Additional Information: In May 1982, the District Court for the District of Arizona invalidated the regulation of 25 CFR 167 and ordered the Bureau to publish new regulations. The Bureau published interim regulations on Hopi partitioned lands on September 8, 1982. During the past year several meetings have been held with the Navajo Tribe to obtain concurrence to include Navajo partitioned land in the regulations. The Navajo Tribe expressed the desire for separate regulations and Bureau has drafted a new regulation for Navajo Partitioned Land within the existing 25 CFR Part 167.

Agency Contact: Frank H. Khattat, Natural Resources Specialist, Department of the Interior, Bureau of Indian Affairs, 18th and C Streets, NW, Washington, DC 20245, **202 343-3959**

RIN: 1076–AA33

1173. RIGHTS-OF-WAY OVER INDIAN LANDS

Legal Authority: 5 USC 301; 25 USC 323 to 328

CFR Citation: 25 CFR 169

Legal Deadline: None.

Abstract: The Bureau of Indian Affairs intends to amend several sections of its rights-of-way regulations which impose a variety of specific requirements on grantees of rights-of-way over Indian lands. These requirements were intended to implement public laws enacted around the turn of the century which authorized the Secretary of the Interior to issue rights-of-way for various specific purposes. In 1948 Congress gave the Department comprehensive authority to grant rights-of-way for any purpose or any term of years without the antiquated restrictions of the older statutes. The regulations continue to reflect the old requirements and the result has been inconsistent application of the 1948 Act. The removal or revisions of these sections would end that practice.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: No

Agency Contact: Frank Hissong, Realty Specialist, Division of Real Estate Services, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Code 220, Washington, DC 20245, **202 343-3611**

RIN: 1076–AB89

1174. SAN CARLOS INDIAN IRRIGATION PROJECT, ARIZONA

Significance: Agency Priority

Legal Authority: 43 Stat 476, Sec 5; 45 Stat 210; 45 Stat 211; 5 USC 301

CFR Citation: 25 CFR 177

Legal Deadline: None.

Abstract: The Bureau of Indian Affairs is amending the pertinent sections of the regulations governing charges and costs assessed the electric power customers for the electric power, energy and associated electric power services provided by the San Carlos Indian Irrigation (Project), Arizona. The purpose of the regulatory amendments is to increase the costs to the public for the services provided by the electric power division of the Project. The proposed rules increase the electric power assessment rates in the residential and general service rate schedules. This action causes the generation of needed additional revenues for the Project. The increased

assessment rates reflect the increased operating costs associated with labor, equipment and supplies. The electric power bills for service under the residential and general rate schedules will be increased by approximately 12.4 percent.

Timetable:

Action	Date	FR Cite
NPRM	12/10/87	52 FR 46781
NPRM Comment Period End	01/11/88	52 FR 46781
Final Action	09/00/88	

Small Entity: No

Agency Contact: **Samuel Miller**, Water and Land Resources Officer, Division of Water and Land Resources, Department of the Interior, Bureau of Indian Affairs, 18th and C Street, NW, Washington, DC 20240, **202 343-4004**

RIN: 1076-AC08

1175. LIFE ESTATES AND FUTURE INTERESTS

Significance: Agency Priority

Legal Authority: 25 USC 372; 25 USC 373; 25 USC 487; 25 USC 607; 25 USC 2201 to 2211

CFR Citation: 25 CFR 179

Legal Deadline: None.

Abstract: The proposed rule would add a new part 179 to Title 25 of the Code of Federal Regulations to set forth the authorities, policy, and procedures to be followed in the administration of life estates and future interests on Indian land. These regulations are being proposed to address the need for a clearly stated uniform policy. At the present time, there are no regulations dealing with life estates and future interests, even though these have become increasingly prevalent in the activities of Indians and the Bureau of Indian Affairs.

Timetable:

Action	Date	FR Cite
NPRM	08/11/87	52 FR 29701
NPRM Comment Period End	10/13/87	52 FR 29701
Final Action	06/00/88	

Small Entity: Not Applicable

Agency Contact: **Howard Piepenbrink**, Chief, Branch of Titles and Research, Division of Real Estate Services, Department of the Interior, Bureau of Indian Affairs, 18th & C Street, NW, Washington, DC 20240, **202 343-5473**

RIN: 1076-AC06

1176. CONTRACTS FOR PROSPECTING AND MINING ON INDIAN MINERAL LANDS

Significance: Agency Priority

Legal Authority: 25 USC 396; 25 USC 396d; 25 USC 415; 25 USC 476; 25 USC 477

CFR Citation: 25 CFR 211

Legal Deadline: None.

Abstract: The regulations in this Part govern contracts for the prospecting and mining of Indian-owned minerals, other than oil and gas. Revisions will be made which would combine rules for the review and approval of mineral development contracts on both tribal and allotted lands into one Part. This Part has been redesignated from 25 CFR Part 171.

Timetable:

Action	Date	FR Cite
NPRM	08/11/80	45 FR 53164
NPRM	07/12/83	48 FR 31978
NPRM	10/21/87	52 FR 39332
NPRM Public Comment Period End	12/21/87	52 FR 39332
Final Action	06/00/88	

Small Entity: Yes

Additional Information: The rule was republished as a proposed rule on 10/21/87 (52 FR 39332) to allow for additional public comment.

Agency Contact: **Joseph Johnston**, Chief, Div. of Energy & Mineral Resources, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-2790**

RIN: 1076-AA38

1177. LEASING OF ALLOTTED LANDS FOR MINING

Significance: Agency Priority

Legal Authority: 25 USC 396; 35 Stat. 396

CFR Citation: 25 CFR 212

Legal Deadline: None.

Abstract: As a result of review, it has been determined that this Part is no longer necessary and should be revoked. The rules which currently govern the leasing of oil and gas on Indian allotted lands will be replaced by a new 25 CFR Part 225 and in the revisions to 25 CFR Part 211. This Part has been redesignated from 25 CFR Part 172.

Timetable:

Action	Date	FR Cite
NPRM	08/11/80	45 FR 53164
NPRM for removal	10/21/87	52 FR 39332
NPRM Public Comment Period End	12/21/87	52 FR 39332
Final Action	06/00/88	

Small Entity: No

Additional Information: The rule was republished for proposed removal with the proposed rulemaking actions for 25 CFR Parts 211 and 225 on 10/21/87 (52 FR 39332).

Agency Contact: **Joseph Johnston**, Chief, Div. of Energy & Mineral Resources, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-2790**

RIN: 1076-AA39

1178. OIL AND GAS MINERAL AGREEMENTS

Legal Authority: PL 97-382; 52 Stat. 347; 35 Stat. 783

CFR Citation: 25 CFR 225

Legal Deadline: None.

Abstract: The Bureau proposes to publish regulations that will govern mineral agreements for the development of Indian owned oil and gas resources pursuant to the Indian Mineral Development Act of 1982, Public Law 97-382, which authorizes the tribes to enter into negotiated agreements rather than go through the previously required competitive advertising procedure.

Timetable:

Action	Date	FR Cite
NPRM	07/12/83	48 FR 31978
NPRM	10/21/87	52 FR 39332
NPRM Public Comment Period End	12/21/87	52 FR 39332
Final Action	06/00/88	

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: **Joseph Johnston**, Chief, Div. of Energy and Mineral

Resources, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-2790**

RIN: 1076–AA82

1179. LEASING OF OSAGE RESERVATION LANDS FOR OIL AND GAS MINING

Legal Authority: Sec 3, 34 Stat 543; Sec 1, 45 Stat 1478; Sec 2, 45 Stat 1478; Sec 1, 45 Stat 1479; Sec 2, 45 Stat 1479

CFR Citation: 25 CFR 226

Legal Deadline: None.

Abstract: The rules are being amended to strengthen the management of the Osage mineral estates and relieve the Osage oil lessees from basing the payment of royalties to the Osage Tribe on the offered or posted price of a major purchaser in the Kansas-Oklahoma area. These regulations will improve the management of the Osage mineral estate and will alleviate the economic hardship placed on the oil lessees.

Timetable:

Action	Date	FR Cite
NPRM	10/16/87	52 FR 38608
NPRM Comment Period End	11/16/87	52 FR 38608
Final Action	06/00/88	

Small Entity: No

Agency Contact: Joseph Johnston, Chief, Division of Energy and Mineral Resources, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-2790**

RIN: 1076–AC09

1180. INDIAN FISHING: HOOPA VALLEY INDIAN RESERVATION

Legal Authority: 25 USC 2; 25 USC 9; 5 USC 301; Reorganization Plan No. 3 of 1950; 64 Stat. 1262

CFR Citation: 25 CFR 250

Legal Deadline: None.

Abstract: This rule, which contains the regulations for the Hoopa fishery, will be revised to remove burdensome requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/24/83	48 FR 29004
Interim Final Rule	07/21/87	52 FR 27329
Public Comment Period End	08/20/87	52 FR 27329

Next Action Undetermined

Small Entity: Undetermined

Additional Information: Originally scheduled: April 1983.

Agency Contact: Gary L. Rankel, Chief, Branch of Fish, Wildlife & Recreation, Department of the Interior, Bureau of Indian Affairs, Main Interior, 18th & C Streets, NW, Washington, DC 20245, **202 343-4088**

RIN: 1076–AA83

DEPARTMENT OF THE INTERIOR (DOI)

Bureau of Indian Affairs (BIA)

Completed Actions

1181. LAW ENFORCEMENT EXPENDITURES

Significance: Agency Priority

Legal Authority: 25 USC 2; 25 USC 9; 25 USC 13

CFR Citation: 25 CFR 11

Legal Deadline: None.

Abstract: The Bureau of Indian Affairs is developing a rule prohibiting the expenditure of Bureau of Indian Affairs law enforcement funds in those areas of Indian country where there is state jurisdiction over criminal offenses committed by or against Indians.

Timetable:

Action	Date	FR Cite
NPRM	03/26/87	52 FR 9669
NPRM Comment Period End	05/26/87	52 FR 9669
Withdrawn No further action will be taken at this time.	04/00/88	

Small Entity: No

Agency Contact: James P. Donovan, Acting Chief, Division of Law Enforcement Services, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Room 1342, Code 430, Washington, DC 20245, **202 343-5786**

RIN: 1076–AB97

1182. ENROLLMENT APPEALS

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 1401 et seq

CFR Citation: 25 CFR 62

Legal Deadline: None.

Abstract: The regulations contained in 25 CFR Part 62 are general regulations that govern appeals from adverse enrollment actions. This rulemaking action will revise the regulations to clarify the purpose of the rule and to make general changes of an administrative nature including the elimination of sex-based and gender specific terminology. This Part has been redesignated from 25 CFR Part 42.

Timetable:

Action	Date	FR Cite
Final Action	08/13/87	52 FR 30159
Final Action Effective	09/14/87	52 FR 30159

Small Entity: No

Additional Information: It has been determined that this is a rule of agency procedure and practice and therefore does not require publication of a proposed rule.

Government Levels Affected: Federal

Agency Contact: Kathleen L. Slover, Tribal Enrollment Specialist, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-3592**

RIN: 1076–AB95

1183. ENROLLMENT OF INDIANS OF THE SAN PASQUAL BAND OF MISSION INDIANS IN CALIFORNIA

Legal Authority: 5 USC 301; 25 USC 2; 25 USC 9; 25 USC 1401 et seq

CFR Citation: 25 CFR 76

Legal Deadline: None.

Abstract: This rule governed the enrollment of persons in the San Pasqual Band of Mission Indians in California as of January 1, 1959. The rule also provides procedures for maintaining a current membership roll. As a result of review, it has been

determined that there is a continued need for this rule. However, the regulations do need to be revised. This rulemaking action will revise the regulations to make general revisions of an administrative nature including the elimination of sex-based and gender specific terminology and to provide procedures for the preparation of a current roll to serve as the basis for the distribution of judgment funds. This Part has been redesignated from 25 CFR Part 48.

Timetable:

Action	Date	FR Cite
NPRM	06/03/87	52 FR 20727
NPRM Comment Period End	07/06/87	52 FR 20727
Final Action	08/20/87	52 FR 31391
Final Action Effective	09/21/87	52 FR 31391

Small Entity: No

Agency Contact: Kathleen L. Slover, Tribal Enrollment Specialist, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3592

RIN: 1076-AB59

1184. USE OR DISTRIBUTION OF INDIAN JUDGMENT FUNDS

Legal Authority: 5 USC 301; 87 Stat 466; 87 Stat 467; 87 Stat 468; 96 Stat 2512; 96 Stat 2513; 96 Stat 2514

CFR Citation: 25 CFR 87

Legal Deadline: None.

Abstract: The regulations govern the preparation of proposed plans for the use or distribution of all judgment funds awarded to Indian tribes and groups by the Indian Claims Commission, the United States Court of Claims or the United States Claims Court, excepting any tribe or group whose trust relationship with the Federal Government has been terminated and for which there exists legislation authorizing the disposition of its judgment funds; and of all funds deriving from judgments entered prior to the date of the Act for which there has been no enabling legislation. The regulations are being revised to eliminate gender-specific terminology, incorporate the provisions of the Act of January 12, 1983 and for clarification. The revisions will make the regulations current to existing laws and should enable parties affected to more easily understand the regulations. The proposed revisions are a result of a review of the rules completed on July 16, 1984.

Timetable:

Action	Date	FR Cite
Withdrawn No further action will be taken at this time.	04/00/88	

Small Entity: No

Additional Information: The proposed revisions to 25 CFR 87 have necessitated minor technical revisions to 25 CFR 115 which will be processed in conjunction with the proposed rule.

Agency Contact: John A. Shapard, Branch Chief, Acknowledgment & Research, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-3568

RIN: 1076-AB20

1185. ANNUITY AND OTHER PER CAPITA PAYMENTS

Legal Authority: 5 USC 301; PL 98-64

CFR Citation: 25 CFR 111, (Revision)

Legal Deadline: None.

Abstract: Procedures will describe standards by which per capita payments to Indians out of Tribal Trust Revenue may be made by either the Secretary of the Interior or by Tribal governments.

Information on cost or benefits, if applicable, is unknown at this point.

Timetable:

Action	Date	FR Cite
Withdrawn No further action will be taken at this time.	04/00/88	

Small Entity: No

Agency Contact: Barbara Davis, Trust Fund Specialist, Department of the Interior, Bureau of Indian Affairs, Office of Trust Responsibilities, 1951 Constitution Avenue, NW, Washington, DC 20245, 202 343-2963

RIN: 1076-AB45

1186. PROCEDURES FOR DEPOSITING FUNDS TO THE CREDIT OF 14X6140-DEPOSITS OF PROCEEDS OF LANDS WITHDRAWN FOR NATIVE SELECTION, BIA

Legal Authority: PL 94-204, 89 Stat. 1146; 43 USC 1613; 94 Stat. 2371

CFR Citation: 25 CFR 124, (Revision)

Legal Deadline: None.

Abstract: Provide up to date and correct deposit procedures to be used by all Departments and Agencies of the Federal Government and the State of Alaska for the deposit of proceeds derived from contracts, leases, permits, and rights-of-way or easements pertaining to affected lands or resources in affected lands withdrawn for Native selection pursuant to the Alaska Native Claims Settlement Act.

Timetable:

Action	Date	FR Cite
Withdrawn No further action will be taken at this time.	04/00/88	

Small Entity: No

Public Compliance Cost: Initial Cost: $0

Affected Sectors: None

Agency Contact: Betty L. Wilkinson, Chief, Division of Accounting Management, Department of the Interior, Bureau of Indian Affairs, Room 4604, Main Interior, 18th & C Sts., NW, Washington, DC 20245, 202 343-7336

RIN: 1076-AB67

1187. LAND RECORDS AND TITLE DOCUMENTS

Legal Authority: 25 USC 5; 25 USC 9

CFR Citation: 25 CFR 150; 43 CFR 4

Legal Deadline: None.

Abstract: This regulation will be reviewed with only minor changes expected due to a realignment of responsibilities concerning our title plants. This rule sets forth authorities, policy and procedures governing the recording, custody, maintenance, use and certification of title documents, and the issuance of title status reports for Indian land.

Timetable:

Action	Date	FR Cite
Withdrawn No further action will be taken at this time.	04/00/88	

Small Entity: No

Agency Contact: Howard Piepenbrink, Acting Chief, Division of Real Estate Services, Department of the Interior, Bureau of Indian Affairs, Rm. 4520-Main Int., 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-5473**

RIN: 1076-AB68

1188. ROADS OF THE BUREAU OF INDIAN AFFAIRS

Significance: Agency Priority

Legal Authority: 25 USC 13; 25 USC 318(a); PL 97-424, Sec 105(a)(3); 23 USC 109(o); 23 USC 112(b); 23 USC 114(c); 23 USC 202(e); 23 USC 204; 23 USC 217

CFR Citation: 25 CFR 170

Legal Deadline: None.

Abstract: Indian reservation road construction is funded from the Highway Trust Fund. Other provisions include a requirement for proper maintenance of roads, applications of the "Buy Indian" and Indian Self Determination Acts, and joint program management by the Secretaries of Interior and Transportation. These changes in the law make changes in regulations imperative. The no-action alternative would leave program managers with outdated guidelines. Cost of the action will be minimal and it imposes no burden on the public. Benefits will be a better ordered road construction and maintenance program on Indian reservations, greater management efficiency, and clarity of procedures for federal managers, legislators and tribal officials. This part is also scheduled for review.

Timetable:

Action	Date	FR Cite
Withdrawn No further action will be taken at this time.	04/00/88	

Small Entity: No

Agency Contact: James T. Ball, Chief, Division of Transportation, Department of the Interior, Bureau of Indian Affairs, 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-4359**

RIN: 1076-AB05

1189. LEASING OF OSAGE RESERVATION LANDS FOR OIL AND GAS MINING

Legal Authority: Sec 3, 34 Stat. 543; Sec 1, 45 Stat. 1478; Sec 2, 45 Stat. 1478; Sec 1, 45 Stat. 1479; Sec 2, 45 Stat. 1479

CFR Citation: 25 CFR 226; 25 CFR 2

Legal Deadline: None.

Abstract: The regulations in this part provide procedures and processes for oil and gas mining leasing of Osage Reservation lands. Changes are being considered.

Timetable:

Action	Date	FR Cite
Withdrawn No further action will be taken at this time.	04/00/88	

Small Entity: Undetermined

Agency Contact: Joseph C. Johnston, Chief, Div. of Energy & Mineral Resources, Department of the Interior, Bureau of Indian Affairs, Rm. 4529-Main Int., 1951 Constitution Avenue, NW, Washington, DC 20245, **202 343-2790**

RIN: 1076-AB79

BILLING CODE 4310-02-T

DEPARTMENT OF THE INTERIOR (DOI) Prerule Stage

Minerals Management Service (MMS)

1190. ● AIR QUALITY -- OUTER CONTINENTAL SHELF WIDE

Significance: Regulatory Program

Legal Authority: 30 USC 1334

CFR Citation: 30 CFR 250.57

Legal Deadline: None.

Abstract: Amendments to the Department of the Interior (DOI) Air Quality regulation for oil and gas operations will be proposed for all Outer Continental Shelf (OCS) areas. The changes would update requirements and consider the need for current information collection burdens, and provide additional safeguards for those pollutants which could be critical to air quality in areas adjoining the OCS. A determination of potential costs and benefits cannot be made until the determination of effects of rulemaking has been prepared for RIN 1010-AA61, dealing with amendments to the DOI Air Quality regulation for oil and gas operations adjacent to the State of California. Considerable information has been developed during the negotiations conducted to implement that rulemaking. There have also been revisions to the related Environmental Protection Agency regulations which will affect both of these rulemakings. Timing, content, and format for this rulemaking for all OCS areas will not be determined until completion of the rulemaking RIN 1010-AA61.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: William S. Cook, Petroleum Engineer, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, **703 648-7818**

RIN: 1010-AB14

DEPARTMENT OF THE INTERIOR (DOI)
Minerals Management Service (MMS)

Proposed Rule Stage

1191. ● PROCESSING AND TRANSPORTATION ALLOWANCES, RETURN ON CAPITAL INVESTMENT

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206

Legal Deadline: None.

Abstract: The Minerals Management Service (MMS) published new oil and gas product valuation regulations in the Federal Register on January 15, 1988 (53 FR 1184 and 53 FR 1230). If a lessee has a non-arm's-length contract or has no contract for processing or transportation of oil or gas, the new regulations provide for an allowable deduction from royalty payments based upon the lessee's reasonable actual costs during the reporting period. These actual cost deductions allow the lessee to deduct operating and maintenance expenses, overhead, and at the lessee's option, either depreciation plus a return on undepreciated capital investment in the processing plant or transportation system, or a fixed cost equal to the initial depreciable investment multiplied by a rate of return. An amendment is needed to the regulations to establish the method to be used to determine the cost of capital, i.e., rate of return, to be applied to the lessee's investment in a processing plant or transportation system.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: No

Agency Contact: Dennis C. Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg. 85, Denver, CO 80225, **303 231-3432**

RIN: 1010-AB12

1192. RECOUPMENTS AND REFUNDS OF EXCESS PAYMENTS UNDER FEDERAL OFFSHORE MINERAL LEASES

Significance: Regulatory Program

Legal Authority: 43 USC 1339

CFR Citation: 30 CFR 230

Legal Deadline: None.

Abstract: This rulemaking is needed to add new regulations covering recoupment and refunds of excess payments made under Federal offshore mineral leases which are subject to section 10 of the Outer Continental Shelf Lands Act of 1953 (OCSLA), 43 USC 1339. This rule would establish requirements and guidelines for crediting (recouping) excess payments of royalties, rentals, bonuses, or other amounts against a current or future payment obligation or refunding such excess payment to any person lawfully entitled to receive a refund or credit for an overpayment made under an offshore lease. The new regulation is intended to lessen confusion on the part of payors, operators, and the Minerals Management Service.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	09/00/88	

Small Entity: Undetermined

Agency Contact: Dennis C. Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg. 85, Denver, CO 80225, **303 231-3432**

RIN: 1010-AB11

1193. ● REVISION OF REGULATIONS GOVERNING APPEALS

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 243

Legal Deadline: None.

Abstract: Payors who appeal a bill for payment of additional royalty, rents, bonuses, penalties, or other assessments, are required by the existing appeal regulations to submit payment of the billed amount or to post a bond in an amount adequate to indemnify the lessor from loss or damage. However, some bills for payment that have been appealed have been neither paid nor secured by an acceptable surety. An amendment to the existing regulations is needed to establish a requirement that payment must be made or that an acceptable surety must by posted within a specified period of time as a condition for acceptance of the appeal for consideration by the Director, Minerals Management Service (MMS). An amendment is also needed to permit the posting of letters of credit, in addition to bonds, in accordance with current MMS practice.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	07/00/88	

Small Entity: No

Agency Contact: Dennis C. Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg. 85, Denver, CO 80225, **303 231-3432**

RIN: 1010-AB13

1194. AIR QUALITY - OFFSHORE CALIFORNIA

Significance: Regulatory Program

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250.57

Legal Deadline: None.

Abstract: Amendments to the DOI Air Quality regulation for oil and gas operations will be proposed for Outer Continental Shelf areas adjacent to California. The changes would provide additional safeguards for those pollutants which could be critical to air quality in the region. A determination of potential costs and benefits cannot be made until responses to the Advance Notice of Proposed Rulemaking are analyzed. The DOI has conducted a conflict assessment to determine the likelihood of the interested and affected parties being able to reach an agreement on an air quality regulatory program. If the affected parties involved can develop a mutually agreeable set of requirements, then DOI will initiate rulemaking based on that agreement.

Timetable:

Action	Date	FR Cite
ANPRM	01/07/85	50 FR 838
ANPRM Comment Period End	03/08/85	
Begin conflict assessment phase of negotiated rulemaking process	04/15/86	
Determine potential for negotiated agreement	07/30/86	

Action	Date	FR Cite
Reach agreement on a negotiated rule or begin Jevelpmnt of rule through std process	12/31/87	
Complete Determination of Effects of Rules	02/00/88	
NPRM	03/00/88	
NPRM Comment Period End	06/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: William S. Cook, Petroleum Engineer, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, **703 648-7818**

RIN: 1010-AA61

1195. LEASING OF MINERALS OTHER THAN OIL, GAS, AND SULPHUR IN THE OUTER CONTINENTAL SHELF

Significance: Regulatory Program

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 281

Legal Deadline: None.

Abstract: Proposes the desirability of new regulations to govern lease issuance on the Outer Continental Shelf (OCS) for minerals other than oil, gas, and sulphur under the authority of the OCS Lands Act; and requests comments and recommendations from interested parties. Alternative is to not have leasing requirements in regulations. Promulgation of regulation for leasing of hard mineral resources is not expected to add to the cost to industry. Regulations will ensure uniform leasing policy for all interested parties.

Timetable:

Action	Date	FR Cite
ANPRM	04/19/85	50 FR 15590
ANPRM Comment Period End	08/19/85	
NPRM	10/00/88	

Small Entity: No

Agency Contact: Jane Roberts, Legislative Specialist, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, **703 648-7820**

RIN: 1010-AA82

1196. MINING OPERATIONS FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR IN THE OUTER CONTINENTAL SHELF

Significance: Regulatory Program

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 282

Legal Deadline: None.

Abstract: Proposes the desirability of new regulations to govern Production and Development Operations on the Outer Continental Shelf (OCS) for minerals other than oil, gas, and sulphur under the authority of the OCS Lands Act; and requests comments and recommendations from interested parties. Alternative is to specify requirements in a lease document. Promulgation of regulation is not expected to result in costs significantly more than those incurred through the unregulated use of good commercial practices. The regulation will require that hard mineral operations are conducted in a manner that will ensure safety and protection of the environment.

Timetable:

Action	Date	FR Cite
ANPRM	04/09/86	51 FR 12163
ANPRM Comment Period End	08/07/86	
NPRM	10/00/88	

Small Entity: Undetermined

Agency Contact: Jane Roberts, Legislative Specialist, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, **703 648-7820**

RIN: 1010-AA81

DEPARTMENT OF THE INTERIOR (DOI)

Minerals Management Service (MMS)

1197. VALUATION OF COAL FOR ROYALTY PURPOSES FROM FEDERAL AND INDIAN LEASES

Significance: Regulatory Program

Legal Authority: 30 USC 192 et seq

CFR Citation: 30 CFR 206

Legal Deadline: None.

Abstract: This regulation will provide consistent valuation procedures for coal for the purpose of royalty computations. It is being prepared in response to a Linowes Commission recommendation for a detailed definitive product valuation regulation which contains clear terms and procedures.

Timetable:

Action	Date	FR Cite
ANPRM	02/05/86	51 FR 4507
ANPRM Comment Period End	04/07/86	
NPRM	01/15/87	52 FR 1840
NPRM Comment Period End	04/15/87	
Reopen Public Comment Period	07/09/87	52 FR 25887
Reopened Public Comment Period End	07/23/87	
Reopen Public Comment Period	08/12/87	52 FR 29868
Reopened Public Comment Period End	10/13/87	
Notice of Intent to issue NPRM	11/17/87	52 FR 43919
Final Action	09/00/88	

Small Entity: No

Agency Contact: Dennis Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg 85, Denver, CO 80225, **303 231-3432**

RIN: 1010-AA83

1198. ONSHORE PRODUCTION REPORTING AND ACCOUNTING

Significance: Regulatory Program

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 216; 43 CFR 3160

Legal Deadline: None.

Abstract: This rulemaking is needed to redesignate the Bureau of Land Management regulations at 43 CFR 3160 applicable to production reporting and accounting to Minerals Management Service regulations at 30 CFR 216 to reflect the transfer in functions. Also, a requirement will be added for unique information needed to report information by oil and gas well.

Timetable:

Action	Date	FR Cite
NPRM	01/15/88	53 FR 1039
NPRM Comment Period End	02/16/88	
Final Action	05/00/88	

Small Entity: No

Agency Contact: Dennis C. Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg. 85, Denver, CO 80225, **303 231-3432**

RIN: 1010–AB10

1199. OIL AND GAS AND SULPHUR OPERATIONS ON THE OUTER CONTINENTAL SHELF (OCS)

Significance: Regulatory Program

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 250, (Revision)

Legal Deadline: None.

Abstract: The rules at 30 CFR 250 will be revised by consolidating regulations, OCS Orders, Notices to Lessees, and related offshore operating requirements into a unified body of regulations; eliminating burdensome and counterproductive requirements; adding performance standards; and simplifying and streamlining these rules to the maximum extent practicable. Other alternatives considered were not revising the regulations and revising only those regulations identified by industry.

Timetable:

Action	Date	FR Cite
NPRM	03/18/86	51 FR 9316
NPRM Comment Period End	11/25/86	51 FR 40819
Complete Initial Review of public comments	09/16/87	
Further NPRM:30 CFR 250.1	09/22/87	52 FR 35559
Complete draft of Final Rule	12/04/87	
Final Action	04/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Additional Information: Merged in whole or in part into one rulemaking: 1010-AA11, 30 CFR 250.70 and .80, Penalties; 1010-AA13, 30 CFR 250.3, Disclosure of Information; 1010-AA25, OCS Order No. 2, para. 8, Safety Requirements for Drilling Operations in an H2S Environment; 1010-AA26, OCS Order No. 6, Well Completion of Oil & Gas Wells; 1010-AA28, OCS Order No. 11, Oil & Gas Production Rates, Prevention Waste, & Protection of Correlative Rights; 1010-AA32, 30 CFR 250.45, Reports of Accidents & Malfunctions; 1010-AA34, 30 CFR 250.75, Self-Inspection; 1010-AA47, 30 CFR 250.80-2, Remedies & Penalties; 1010-AA48, 30 CFR 250, Environmental Reports; 1010-AA49, 30 CFR 250, Protection of Cultural Resources; 1010-AA50, 30 CFR 250.35, Effects of Drilling & Reworking on Lease Term; 1010-AA51, OCS Order No. 5, Production Safety Systems; 1010-AA52, OCS Order No. 9, Pipelines; 1010-AA98, 30 CFR 250.44, Borehole Abandonment.

Agency Contact: Gerald D. Rhodes, Chief, Rules, Orders, and Standards Branch, Department of the Interior, Minerals Management Service, Mail Stop 646, Reston, VA 22091, **703 648-7816**

RIN: 1010–AA53

1200. SUPPLEMENTAL SALES

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 256.12; 30 CFR 256.26

Legal Deadline: None.

Abstract: The rules at 30 CFR Part 256 will be revised to provide for supplemental sales and to establish limits on those supplemental sales. This rule is intended to allow the offering of rejected bid blocks, drainage blocks, and development blocks. The alternative is to operate under the current regulation and delay the leasing of certain blocks which may be critical to the development of an area or may be susceptible to loss of hydrocarbons.

Timetable:

Action	Date	FR Cite
NPRM	03/26/87	52 FR 9672
NPRM Comment Period End	04/27/87	
Comment Period Reopened	08/06/87	52 FR 29222
Final Action	04/00/88	
Final Action Effective	05/00/88	

Small Entity: No

Agency Contact: Mary McDonald, Program Analyst, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, **703 648-7817**

RIN: 1010–AB05

1201. NONDISCRIMINATION IN EMPLOYMENT IN THE OUTER CONTINENTAL SHELF

Legal Authority: 43 USC 1863; 43 USC 1331 et seq; 42 USC 2000d to 2000e

CFR Citation: 30 CFR 271

Legal Deadline: None.

Abstract: There are no provisions in current Minerals Management Service regulations which provide a mechanism for remedy of unlawful discrimination in Outer Continental Shelf (OCS) employment. Rules would be developed to provide a process whereby persons who believed they had been denied employment because of unlawful discrimination would have a forum. These rules would implement the purposes of section 604 of the OCS Lands Act Amendment of 1978. Alternatives considered are no action, issuance of a policy statement and no rules, and proposal of extensive affirmative action rules similar to those rescinded in the past. Very few complaints are expected to arise as there has been no evidence of discrimination to date. Therefore, costs are expected to be minimal. Benefits would be the assurance that the requirements of section 604 are being fully carried out.

DOI—MMS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	05/12/87	52 FR 17770
NPRM Comment Period End	06/11/87	
Final Action	04/00/88	
Final Action Effective	06/00/88	

Small Entity: No

Agency Contact: Mary McDonald, Program Analyst, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 648-7817

RIN: 1010-AA87

1202. PROSPECTING FOR MINERALS OTHER THAN OIL, GAS, AND SULPHUR IN THE OUTER CONTINENTAL SHELF

Significance: Regulatory Program

Legal Authority: 43 USC 1334

CFR Citation: 30 CFR 280

Legal Deadline: None.

Abstract: Proposes the desirability of new regulations to govern exploration on the Outer Continental Shelf (OCS) for minerals other than oil, gas, and sulphur under the authority of the OCS Lands Act; and requests comments and recommendations from interested parties. Alternative is to specify requirements in a permitting document rather than in regulations. Promulgation of regulations is not expected to result in costs significantly more than those incurred through the unregulated use of good commercial practices. The rules will require that hard mineral operations will be conducted in a manner which will ensure safety and protection of the environment.

Timetable:

Action	Date	FR Cite
ANPRM	12/07/84	49 FR 47871
ANPRM Comment Period End	04/08/85	
NPRM	03/26/87	52 FR 9758
NPRM Comment Period End	06/24/87	
Final Action	10/00/88	

Small Entity: No

Agency Contact: Jane Roberts, Legislative Specialist, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, 703 648-7820

RIN: 1010-AA71

DEPARTMENT OF THE INTERIOR (DOI)
Minerals Management Service (MMS)

Completed Actions

1203. VALUATION OF OIL FOR ROYALTY PURPOSES FROM FEDERAL AND INDIAN LEASES

Significance: Regulatory Program

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206; 25 CFR 211; 25 CFR 212

Legal Deadline: None.

Abstract: Consistent oil valuation for royalty computation purposes from Federal and Indian leases will be prepared in response to a Linowes Commission recommendation that the Minerals Management Service issue detailed, definitive product valuation guidelines.

Timetable:

Action	Date	FR Cite
Notice of Proposed Guidelines	11/29/82	47 FR 53822
Notice of Proposed Guidelines	12/21/82	47 FR 56871
ANPRM	02/05/86	51 FR 4507
ANPRM Comment Period End	04/07/86	
NPRM	01/15/87	52 FR 1858
NPRM Comment Period End	04/15/87	
Further Notice of Proposed Rulemaking	08/17/87	52 FR 30826
Comment Period extended	09/02/87	52 FR 33247
Second further NPRM	10/23/87	52 FR 39846
Final Action	01/15/88	53 FR 1184
Final Action Effective	03/01/88	

Small Entity: No

Agency Contact: Dennis Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg 85, Denver, CO 80225, 303 231-3432

RIN: 1010-AA30

1204. VALUATION OF GAS AND GAS PRODUCTS FOR ROYALTY PURPOSES, FROM FEDERAL AND INDIAN LEASES

Significance: Regulatory Program

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206

Legal Deadline: None.

Abstract: Consistent gas and gas products valuation regulations for Royalty computation purposes, from Federal and Indian leases will be prepared. These regulations are in response to a Linowes Commission recommendation that Minerals Management Service issue detailed, definitive product valuation regulations. These regulations will provide clear terms and procedures and will help clarify areas which are ambiguous.

Timetable:

Action	Date	FR Cite
Notice of Proposed Guidelines	11/29/82	47 FR 53822
Notice of Proposed Guidelines	12/21/82	47 FR 56871
ANPRM	02/05/86	51 FR 4507
ANPRM Comment Period End	04/07/86	
NPRM	02/13/87	52 FR 4732
NPRM	08/17/87	52 FR 30776
Comment Period extended	09/02/87	52 FR 33247
Second further NPRM	10/23/87	52 FR 39792
Final Action	01/15/88	53 FR 1230
Final Action Effective	03/01/88	

Small Entity: No

Agency Contact: Dennis Whitcomb, Chief, Rules and Procedures,

Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg 85, Denver, CO 80225, **303 231-3432**

RIN: 1010-AA54

1205. CHANGE EFFECTIVE DATE OF ADOPTED MODIFICATIONS TO NTL-5

Legal Authority: 30 USC 1701 et seq

CFR Citation: 30 CFR 206

Legal Deadline: None.

Abstract: The Minerals Management Service (MMS) published a Notice in the Federal Register on July 25, 1986 (51 FR 26759), to modify Notice to Lessees Number 5 (NTL-5) to provide more flexibility in valuing for royalty purposes, natural gas produced from onshore Federal and Indian leases. The modification was effective on August 1, 1986. However, MMS has received many complaints from industry that the prospective August 1, 1986, effective date of the modification, in some cases, leads to results which are unreasonable and contrary to applicable mineral leasing laws. Consequently, MMS proposes to make the effective date retroactive to a date to be established based on comments received.

Timetable:

Action	Date	FR Cite
NPRM	01/15/87	52 FR 1671
NPRM Comment Period End	02/17/87	
Reopen Public Comment Period	07/01/87	52 FR 24536
Extend Reopened Public Comment Period	07/15/87	52 FR 26575
Reopened Public Comment Period End	07/15/87	
Reopened Public Comment Period End	07/31/87	
Withdrawn	03/01/88	53 FR 1230

Small Entity: No

Agency Contact: Dennis Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg 85, Denver, CO 80225, **303 231-3432**

RIN: 1010-AB09

1206. ROYALTY-IN-KIND CRUDE OIL

Significance: Regulatory Program

Legal Authority: 30 USC 181 et seq; 43 USC 1331 et seq; 30 USC 1701 et seq

CFR Citation: 30 CFR 208; 30 CFR 209

Legal Deadline: None.

Abstract: The Royalty-In-Kind provisions of these rules, some of which were transferred from the Department of Energy, will be revised in order to simplify and streamline the Federal Government's process for selling its royalty crude oil. The contents of existing 30 CFR 208 and 30 CFR 209 will be combined at new 30 CFR 208. 30 CFR 209 will be removed. The revised rule would establish uniformity within the regulatory text, provide industry with a more efficient and responsive Royalty-in-Kind Program and improve the Federal Government's administration of this program.

Timetable:

Action	Date	FR Cite
ANPRM	10/10/82	47 FR 50924
ANPRM Comment Period End	01/10/83	
NPRM	01/20/87	52 FR 2202
Final Action	10/30/87	52 FR 41908
Final Action Effective	12/01/87	

Small Entity: No

Agency Contact: Dennis C. Whitcomb, Chief, Rules and Procedures, Department of the Interior, Minerals Management Service, Denver Federal Center, MS 662, Bldg. 85, Denver, CO 80225, **303 231-3432**

RIN: 1010-AA31

1207. EXTENSION OF PROTECTION OF PROPRIETARY DATA AND INFORMATION UNTIL A SUBSEQUENT LEASE SALE IN AN AREA

Legal Authority: 43 USC 1331 et seq

CFR Citation: 30 CFR 251.14

Legal Deadline: None.

Abstract: In some instances, current regulations result in release of proprietary data and information before the company which collected the data and information is able to use it during a lease sale in the area to which the data and information pertain. The proposed rule will revise the regulations to ensure that parties generating proprietary data and information are able to use the data and information in at least one lease sale.

Timetable:

Action	Date	FR Cite
NPRM	09/29/87	52 FR 36435
NPRM Comment Period End	10/29/87	
Final Action	02/16/88	53 FR 4390

Small Entity: No

Additional Information: RIN's 1010-AA93 and 1010-97 have been combined into 1010-AA93.

Agency Contact: John Mirabella, Senior Regulatory Policy Analyst, Department of the Interior, Minerals Management Service, Mail Stop 646, 12203 Sunrise Valley Drive, Reston, VA 22091, **703 648-7815**

RIN: 1010-AA93

BILLING CODE 4310-MR-T

DEPARTMENT OF THE INTERIOR (DOI)

Office of Surface Mining Reclamation and Enforcement (OSMRE)

Proposed Rule Stage

1208. SURFACE COAL MINING AND RECLAMATION OPERATIONS; TWO ACRE EXEMPTION REPEAL

Legal Authority: 30 USC 1201 et seq; PL 100-34

CFR Citation: 30 CFR 700.11

Legal Deadline: None.

Abstract: Section 528(2) of the Surface Mining Control and Reclamation Act of 1977, exempted from the requirements of the Act "the extraction of coal for commercial purposes where the surface mining operation affects two acres or less." On May 7, 1987, the President signed Pub. L. 100-34 which repealed the exemption. The rule action would remove the exemption provision from the regulations at 30 CFR 700.

Timetable:

Action	Date	FR Cite
Notice of Suspension: Two-Acre Exemption Repeal	06/04/87	52 FR 21228
NPRM	08/00/88	

Small Entity: Undetermined

Agency Contact: Arthur Abbs, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-5351

RIN: 1029-AB16

1209. SURFACE COAL MINING OPERATIONS; DEFINITION OF IN CONNECTION WITH

Significance: Agency Priority

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 700.5

Legal Deadline: None.

Abstract: The rule will codify the definition of the phrase "in connection with" as used in the definition of surface coal mining operations at 30 CFR 700.5. The definition of "in connection with" will clarify which activities are associated with surface coal mining operations and therefore subject to the requirements of the Surface Mining Control and Reclamation Act.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Raymond E. Aufmuth, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-1514

RIN: 1029-AB08

1210. PERMANENT REGULATORY PROGRAM REQUIREMENTS FOR PERMITS FOR SPECIAL CATEGORIES OF MINING

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 701.5; 30 CFR 785.19(d)

Legal Deadline: None.

Abstract: This proposed rule would respond to a ruling by the District Court for the District of Columbia which stated that the definition of farming and agricultural activities were not equal as it related to Alluvial Valley Floors as defined in OSM's regulations. The Court ordered that the definition be repromulgated in a manner consistent with Congressional intent. Pursuant to the Court ruling, additional guidance would be provided as to what the "essential hydrologic functions" are of AVFs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	06/00/88	

Small Entity: No

Agency Contact: Doug Growitz, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-1507

RIN: 1029-AA54

1211. PERMANENT REGULATORY PROGRAM DEFINITION OF SUPPORT FACILITIES

Significance: Agency Priority

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 701.5

Legal Deadline: None.

Abstract: The Office of Surface Mining Reclamation and Enforcement (OSMRE) proposes to remove the definition of "support facilities" from its regulations. In reviewing the decisions of regulatory authorities during the time periods when no definition was in effect (prior to the 1983 introduction of a definition and since the 1985 suspension of the definition), OSMRE found that the identification of facilities that support surface coal mining operations has been conducted in a manner consistent with the intent of the Surface Mining Control and Reclamation Act (SMCRA). Therefore, OSMRE has determined that a definition of "support facilities" is not needed in order to ensure that such facilities are regulated under SMCRA. This proposed rule would impose only minor costs to the coal industry since relatively few operations will be affected.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Stephan Sheffield, Physical Scientist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-1514

RIN: 1029-AA94

1212. ● INTERIM PROGRAM REVISIONS

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 710; 30 CFR 715; 30 CFR 716; 30 CFR 717; 30 CFR 718; 30 CFR 720; 30 CFR 721; 30 CFR 722

Legal Deadline: None.

Abstract: The rule would amend those portions of the OSMRE interim regulatory program regulations which are different from the permanent regulatory program. OSMRE is undertaking this action to provide equity and regulatory consistency between the programs.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Dermot Winters, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-5241

RIN: 1029-AB24

1213. REQUIREMENTS FOR COAL EXPLORATION--PERMIT REQUIREMENTS FOR EXPLORATION REMOVING MORE THAN 250 TONS OF COAL

Significance: Agency Priority

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 772.11; 30 CFR 772.12

Legal Deadline: None.

Abstract: The proposed rule would comply with a court order of the District Court for the District of Columbia which remanded OSM

reporting requirements for surface coal exploration. The proposed rule would revise existing requirements to include the filing of a notice by all individuals or operators planning coal exploration, and specify the information required on applications for coal exploration. The obligation to report is a standing requirement of existing regulations. This rule would expand the requirement to report. Because affected States already have the expanded requirement in place, no additional costs or benefits are expected to be associated with the rule.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Fred Block, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-4553**

RIN: 1029-AA92

1214. FEDERAL REGULATORY PROGRAMS; PERMIT APPLICATION FEES

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 736; 30 CFR 740; 30 CFR 746; 30 CFR 750; 30 CFR 772

Legal Deadline: None.

Abstract: The proposed rule would govern the collection by OSMRE of application fees for permits to conduct surface coal mining and reclamation operations, and for permits to conduct coal exploration, as well as fees for processing mining plans and for midterm review of surface coal mining and reclamation permits. Recipients of these services would be required to reimburse OSMRE for costs incurred in providing the services.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: Arthur Abbs, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-5351**

RIN: 1029-AB15

1215. FEDERAL LANDS PROGRAM

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq; 30 USC 181 et seq

CFR Citation: 30 CFR 740; 30 CFR 745; 30 CFR 746

Legal Deadline: None.

Abstract: Various language changes will be proposed in 30 CFR 740, 745, and 746 in response to a ruling by the District Court for the District of Columbia with respect to the definition of "mining plans," the applicability of the Federal lands program, and for technical accuracy and to clarify ambiguous language that has surfaced since publication of the rules in February 1983.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	
Final Action	01/00/89	

Small Entity: Undetermined

Agency Contact: Leonard Richeson, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-5150**

RIN: 1029-AA76

1216. DEFINITION AND CRITERIA FOR VALID EXISTING RIGHTS

Significance: Regulatory Program

Legal Authority: 30 USC 1254; 30 USC 1272

CFR Citation: 30 CFR 761.5; 30 CFR 761.11(h)

Legal Deadline: None.

Abstract: OSM is repromulgating certain portions of its regulations which define "valid existing rights" and prohibit surface coal mining on lands within units of the National Park System, National Wildlife Refuge System and certain other areas designated by Congress. OSM is repromulgating these regulations as a result of a District Court Decision in Round III of the present litigation on OSM's permanent program regulations.

Timetable:

Action	Date	FR Cite
Notice of EIS and RIA Scoping Meeting, Request for Comments	01/22/87	52 FR 2421
Scoping Hearings for NEPA and RIA	02/06/87	
NPRM	04/00/88	
Hearing on Draft EIS	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	11/00/88	

Small Entity: Yes

Agency Contact: Annetta Cheek, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-7951**

RIN: 1029-AA77

1217. LANDS UNSUITABLE REGULATIONS

Significance: Agency Priority

Legal Authority: 30 USC 1254; 30 USC 1272

CFR Citation: 30 CFR 761.5; 30 CFR 761.11(a); 30 CFR 761.11(c); 30 CFR 769.14(a)(3); 30 CFR 769.14(b)(2)

Legal Deadline: None.

Abstract: OSMRE is repromulgating certain portions of its regulations under Subchapter F which contain criteria for and describe the petition process for designating lands unsuitable for surface coal mining operations. OSM is repromulgating these regulations as a result of a District Court decision in Round III of the present litigation on OSMRE's permanent program regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Jerry Schwartz, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-5144**

RIN: 1029-AA90

DOI—OSMRE

Proposed Rule Stage

1218. PERMANENT REGULATORY PROGRAM DEFINITIONS; AREAS UNSUITABLE FOR MINING

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 784

Legal Deadline: None.

Abstract: The proposed rule would clarify the applicability of the prohibitions in section 522(e) of the Surface Mining Control and Reclamation Act to the surface impacts of underground mining. The issue of the relationship between section 522(e) and mining related subsidence will be addressed in the proposed rulemaking. The rulemaking will seek to clarify whether OSM's rules have the effect of prohibiting underground mining operations related to the features and facilities within the distance limitations enumerated in section 522(e) of the Act. The proposed rulemaking will address the issue of what is a "Surface Impact" incident to an underground mine.

Timetable:

Action	Date	FR Cite
ANPRM	04/03/85	50 FR 13250
ANPRM Comment Period End	08/27/85	50 FR 13250
Notice of EIS and RIA Scoping Meeting and Request for Comments	01/22/87	52 FR 2421
EIS and RIA Scoping Meeting	02/06/87	
NPRM	04/00/88	
Hearing on Draft EIS	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	11/00/88	

Small Entity: Yes

Additional Information: The Office of Surface Mining has determined that the proposed rulemaking constitutes a major Federal action requiring an EIS to meet the requirements of the National Environmental Policy Act. OSM has also made the determination that the proposed rule may be significant within the meaning of E.O. 12291. Precise cost/price impacts cannot be determined prior to further development of the regulation, but such costs are anticipated to be significant in terms of E O. 12291 and the Regulatory Flexibility Act. Therefore, a Preliminary Regulatory Impact Analysis and Small Entity Flexibility Analysis are being prepared.

Agency Contact: Dermot Winters, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-1928**

RIN: 1029-AA80

1219. ● REPROCESSING COAL WASTE

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 786, (New); 30 CFR 829, (New)

Legal Deadline: None.

Abstract: The rule would revise existing permitting and performance standards to take into consideration the unique circumstances and requirements for reprocessing coal waste. The rule would identify the minimum requirements for this type of activity. The action is being undertaken in response to findings and planned actions identified during OSMRE's study of remining initiatives.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Ray Aufmuth, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 342-1514**

RIN: 1029-AB23

1220. PERMANENT PROGRAM PERFORMANCE STANDARDS; DISPOSAL OF COAL MINE WASTE

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816; 30 CFR 817

Legal Deadline: None.

Abstract: The rule will reexamine performance standards and design criteria for coal waste disposal. The action is in response to a District Court for the District of Columbia remand order which cited procedural defects in an earlier rulemaking (47 FR 44006, September 26, 1983), involving inadequate notice and comment and an inadequate administrative record.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Agency Contact: Dr. C. Y. Chen, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-1501**

RIN: 1029-AB09

1221. PERMANENT PROGRAM PERFORMANCE STANDARDS; SURFACE MINING ACTIVITIES; CONTEMPORANEOUS RECLAMATION

Significance: Agency Priority

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816.100; 30 CFR 816.101

Legal Deadline: None.

Abstract: The rule is being proposed in response to a remand by the Court to provide additional guidance to the regulatory authorities. The proposed rule should ensure that all reclamation efforts proceed as contemporaneously as practicable with surface coal mining operations in accordance with Section 515(b)(16) of the Surface Mining Control and Reclamation Act of 1977.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: Undetermined

Agency Contact: Robert Wiles, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-1502**

RIN: 1029-AB02

1222. PERMANENT PROGRAM PERFORMANCE STANDARDS SURFACE AND UNDERGROUND MINING ACTIVITIES BACKFILLING AND GRADING

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816.102(g)(2); 30 CFR 816.104; 30 CFR 816.105

Legal Deadline: None.

Abstract: The regulation will address the sections that were remanded back

to OSM by the action of the Court. The regulation will provide additional guidance to the surface coal mine operator in fulfilling the performance standards of the Act. Costs will not be increased because the regulations will amplify existing requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	
NPRM Comment Period End	10/00/88	
Final Action	03/00/89	

Small Entity: Undetermined

Agency Contact: Robert Wiles, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, 202 343-1502

RIN: 1029-AA57

1223. DISPOSAL OF EXCESS SPOIL ON PREEXISTING BENCHES

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816.74; 30 CFR 817.74

Legal Deadline: None.

Abstract: The regulations at 30 CFR 816.74/817.74 allow, with the approval of the regulatory authority, the disposal of excess spoil through placement on preexisting benches provided that the standards set forth in sections 816.71/817.71 are met. These standards contain the general requirements for the disposal of excess spoil. Based on the draft study entitled "Encouraging Abandoned Mine Land Reclamation via Remining: A Federal, State and Industry Initiative" and comments received, OSMRE has reviewed these regulations. Based on this review, OSMRE has concluded that excess spoil, when placed on the benches is similar to backfilling and grading of a highwall and bench and therefore could be regulated under the backfilling and grading regulations in section 816.102/817.102, in lieu of the "excess spoil" standards while maintaining the same environmental and safety standards. The proposed rule would apply the backfilling and grading requirements to disposal of excess spoil on preexisting benches.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: Raymond Aufmuth, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-1514

RIN: 1029-AB18

1224. ● ASSESSMENT CONFERENCE SCHEDULING

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 843; 30 CFR 845

Legal Deadline: None.

Abstract: The rule would eliminate some procedural inconsistencies remaining from previous 30 CFR 843 and 845 rulemakings. In particular, the rules would allow for a more efficient and practical time frame for scheduling assessment conferences. OSMRE is undertaking this action in response to suggestions from the Interior Department's Offices of the Solicitor and from OSMRE personnel involved in administering the existing 30 CFR Part 843 and 845 requirements.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Agency Contact: Dermot Winters, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-1928

RIN: 1029-AB22

1225. ● IMPROVIDENTLY ISSUED PERMITS

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 845

Legal Deadline: None.

Abstract: This rule will clarify that OSMRE will not require the assessment of civil penalties for notices of violation or cessation orders issued to a permittee who has secured an improvidently issued permit from a State regulatory authority. OSMRE distinguishes this type of violation from an environmental violation, which would be treated differently. However, present rules do not address this type of violation, necessitating this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Agency Contact: Sandi Olsen, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-1134

RIN: 1029-AB20

1226. ● DELINQUENT ABANDONED MINE LAND RECLAMATION FEES

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 845

Legal Deadline: None.

Abstract: The rule will clarify that when OSMRE issues a notice of violation or cessation order for delinquent AML fees, that determination of civil penalties is not to be treated as an environmental violation, but must follow a discrete procedure. Present rules do not address this circumstance, necessitating this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Agency Contact: Daniel Lytton, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 653-2871

RIN: 1029-AB21

1227. ABANDONED MINE LAND RECLAMATION; STATE RECLAMATION GRANTS

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 886

Legal Deadline: None.

Abstract: Cases have been identified where coal mine operators have also contracted with a State to conduct reclamation of abandoned mine land. This reclamation is conducted under

the Abandoned Mine Land (AML) Reclamation Program and is funded by fees paid by coal operators on productions. Under the proposed rule, a reclamation contract could not be let to an operator with certain outstanding violations of the Surface Mining Control and Reclamation Act. The violations would include outstanding cessation orders and unpaid civil penalties and abandoned mine reclamation fees. The rule action is being initiated to prevent operators in violation of SMCRA from benefiting from the Act by receiving contracts funded under the AML program.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Danny Lytton, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-2866**

RIN: 1029-AB13

1228. TENNESSEE PROGRAM AMENDMENT; SIGNIFICANT PERMIT REVISIONS

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 942.774

Legal Deadline: None.

Abstract: The rule applies to the Federal program for Tennessee and would establish guidelines for determining whether a proposed revision to an existing coal mining permit is significant. Significant permit revisions are subject to public comment and hearing requirements. The rule would assist OSMRE in making consistent determinations concerning the significance of permit revisions in Tennessee. The rule is being proposed in response to a decision on a petition for rulemaking, submitted to the Director, OSMRE.

Timetable:

Action	Date	FR Cite
Notice of Decision on Petition for Rulemaking	03/05/87	52 FR 6827
NPRM	06/00/88	

Small Entity: No

Agency Contact: James Tate, Jr., Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave, NW, Washington, DC 20240, **202 343-4560**

RIN: 1029-AB17

DEPARTMENT OF THE INTERIOR (DOI)

Office of Surface Mining Reclamation and Enforcement (OSMRE)

Final Rule Stage

1229. TERMINATION OF JURISDICTION UNDER SMCRA

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 700.11

Legal Deadline: None.

Abstract: The Surface Mining Control and Reclamation Act (the Act) doesn't specifically define the point at which regulatory jurisdiction ends. Therefore, a regulation is needed to define that point. The regulation in question is specific to the responsibilities of the Department of the Interior, OSMRE, and implement the Act. No other Federal agency is authorized to undertake this action on behalf of the Department. OSMRE has never addressed this issue in a rulemaking. The regulatory authority will issue a written determination ending regulatory jurisdiction under the Act when the following conditions apply. For permanent program operations, it proposed to terminate regulatory jurisdiction under the Act at the time of final bond release or when all regulatory program requirements have been met. For initial program operations, regulatory jurisdiction will end when all requirements of the regulatory program have been met.

Timetable:

Action	Date	FR Cite
NPRM	06/26/87	52 FR 24092
NPRM Comment Period End	09/04/87	52 FR 24092
Final Action	04/00/88	

Small Entity: No

Agency Contact: Daniel Stocker, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-1314**

RIN: 1029-AB07

1230. PERMANENT PROGRAM PERFORMANCE STANDARDS SURFACE AND UNDERGROUND ACTIVITIES ROADS

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 701.5; 30 CFR 816.150; 30 CFR 816.151; 30 CFR 817.150; 30 CFR 817.151

Legal Deadline: None.

Abstract: The regulation will address the sections that were remanded back to OSM by the action of the Court and modify some provisions that are confusing in the existing file. The changes will provide additional guidance to the surface coal mine operator in fulfilling the performance standards of the Act. Costs will not be increased because the regulations will amplify existing requirements.

Timetable:

Action	Date	FR Cite
NPRM	11/03/87	52 FR 42259
NPRM Comment Period End	01/12/88	52 FR 42259
Final Action	06/00/88	

Small Entity: No

Agency Contact: Robert Wiles, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-1502**

RIN: 1029-AA60

1231. EXEMPTION FOR COAL EXTRACTION INCIDENTAL TO THE EXTRACTION OF OTHER MINERALS

Legal Authority: 30 USC 1201

CFR Citation: 30 CFR 702

Legal Deadline: None.

Abstract: The Surface Mining Act exempts mining operations that extract

other minerals where coal does not exceed 16 2/3 percent of tonnage of minerals removed for sale. Evidence of abuse of this exemption has been identified. Proposed regulations would establish procedures to administer the exemption. The costs of compliance for these operations are undetermined. Benefits would be to the public in terms of protection of health, safety, and environment from detrimental effects of mining. Legitimate noncoal operators would be able to compete fairly with those operations now using the exemption to undersell their legitimate competitors.

Timetable:

Action	Date	FR Cite
NPRM	06/01/87	52 FR 20546
NPRM Comment Period End	08/10/87	52 FR 20546
Final Action	06/00/88	

Small Entity: No

Agency Contact: James Fary, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-5384**

RIN: 1029-AA53

1232. SURFACE COAL MINING AND RECLAMATION OPERATIONS ON INDIAN LANDS

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 750

Legal Deadline: None.

Abstract: The proposed rule would implement Court approved settlements involving OSMRE, the State of New Mexico, and the National Coal Association/American Mining Congress Joint Committee in regard to final Indian lands regulations. The rule would delete the reference to the American Indian Religious Freedom Act and revise the requirements addressing inclusion of surface coal mining and reclamation provisions in Indian leases.

Timetable:

Action	Date	FR Cite
NPRM	02/10/88	53 FR 3992
Final Action	09/00/88	

Small Entity: No

Agency Contact: Suzanne Hudak, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-4540**

RIN: 1029-AB04

1233. SUBSTANTIAL LEGAL AND FINANCIAL COMMITMENT

Significance: Agency Priority

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 762.5

Legal Deadline: None.

Abstract: The proposed rule would amend the definition of the phrase "substantial legal and financial commitments" as required by a District Court decision in Round III of the present litigation on OSMRE's permanent program regulations. The definition will clarify what is needed for a determination of a "substantial legal and financial commitment" in a surface coal mining operation. Such a determination would exempt land from a designation as unsuitable for surface coal mining operations.

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	52 FR 39186
NPRM Comment Period End	12/29/87	52 FR 39186
Final Action	06/00/88	

Small Entity: No

Agency Contact: James M. Kress, Federal Land Specialist, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-5145**

RIN: 1029-AB01

1234. SURFACE COAL MINING AND RECLAMATION OPERATIONS PERMANENT REGULATORY PROGRAM-OWNERSHIP AND CONTROL

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 773

Legal Deadline: None.

Abstract: The proposed rule would require the regulatory authority to make findings prior to permit issuance that the applicant and persons or business entities closely connected to the applicant do not have any outstanding unabated violations, delinquent AML reclamation fee accounts, or unpaid final civil penalties.

Timetable:

Action	Date	FR Cite
NPRM	04/05/85	50 FR 13724
NPRM Comment Period End	11/04/87	52 FR 37164
Final Action	04/00/88	

Small Entity: No

Agency Contact: Andrew F. DeVito, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-5241**

RIN: 1029-AA56

1235. REQUIREMENTS FOR PERMITS AND PERMIT PROCESSING PERMIT APPLICATIONS MINIMUM REQUIREMENTS FOR LEGAL FINANCIAL CIVIL PENALTIES

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 773, (Revision); 30 CFR 843

Legal Deadline: None.

Abstract: The existing rules pertaining to the requirements for permit and permit processing, permit applications and civil penalties are to be amended. The proposed revisions expressly establish an affirmative obligation on permittees and permit applicants to pay uncontested penalties and abate uncontested violations. Permittees and applicants for permits must meet these obligations prior to the issuance of a permit and as a condition of continued operation under existing permits.

Timetable:

Action	Date	FR Cite
NPRM	07/16/86	51 FR 25822
NPRM Comment Period End	10/24/86	51 FR 33905
Final Action	04/00/88	

Small Entity: No

Government Levels Affected: State, Federal

Agency Contact: Andrew DeVito, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-5241**

RIN: 1029-AA66

DOI—OSMRE

Final Rule Stage

1236. PERMIT PROCESSING

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 773.11

Legal Deadline: None.

Abstract: The proposed rule would require operators of surface coal mining operations who operated during the initial regulatory program without a permit to cease mining until they secure a permanent program permit. Only operators who held initial program permits may continue to operate after the Secretary has approved a State regulatory program, if they have submitted an application for a permanent program permit. The proposed rule responds to a remand of previously proposed regulation, in which the U.S. District Court concluded that the rule was inconsistent with the statute.

Timetable:

Action	Date	FR Cite
NPRM	11/09/87	52 FR 43174
NPRM Comment Period End	01/19/88	52 FR 43174
Final Action	07/00/88	

Small Entity: No

Agency Contact: Patrick Boyd, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-4561**

RIN: 1029-AB14

1237. PERMANENT REGULATORY PROGRAM - OWNERSHIP INFORMATION

Significance: Agency Priority

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 778

Legal Deadline: None.

Abstract: The Office of Surface Mining Reclamation and Enforcement is proposing to revise 30 CFR 778 which specifies what information must be furnished in a surface coal mining permit application. The permit application requirements are being revised in order to conform them to proposed revisions in 30 CFR 773 which govern the issuance of surface coal mining permits. The proposed revisions to 30 CFR 778 will require the submission of more detailed information on the ownership and control of permit applicants. It is not anticipated that the revision will impose a substantial financial burden on those applying for permits.

Timetable:

Action	Date	FR Cite
NPRM	05/28/87	52 FR 20032
NPRM Comment Period End	08/06/87	52 FR 20032
Final Action	06/00/88	

Small Entity: No

Agency Contact: Andrew DeVito, Senior Regulatory Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-5241**

RIN: 1029-AA96

1238. PERMANENT REGULATORY PROGRAM; REQUIREMENTS FOR PERMITS, INFORMATION ON HYDROLOGIC IMPACTS

Significance: Agency Priority

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 780.21(f); 30 CFR 784.14(e)

Legal Deadline: None.

Abstract: The rule sets a life of permit as the parameter for the determination of the probable hydrologic consequences (PHC) of the proposed operation upon the quality and quantity of surface and groundwater under seasonal flow conditions for the proposed permit and adjacent areas. The rule re-promulgates the suspended 1983 rules with an expanded preamble and record to support the rule language. This was requested by the Court as a result of litigation. The rule will result in lower costs to industry and a reduction in their information collection requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/28/87	52 FR 32764
NPRM Comment Period End	11/06/87	52 FR 32764
Final Action	05/00/88	

Small Entity: No

Agency Contact: Doug Growitz, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-1507**

RIN: 1029-AB11

1239. PERMANENT PROGRAM PERFORMANCE STANDARDS; HIGHWALL POLICY

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816.102

Legal Deadline: None.

Abstract: The proposed regulation is in accordance with a Court approved settlement agreement and would provide a method of calculating civil penalties when compliance with Section 30 CFR 816.102(a) cannot be accomplished using Best Technology Currently Available or where compliance would result in significant harm to the environment and the operation does not qualify for an exemption to total highwall elimination in accordance with 30 CFR 816.102(k). The regulation will require an undetermined information collection requirement on the regulatory authority, the cost of which has not been calculated.

Timetable:

Action	Date	FR Cite
NPRM	10/29/87	52 FR 41666
NPRM Comment Period End	01/07/88	52 FR 41666
Final Action	06/00/88	

Small Entity: No

Agency Contact: Ralph McDonald, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-1514**

RIN: 1029-AB10

1240. PERMANENT PROGRAM PERFORMANCE STANDARDS - SURFACE MINING ACTIVITIES, UNDERGROUND MINING ACTIVITIES -- REVEGETATION

Significance: Agency Priority

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816.116(b)(3)(ii); 30 CFR 816.116(c)(4); 30 CFR 817.116(b)(3)(ii); 30 CFR 817.116(c)(4); 30 CFR 816.116(c)(2); 30 CFR 817.116(c)(2)

Legal Deadline: None.

Abstract: This rule is being proposed in response to an order of the U.S. District

Court remanding several aspects of OSM regulations concerning revegetation which has inadequate support in the administrative record. OSM will propose rules concerning replanting of trees as a normal husbandry practice, the period for revegetation success, and rills and gullies control as a normal conservation practice. Costs and benefits of this action have not been determined since the final scope of the rule is not certain. This analysis will be based in large part on public comments received on the proposed rule.

Timetable:

Action	Date	FR Cite
NPRM	07/27/87	52 FR 28012
NPRM Comment Period End	02/01/88	52 FR 37334
Final Action	05/00/88	

Small Entity: No

Agency Contact: Patrick Boyd, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-4561**

RIN: 1029-AA86

1241. PERMANENT PROGRAM PERFORMANCE STANDARDS - SURFACE MINING ACTIVITIES, UNDERGROUND MINING ACTIVITIES - IMPOUNDMENTS

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 816.49; 30 CFR 817.49

Legal Deadline: None.

Abstract: The regulation will address the issue addressed in a district court challenge to OSM regulations. The rule will address the problem of combination spillways and will specify a spillway configuration that must be installed to safely pass the designed precipitation event. In some cases, the rule may allow one spillway to serve as a combination principal and emergency spillway. The proposed action may reduce costs in those cases where one spillway will safely pass the design precipitation event with no corresponding decrease in environmental protection.

Timetable:

Action	Date	FR Cite
NPRM	10/21/87	52 FR 39364
NPRM Comment Period End	12/30/87	52 FR 39364
Final Action	05/00/88	

Small Entity: No

Agency Contact: Robert Wiles, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-1502**

RIN: 1029-AA79

1242. SPECIAL PERMANENT PROGRAM PERFORMANCE STANDARDS OPERATIONS ON PRIME FARMLAND

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 823.11(a); 30 CFR 823.11(b)

Legal Deadline: None.

Abstract: These regulations are being revised as ordered by the District Court for the District of Columbia. They will amend OSM's permanent program performance standards with respect to prime farmlands by allowing last cut lakes to remain after mining is complete only where they are beneficial or necessary to agricultural activity and allowing for a support facility exemption only for underground mines. These changes are mandated by Court Order, thus, no alternatives to this action are being considered.

Timetable:

Action	Date	FR Cite
NPRM	03/25/87	52 FR 9644
NPRM Comment Period End	06/03/87	52 FR 9644
Final Action	04/00/88	

Small Entity: No

Agency Contact: Donald Smith, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-1510**

RIN: 1029-AA64

1243. SURFACE COAL MINING AND RECLAMATION OPERATIONS; PERMANENT REGULATORY PROGRAMS; PERMANENT PROGRAM INSPECTION AND ENFORCEMENT PROCEDURES

Significance: Regulatory Program

Legal Authority: 30 USC 1267

CFR Citation: 30 CFR 840; 30 CFR 842; 30 CFR 843

Legal Deadline: None.

Abstract: The proposed rule would define an "abandoned site" and address the inspection frequency for those sites. The rule would enable regulatory authorities to allocate inspector resources to ongoing operations where they are most needed by reducing the inspection frequency for abandoned sites as necessary to monitor conditions or changes of status without sacrificing environmental quality control.

Timetable:

Action	Date	FR Cite
NPRM	08/28/87	52 FR 32758
NPRM Comment Period End	11/30/87	52 FR 41471
Final Action	04/00/88	

Small Entity: No

Agency Contact: Daniel E. Stocker, Chief, Section of Inspection, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-1314**

RIN: 1029-AA67

1244. TEN DAY NOTICE REVIEW CRITERIA

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 842.11; 30 CFR 843.12

Legal Deadline: None.

Abstract: The proposed rule would provide guidance to OSMRE in its evaluation of State responses to ten day notices. It would provide that OSMRE must accept a State's response as constituting appropriate action to cause a violation to be corrected or showing good cause for such failure, unless that response is arbitrary, capricious, or an abuse of discretion under the State program. The rule

would also provide a mechanism whereby a State could seek informal review within OSMRE of an initial decision to inspect a mine site when OSMRE rejects the State's response to the ten day notice. The rulemaking is being proposed in response to a decision on a petition for rulemaking submitted to the Director, OSMRE.

Timetable:

Action	Date	FR Cite
Notice of Decision on Petition for Rulemaking	06/08/87	52 FR 21598
NPRM	09/09/87	52 FR 34050
NPRM Comment Period End	11/20/87	52 FR 41309
Final Action	04/00/88	

Small Entity: No

Agency Contact: Daniel Stocker, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-1314

RIN: 1029-AB12

1245. COLLECTION OF AML FEES - MOISTURE CONTENT OF COAL

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 870

Legal Deadline: None.

Abstract: The present regulations require the weight of coal (for the purpose of calculating the tonnage upon which the AML fee is calculated) to be determined at the point of first sale. This weight includes not only that of the saleable coal, but also that of the extraneous material including the moisture content. Recent action by the Internal Revenue Service (IRS) issued a revenue-ruling for the Black Lung Tax to allow for the deduction of a moisture content allowance from the tonnage upon which the Black Lung Tax is collected. The IRS decision to make this change in its regulations was based on a Federal court decision. Taft Coal Co. v. U.S., 605 F. Supp. 366, (N.D. Ala. 1984). OSMRE proposes to change the existing regulations to create a standard moisture allowance which would be consistent with that allowed by the IRS for the Black Lung Tax program. Regulations dealing with the basis upon which a tax or fee is assessed should be consistent for administrative convenience and equity to the coal operator. Federal action is required since OSMRE is directly responsible for collecting the AML fee and for establishing the regulations promulgating (cont)

Timetable:

Action	Date	FR Cite
NPRM	05/18/87	52 FR 18680
NPRM Comment Period End	08/07/87	52 FR 27419
Final Action	04/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: standards under which the fee is collected. The regulations in question are specific to the responsibilities of the Department of the Interior, OSMRE, and they implement SMCRA. No other Federal agency is authorized to undertake this action on behalf of the Department. The regulation will be changed to include a moisture content allowance. Standards will be developed to establish a percentage allowance consistent with the IRS approach for the Black Lung Program and with industry technical standards for moisture content calculation.

Agency Contact: Jane Robinson, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-2853

RIN: 1029-AB03

1246. CALIFORNIA FEDERAL PROGRAM

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 905

Legal Deadline: None.

Abstract: The proposed rule would establish a Federal program for the State of California. Under the Federal program, surface coal mining and reclamation operations in California will be subject to the OSMRE's permanent program requirements.

Timetable:

Action	Date	FR Cite
NPRM	10/22/87	52 FR 39594
NPRM Comment Period End	12/31/87	52 FR 39594
Final Action	06/00/88	

Small Entity: No

Agency Contact: Pat Boyd, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, 202 343-4561

RIN: 1029-AB05

DEPARTMENT OF THE INTERIOR (DOI)

Office of Surface Mining Reclamation and Enforcement (OSMRE)

Completed Actions

1247. EXEMPTION FOR COAL EXTRACTION INCIDENTAL TO GOVERNMENT FINANCED CONSTRUCTION

Legal Authority: 30 USC 1202; 30 USC 1211; 30 USC 1278

CFR Citation: 30 CFR 707

Legal Deadline: None.

Abstract: The regulations in 309 CFR Part 707 implementing the exemption for coal extraction incidental to government financed construction were under review to determine their impact on the Abandoned Mine Lands (AML) program. Proposed regulations were scheduled in case regulatory changes were determined necessary. The primary purpose of the review was to determine if the regulations prevent the removal, and consequent resource loss, of incidental amounts of coal encountered during AML reclamation. Upon review of the regulations and guidelines (45 FR 14810, March 6, 1980) for the AML program, OSMRE determined that extraction of coal incidental to an AML reclamation project is not prohibited by the regulations as specifically addressed in the guidelines. Therefore, action to revise the regulations was withdrawn.

Timetable:

Action	Date	FR Cite
Withdrawn Rule action determined not to be necessary.	11/02/87	

Small Entity: No

Agency Contact: James Fary, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-5384**

RIN: 1029-AA58

1248. INDIVIDUAL CIVIL PENALTIES

Significance: Regulatory Program

Legal Authority: 30 USC 1201

CFR Citation: 30 CFR 723; 30 CFR 724; 30 CFR 845; 30 CFR 846, (New)

Legal Deadline: None.

Abstract: The proposed rule will improve the implementation of Section 518(f) of the Surface Mining Control and Reclamation Act by clarifying the meaning of "knowing and willful" and defining the manner in which a daily penalty will be assessed for a continuing violation. Corporate officials associated with a permittee in violation of the Act will be identified and assessed individual civil penalties in addition to any penalties imposed on the Corporate entity.

Timetable:

Action	Date	FR Cite
NPRM	12/24/86	51 FR 46838
NPRM Comment Period End	05/08/87	52 FR 11287
Final Action	02/08/88	53 FR 3664
Final Action Effective	03/09/88	

Small Entity: No

Agency Contact: Andrew DeVito, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, Washington, DC 20240, **202 343-5241**

RIN: 1029-AA81

1249. SURFACE COAL MINING AND RECLAMATION OPERATIONS; PERMANENT REGULATORY PROGRAM; FEDERAL PROGRAM FOR A STATE; PROCEDURAL REQUIREMENTS

Legal Authority: 30 USC 1251; 30 USC 1253 to 1269; 30 USC 1271; 30 USC 1272; 30 USC 1295

CFR Citation: 30 CFR 736

Legal Deadline: None.

Abstract: OSMRE will propose revisions to its rules governing standards and procedures for the promulgation, implementation, revision, and termination of a Federal program for a State for coal exploration and surface coal mining operations on non-Federal and non-Indian lands within that State.

Timetable:

Action	Date	FR Cite
NPRM	05/31/87	52 FR 10352
NPRM Comment Period End	06/01/87	52 FR 10352
Final Action	10/21/87	52 FR 39404
Final Action Effective	11/20/87	52 FR 39404

Small Entity: No

Agency Contact: Andrew DeVito, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, Room 134S, **202 343-5241**

RIN: 1029-AA71

1250. UNSUITABILITY PETITION PROCESS

Significance: Agency Priority

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 764; 30 CFR 769

Legal Deadline: None.

Abstract: The proposed rule would amend the State and Federal process for designating land unsuitable for surface coal mining operations. The revision would standardize the State and Federal procedures and establish new time frames for processing petitions. The revisions are required by a District Court decision in Round III of the present litigation on OSMRE's permanent program regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/09/87	52 FR 21904
NPRM Comment Period End	08/18/87	52 FR 21904
Final Action	12/30/87	52 FR 49322
Final Action Effective	01/29/88	52 FR 49322

Small Entity: No

Agency Contact: Catie Roy, Program Analyst, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-5143**

RIN: 1029-AB00

1251. SURFACE MINING PERMIT APPLICATIONS MINIMUM REQUIREMENTS FOR INFORMATION ON ENVIRONMENTAL RESOURCES

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 779.20; 30 CFR 780.16; 30 CFR 783.20; 30 CFR 784.21; 30 CFR 816.97(a); 30 CFR 816.97(b); 30 CFR 817.97

Legal Deadline: None.

Abstract: OSM is amending Fish and Wildlife performance standards at 30 CFR 816.97 to comply with the District Court's decision of October 1, 1984, which pertains to protection of endangered and threatened species and the exclusion of wildlife from toxic ponds. In addition, OSM is amending the Fish and Wildlife permitting requirements at 30 CFR 779.20 and 780.16 to provide greater flexibility and clarity.

Timetable:

Action	Date	FR Cite
NPRM	05/29/86	51 FR 19498
NPRM Comment Period End	08/07/86	51 FR 19498
Final Action	12/11/87	52 FR 47352
Final Action Effective	01/11/88	52 FR 47352

Small Entity: No

Agency Contact: Chuck Wolf, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, Ten Parkway Center, Pittsburgh, PA 15220, **412 937-2897**

RIN: 1029-AA74

1252. PERMANENT REGULATORY PROGRAM - MOUNTAINTOP REMOVAL

Significance: Agency Priority

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 785

Legal Deadline: None.

Abstract: The proposed rule amends the rules for "Permits for Special Categories of Mining -- Mountaintop Removal Mining." This action will correct an inadvertent error whereby certain substantive provisions concerning mountaintop removal mining in the Surface Mining Control and Reclamation Act of 1977 (the Act) were not included in previous implementing regulations. These provisions include a finding for permit issuance that the applicant has presented specific plans for the proposed postmining land use and has made appropriate assurances for the use. The addition of these provisions will make the rules for mountaintop removal mining consistent with the Act, as well as with the Secretary's brief In Re: Permanent Surface Mining Regulation Litigation II, (round III). The requirements of the proposed rule will ensure that all the substantive provisions of the Act are applied to mountaintop removal coal mining operations.

Timetable:

Action	Date	FR Cite
NPRM	03/25/87	52 FR 9640
NPRM Comment Period End	06/03/87	52 FR 9640
Final Action	10/20/87	52 FR 39182
Final Action Effective	11/19/87	52 FR 39182

Small Entity: No

Agency Contact: Ralph McDonald, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-5245**

RIN: 1029-AA97

1253. REQUIREMENTS FOR PERMITS FOR SPECIAL CATEGORIES OF MINING; EXPERIMENTAL PRACTICES

Significance: Agency Priority

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 785.13

Legal Deadline: None.

Abstract: The proposed rule would revise the permit application requirements applicable to experimental practices as provided by section 711 of SMCRA. Section 711 allows for departures from the environmental protection performance standards of section 515 and 516 of the Act. The rule would be revised to encourage advances in mining and reclamation practices and special alternative postmining land uses. No additional costs to the environment would occur because experimental practices cannot be authorized if they are not as environmentally protective as the requirements of section 515 and 516. The rule revision may provide coal mine operators the ability to utilize more cost efficient mining and reclamation practices. OSMRE has discussed experimental practice issues with external groups and determined not to proceed with rulemaking.

Timetable:

Action	Date	FR Cite
Withdrawn Rule action determined not to be necessary.	01/27/88	

Small Entity: Undetermined

Agency Contact: John Parsons, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Ave., NW, Washington, DC 20240, **202 343-1505**

RIN: 1029-AB06

1254. REQUIREMENT TO RELEASE PERFORMANCE BONDS

Significance: Agency Priority

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 800-40(a)(2)

Legal Deadline: None.

Abstract: This proposed rule would require that an applicant for bond release include the name of the permittee in the application. This action is being taken as a result of a commitment made during litigation on bonding requirements before the District Court for the District of Columbia where it was found that an explicit requirement for providing the name of the applicant was necessary. Also the proposed revision would allow certain third parties to guarantee self-bond. This action is being taken as a result of OSMRE on June 13, 1986 accepting a proposal to revise self-bonding regulations sought in a petition for rulemaking by the National Coal Association/American Mining Congress (NCA/AMC) Joint Committee on Surface Mine Regulations. There will be no increase or decrease in the cost/benefits of this rule.

Timetable:

Action	Date	FR Cite
NPRM	11/26/86	51 FR 42984
NPRM Comment Period End	02/04/87	51 FR 42984
Final Action	01/14/88	53 FR 994
Final Action Effective	02/13/88	

Small Entity: No

Agency Contact: Frank Mancino, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-5143**

RIN: 1029-AA91

1255. PERMANENT PROGRAM PERFORMANCE STANDARDS UNDERGROUND MINING ACTIVITIES - HYDROLOGIC BALANCE PROTECTION

Significance: Regulatory Program

Legal Authority: 30 USC 1201 et seq

CFR Citation: 30 CFR 817.41(b)(2)

Legal Deadline: None.

Abstract: The rulemaking is in response to a challenge of this issue in District Court where the Office agreed to suspend 30 CFR 817.41(b)(2), concerning requirement to restore groundwater recharge capacity, and repromulgate the rule to develop the administrative records. OSM will propose two options: (1) removing 817.41(b)(2) and (2) retaining this paragraph while asking for comments concerning its legality, technological validity, and environmental impacts. Since this rule will be repromulgated with options, a determination of its potential costs and benefits cannot be assessed until comments are received and options chosen.

DOI—OSMRE **Completed Actions**

Timetable:

Action	Date	FR Cite
NPRM	12/11/86	51 FR 44742
NPRM Comment Period End	02/19/87	
Final Action	12/02/87	52 FR 45920
Final Action Effective	01/04/88	52 FR 45920

Small Entity: No

Agency Contact: Raymond Aufmuth, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, Room 5010 L, 1951 Constitution Ave., NW, Washington, DC, **202 343-1514**

RIN: 1029-AA75

1256. STATE-FEDERAL COOPERATIVE AGREEMENTS

Legal Authority: 30 USC 1201 et seq.

CFR Citation: 30 CFR Subchapter T

Legal Deadline: None.

Abstract: This Subchapter will incorporate the State-Federal Cooperative Agreements for the permanent regulatory programs on Federal lands in various States. The affected Parts in Title 30 are indicated in parentheses after each State.

Timetable:

Action	Date	FR Cite
Illinois (913)	03/24/87	52 FR 9402
Final Action	11/27/87	52 FR 45328
Final Action Effective	12/28/87	

Small Entity: No

Agency Contact: Art Abbs, Department of the Interior, Office of Surface Mining Reclamation and Enforcement, 1951 Constitution Avenue, NW, Washington, DC 20240, **202 343-5351**

RIN: 1029-AA40

BILLING CODE 4310-05-T

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Reclamation (RB)

Proposed Rule Stage

1257. ● ACREAGE LIMITATION RULES AND REGULATIONS

Legal Authority: 5 USC 552; 43 USC 371; 43 USC 390

CFR Citation: 43 CFR 426

Legal Deadline: None.

Abstract: This rule will be revised to incorporate amendments to the Reclamation Reform Act included in PL 100-203 (Omnibus Budget Reconciliation Act of 1987).

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	
NPRM Comment Period End	05/31/88	
Final Action	08/01/88	
Final Action Effective	09/01/88	

Small Entity: No

Agency Contact: James Cook, Chief, Division of Water and Land, Department of the Interior, Bureau of Reclamation, 18th and C Streets, NW, Washington, DC 20240, **202 343-5104**

RIN: 1006-AA17

1258. ● PROCEDURE TO PROCESS AND RECOVER THE VALUE OF RIGHTS-OF-USE AND ADMINISTRATIVE COSTS INCURRED IN PERMITTING SUCH USE

Legal Authority: 43 USC 387; 31 USC 483(a)

CFR Citation: 43 CFR 429.3(a), (Revision); 43 CFR 429.3(d), (New); 43 CFR 429.6(c), (Revision)

Legal Deadline: None.

Abstract: These changes to 43 CFR 429 will provide greater flexibility in determining the value of low value uses by third parties of lands administered by the Bureau of Reclamation. Currently an appraisal is required to provide the use value. A periodic review of the value of the use will also be provided. And finally, the Authority of Reclamation's Regional directors to modify or waive the values to be recovered is further clarified.

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
NPRM Comment Period End	09/01/88	

Small Entity: No

Agency Contact: Terence G. Cooper, Department of the Interior, Bureau of Reclamation, 18th and C Streets, NW, Washington, DC 20240, **202 343-5204**

RIN: 1006-AA18

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Reclamation (RB)

Completed Actions

1259. OFF-ROAD VEHICLE USE

Legal Authority: 43 USC 391 et seq

CFR Citation: 43 CFR 420

Legal Deadline: None.

Abstract: This rule governs the use of off-road vehicles on Bureau Lands and provides for the opening of only those lands where the use of such vehicles will not adversely affect associated project features or facilities. The provisions of this rule will be expanded to cover the use of ultralight vehicles, since, by definition, these vehicles are excluded from control of the Federal Aviation Administration.

Timetable:

Action	Date	FR Cite
Withdrawn Revision of this rule is not needed at this time.	04/00/88	

Small Entity: No

Agency Contact: Fred Gientke, Chief, Water O&M Branch, Department of the

Interior, Bureau of Reclamation, Bldg 67, Federal Center, Denver, CO 80225, **303 776-8081**

RIN: 1006-AA06

1260. ACREAGE LIMITATION RULES AND REGULATIONS

Legal Authority: 5 USC 552; 43 USC 371; 43 USC 390

CFR Citation: 43 CFR 426

Legal Deadline: None.

Abstract: This rule will be amended to remove reference to the term "gift" in section 426.16(a).

Timetable:

Action	Date	FR Cite
NPRM	06/27/87	52 FR 24041
NPRM Comment Period End	07/27/87	
Final Action	10/26/87	52 FR 39918

Small Entity: No

Agency Contact: **James Cook**, Chief, Division of Water and Land, Department of the Interior, Bureau of Reclamation, 18th & C Sts., NW, Washington, DC 20240, **202 343-5104**

RIN: 1006-AA16

BILLING CODE 4310-09-T

DEPARTMENT OF THE INTERIOR (DOI)

Bureau of Land Management (BLM)

Proposed Rule Stage

1261. PUBLIC LAND RECORDS

Legal Authority: 5 USC 301; 43 USC 2; 44 USC 3101; 43 USC 13; 43 USC 751; 43 USC 1201; 43 USC 2457; 43 USC 1740

CFR Citation: 43 CFR 1813

Legal Deadline: None.

Abstract: This rule will amend the existing regulations by updating them to reflect and accommodate the transition from the Manual Record System (Tract Books, Master Plats, etc.), to an Automated Records System.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: **John Butterfield**, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AA77

1262. MINERALS (NONMINERAL ENTRIES ON MINERAL LANDS)

Legal Authority: 30 USC 186; 30 USC 124

CFR Citation: 43 CFR Subpart 2093

Legal Deadline: None.

Abstract: The amendments made by this rulemaking would eliminate portions of the existing regulations that refer to repealed authorities and make minor changes that reflect the merger of functions between the Bureau of Land Management and the Minerals Management Service.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: **Gary Rowe**, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AB20

1263. EXCHANGES - GENERAL PROCEDURES

Legal Authority: 43 USC 1715; 43 USC 1716; 43 USC 1732; 43 USC 1740

CFR Citation: 43 CFR 2200

Legal Deadline: None.

Abstract: This rule will amend the existing regulations to provide procedures to facilitate and expedite the processing of land exchanges.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: **Dave Hemstreet**, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AB28

1264. INDIAN ALLOTMENTS

Legal Authority: 25 USC 334

CFR Citation: 43 CFR 2530

Legal Deadline: None.

Abstract: This rule would revise the existing regulations to remove obsolete and burdensome provisions and clarify and simplify the remaining provisions.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: **Gary Rowe**, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AB10

1265. RIGHTS-OF-WAY, PRINCIPLES AND PROCEDURES

Legal Authority: 43 USC 1746

CFR Citation: 43 CFR 2800

Legal Deadline: None.

Abstract: This rule will be amended to provide for improved administration of rights-of-way under the Federal Land Policy and Management Act.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: **Theodore Bingham**, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-5441**

RIN: 1004-AB00

1266. RIGHTS-OF-WAY UNDER THE MINERAL LEASING ACT

Legal Authority: 30 USC 185

CFR Citation: 43 CFR 2880

Legal Deadline: None.

Abstract: This rule will be amended to provide for improved administration of

rights-of-way under the Mineral Leasing Act.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: Undetermined

Agency Contact: Theodore Bingham, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-5441**

RIN: 1004-AA98

1267. RECREATION AND PUBLIC PURPOSES ACT LEASES

Legal Authority: 43 USC 869 et seq

CFR Citation: 43 CFR 2910; 43 CFR 2912

Legal Deadline: None.

Abstract: The rule will amend the existing regulations to implement policy changes as they relate to the granting of public lands for recreation and public purposes under the Recreation and Public Purposes Act.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Agency Contact: Gary Rowe, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AA73

1268. EXPLORATION ACTIVITY; OIL AND GAS LEASING; GEOTHERMAL RESOURCE LEASING - GENERAL

Legal Authority: 30 USC 181 et seq; 30 USC 301 to 306; 30 USC 351 to 359; 43 USC 1701 et seq; PL 96-514; 40 Op. Atty. Gen. 41

CFR Citation: 43 CFR 3040; 43 CFR 3100; 43 CFR 3130; 43 CFR 3200

Legal Deadline: None.

Abstract: This rule would amend the existing regulations as they relate to bond coverage for oil and gas and geothermal resources. As a result of comments and a study by a special Task Force, several alternatives for bonding have been identified. These alternatives will be addressed in a second proposed rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/01/85	50 FR 18614
NPRM Comment Period End	07/01/85	50 FR 18614
NPRM - Second	05/00/88	

Small Entity: No

Agency Contact: Rob Cervantes, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2190**

RIN: 1004-AB13

1269. OIL AND GAS LEASING - FEES, RENTALS AND ROYALTIES

Legal Authority: 16 USC 3101 et seq; 30 USC 181 et seq; 30 USC 351 to 359; 40 USC 760 et seq; 43 USC 1701 et seq

CFR Citation: 43 CFR 3100

Legal Deadline: None.

Abstract: This rule would amend the existing regulations to maintain all noncompetitive lease rentals at $1 per acre per year. This change would primarily be applicable to those noncompetitive leases that are later determined to be included in a known geologic structure.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: Mona Schermerhorn, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2190**

RIN: 1004-AB31

1270. ● OIL AND GAS LEASING COMPETITIVE LEASES

Significance: Agency Priority

Legal Authority: 30 USC 181 et seq; 30 USC 351 to 359; 16 USC 3101 et seq; 43 USC 1701 et seq; PL 97-35; PL 100-203

CFR Citation: 43 CFR 3100; 43 CFR 3120

Legal Deadline: Statutory, June 23, 1988.

Abstract: This rulemaking action will provide the procedures for the regulatory implementation of the Federal Onshore Oil and Gas Leasing Reform Act passed by the Congress as part of the Omnibus Budget Reconciliation Act of 1987.

Timetable:

Action	Date	FR Cite
NPRM	03/21/88	53 FR 9214
NPRM Comment Period End	04/21/88	
Final Action	06/17/88	
Final Action Effective	06/17/88	

Small Entity: No

Additional Information: Robert C. Bruce - 202 343-8735

Agency Contact: Jeff Zabler, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2182**

RIN: 1004-AB41

1271. ONSHORE OIL AND GAS ORDER NO. 8 - WELL WORKOVERS, COMPLETIONS, ABANDONMENTS

Legal Authority: 30 USC 189; 30 USC 359; 30 USC 396; 25 USC 396(d)

CFR Citation: 43 CFR 3162; 43 CFR 3164.1(b)

Legal Deadline: None.

Abstract: This Order is being issued under the Oil and Gas Operations regulations as found in 43 CFR Part 3160. The Order details the minimum standards of performance when conducting workover, completions, and abandonment of existing wells on Federal and Indian lands (except Osage Tribe). It also will contain enforcement actions that will result from the failure to meet the minimum standards.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Agency Contact: Sie Ling Chiang, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2127**

RIN: 1004-AB37

1272. ONSHORE OIL AND GAS ORDER NO. 7 - DISPOSAL OF PRODUCED WATER

Legal Authority: 30 USC 189; 30 USC 359

CFR Citation: 43 CFR 3164.1(b); 43 CFR 3162.3; 43 CFR 3162.5

Legal Deadline: None.

Abstract: This order is being issued under the revised oil and gas

regulations as found in 43 CFR Part 3160. The order details the requirements for the handling, storing or disposing of water produced from oil or gas wells. It replaces NTL-2B. The Order will also contain inspection standards. This order is referenced in the Table at 43 CFR 3164.1(b).

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: Sie Ling Chiang, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2127**

RIN: 1004-AA66

1273. ONSHORE OIL AND GAS ORDER NO. 6 - HYDROGEN SULFIDE OPERATIONS

Significance: Regulatory Program

Legal Authority: 30 USC 189; 30 USC 359

CFR Citation: 43 CFR 3164.1(b); 43 CFR 3162.3; 43 CFR 3162.5

Legal Deadline: None.

Abstract: This order is being issued under the revised oil and gas regulations as found in 43 CFR Part 3160. The order details the requirements for protecting workers and the public from hydrogen sulfide. It specifies documentation needed prior to operation and measures required during drilling and production. This order is referenced in the Table at 43 CFR 3164.1(b).

Timetable:

Action	Date	FR Cite
NPRM	10/15/84	49 FR 40354
NPRM Comment Period End	01/14/85	49 FR 48576
NPRM - Second	06/00/88	

Small Entity: No

Agency Contact: George F. Brown, Assistant Director, Fluid Leasable Minerals, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2127**

RIN: 1004-AA67

1274. ONSHORE OIL AND GAS OPERATIONS - ONSHORE OIL AND GAS ORDER NUMBER 4- MEASUREMENT OF CRUDE OIL

Legal Authority: 30 USC 189; 30 USC 359; 25 USC 396; 25 USC 396(d)

CFR Citation: 43 CFR 3164.1(b); 43 CFR 3162.7

Legal Deadline: None.

Abstract: This document is being issued under the oil and gas operations regulations as found in 43 CFR Part 3160. The order details the requirements for the accurate measurement and recording of the volumes of crude oil and lease condensation produced and sold from Federal and Indian (except Osage) leases. This includes such production from other leases which is allocated to a covered lease. This order will also contain inspection standards. This is referenced in the Table at 43 CFR 3164.1(b).

Timetable:

Action	Date	FR Cite
NPRM	02/03/88	53 FR 3158
NPRM Comment Period End	04/04/88	
Final Action	08/00/88	

Small Entity: Undetermined

Agency Contact: Sie Ling Chiang, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2127**

RIN: 1004-AA96

1275. ONSHORE OIL AND GAS OPERATIONS - COOPERATIVE AGREEMENTS, DELEGATIONS OF AUTHORITY AND CONTRACTS FOR OIL AND GAS INSPECTION AND ENFORCEMENT

Legal Authority: 30 USC 1701; 30 USC 1732; 30 USC 1735; 30 USC 1751

CFR Citation: 43 CFR 3190

Legal Deadline: None.

Abstract: This rule will provide the procedures for implementing the provisions of the Federal Oil and Gas Royalty Management Act authorizing delegations of authority to States in connection with oil and gas operations.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: Susan Pepperney, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2200**

RIN: 1004-AB32

1276. GEOTHERMAL RESOURCE OPERATIONS

Legal Authority: 30 USC 1001 to 1025

CFR Citation: 43 CFR 3200; 43 CFR 3260; 43 CFR 3270

Legal Deadline: None.

Abstract: This rulemaking will revise provisions related to geothermal leasing and geothermal operations conducted on Federal lands. The changes are designed to remove burdensome and cumbersome provisions and simplify the regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Sie Ling Chiang, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2127**

RIN: 1004-AB18

1277. SALES OF FOREST PRODUCTS; GENERAL - PREPARATION FOR SALE

Legal Authority: PL 90-554

CFR Citation: 43 CFR 5400; 43 CFR 5420

Legal Deadline: None.

Abstract: Existing regulations permit timber export and purchase volumes to "rachet" upward at a questionable rate, leading to substitution. The existing regulations need simplification. The rule would correct both of these concerns.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Gary Ryan, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-8864**

RIN: 1004-AB34

1278. ONSHORE OIL AND GAS ORDER NO. 5 - MEASUREMENT OF NATURAL GAS

Legal Authority: 30 USC 189; 30 USC 359; 25 USC 396; 25 USC 396(d)

CFR Citation: 43 CFR 3164.1(b); 43 CFR 3162.7

Legal Deadline: None.

Abstract: This order is being issued under the revised oil and gas operations regulations as found in 43 CFR Part 3160. The order details the requirements for the accurate measurement of the volumes of natural gas produced and sold from Federal and Indian (except Osage) leases. This includes such production from other leases which is allocated to a covered lease. The order also will contain inspection standards. This order is to be referenced in the Table at 43 CFR 3164.1(b).

Timetable:

Action	Date	FR Cite
NPRM	02/03/88	53 FR 3168
NPRM Comment Period End	04/04/88	
Final Action	08/00/88	

Small Entity: Undetermined

Agency Contact: Sie Ling Chiang, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2127**

RIN: 1004-AB22

1279. ● COAL EXPLORATION AND MINING OPERATIONS RULES

Legal Authority: 30 USC 181 et seq; 30 USC 351 to 359; 30 USC 1201 et seq

CFR Citation: 30 CFR 3480

Legal Deadline: None.

Abstract: This regulation will remove from the existing regulations language that provides that a suspension of a coal lease does not suspend the diligent development requirement.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Paul Politzer, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-7722**

RIN: 1004-AB42

1280. OPERATING REGULATIONS FOR EXPLORATION, DEVELOPMENT AND PRODUCTION

Legal Authority: 30 USC 181 et seq

CFR Citation: 43 CFR 3570

Legal Deadline: None.

Abstract: This rule will revise the existing regulations to streamline them and to have them reflect current policy and industry operating practices relating to the leasing of minerals other than oil and gas.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Harry Moritz, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-7722**

RIN: 1004-AA68

1281. MULTIPLE USE: MINING: MINING CLAIMS UNDER THE GENERAL MINING LAWS

Legal Authority: 30 USC 22 et seq; 30 USC 521 to 540; 30 USC 601 to 615; 30 USC 621 to 625; 43 USC 2; 43 USC 1732; 43 USC 1740; 61 Stat. 681

CFR Citation: 43 CFR Group 3700; 43 CFR Group 3800

Legal Deadline: None.

Abstract: These two groups of regulations will be combined into a single group, with the language being revised to remove burdensome, cumbersome and unnecessary provisions. In addition, the language will be updated and clarified and some provisions will be revised to meet the needs of today's conditions.

Timetable:

Action	Date	FR Cite
Notice of Intent to Propose Rulemaking	12/27/82	47 FR 57521
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Eugene Carlet, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-8537**

RIN: 1004-AB04

1282. ● MINING CLAIMS UNDER THE GENERAL MINING LAW NATURE AND CLASSES OF MINING CLAIMS ASSESSMENT WORK

Legal Authority: 43 USC 1732 to 1733; 30 USC 28 - 1 - 2; 30 USC 26; 30 USC 33; 43 USC 1782

CFR Citation: 43 CFR 3800; 43 CFR 3840; 43 CFR 3850

Legal Deadline: None.

Abstract: This rulemaking will amend the existing regulations to include the criteria for the standard of discovery as applied to oil shale placer mining claims and provide clarification of what constitutes substantial compliance with assessment work requirements under the Mining Law.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: Eugene Carlet, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-8537**

RIN: 1004-AB43

1283. MINING CLAIMS UNDER THE GENERAL MINING LAWS

Legal Authority: 30 USC 22; 43 USC 1201; 43 USC 1744; 43 USC 1734; 43 USC 1740

CFR Citation: 43 CFR Subpart 3809; 43 CFR Subpart 3833

Legal Deadline: None.

Abstract: The rule would make amendments to the regulatory provisions dealing with the recordation of mining claims and surface management of mining claims to incorporate changes recommended by Task Forces that studied these areas.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Eugene Carlet, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-8537**

RIN: 1004-AB36

DOI—BLM

Proposed Rule Stage

1284. SALES OF FOREST PRODUCTS; CONDUCT OF SALES

Legal Authority: 30 USC 601 et seq; 43 USC 1181a

CFR Citation: 43 CFR 5400

Legal Deadline: None.

Abstract: This rule will amend the existing regulations to specify the conditions under which the provisions of this subpart are applicable to contracts that are not completed.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: Gary Ryan, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-8864**

RIN: 1004-AB39

1285. SALES OF FOREST PRODUCTS; AWARD OF CONTRACT

Legal Authority: 30 USC 601 et seq; 43 USC 1181a

CFR Citation: 43 CFR 5400; 43 CFR 5450

Legal Deadline: None.

Abstract: This rule will amend the existing regulations as they relate to timber sale contract performance bonds to discourage bidding at such a rate that the bidder, if awarded the contract, would be unable to perform under the terms of the contract.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Gary Ryan, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-8864**

RIN: 1004-AB40

1286. PROTECTION OF SPECIAL STATUS PLANTS

Legal Authority: 43 USC 1701 et seq

CFR Citation: 43 CFR 6850

Legal Deadline: None.

Abstract: This rule will provide the procedure for protecting rare plants located on the public lands. The uncontrolled collection of these rare plants will endanger their existence.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Agency Contact: William H. Radtkey, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-9202**

RIN: 1004-AB09

1287. CULTURAL RESOURCE MANAGEMENT

Legal Authority: 43 USC 1701 et seq; 16 USC 470 et seq; 42 USC 4321; 16 USC 432; 16 USC 470aa et seq; 42 USC 1996; 16 USC 433; 36 CFR 800.11

CFR Citation: 43 CFR 8100; 43 CFR 8110; 43 CFR 8111; 43 CFR 8140; 43 CFR 8141; 43 CFR 8142; 43 CFR 8143

Legal Deadline: None.

Abstract: The rule will adapt a Governmentwide compliance procedure to a Bureau-specific procedure, with substantial streamlining, reduction of outside consultation, quicker management decisions that are more rapidly carried out, public land users being allowed to proceed with land or resource use with less delay and cultural resources being protected as effectively as under the existing system of review.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Undetermined

Agency Contact: John G. Douglas, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-9353**

RIN: 1004-AA69

1288. PALEONTOLOGY

Legal Authority: 43 USC 1701 et seq

CFR Citation: 43 CFR 8270

Legal Deadline: None.

Abstract: This rule will be revised to provide the procedures for the management of paleontological specimens located on the public lands.

Timetable:

Action	Date	FR Cite
NPRM	08/17/82	47 FR 35914
NPRM - Second	09/00/88	

Small Entity: No

Agency Contact: Carl Barna, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-3207**

RIN: 1004-AA27

1289. RECREATION: GENERAL

Legal Authority: 43 USC 1701 et seq; 43 USC 869; 43 USC 1181a; 43 USC 315; 43 USC 4321 et seq; 16 USC 460l to 461; 16 USC 1131; 16 USC 1271 to 1287; 16 USC 1241; 16 USC 670; 29 USC 794

CFR Citation: 43 CFR Subpart 8300

Legal Deadline: None.

Abstract: This rule will be amended to revise the policy statement for recreation management of the public lands.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Rodger Schmitt, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-9353**

RIN: 1004-AA35

1290. CADASTRAL SURVEY

Legal Authority: 43 USC 1701 et seq; 48 USC 351; 43 USC 772; 43 USC 773

CFR Citation: 43 CFR 9180

Legal Deadline: None.

Abstract: This rule would revise the existing regulations to remove obsolete and burdensome provisions and clarify and simplify the remaining provisions.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Bernard W. Hostrop, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-8798**

RIN: 1004-AB07

1291. UNAUTHORIZED USE OF PUBLIC LANDS

Legal Authority: 43 USC 1701 et seq

DOI—BLM

Proposed Rule Stage

CFR Citation: 43 CFR 9230

Legal Deadline: None.

Abstract: This rule will be amended to clarify those activities that are prohibited on the public lands, to provide managers with additional authority to resolve existing violations and to clarify the authority of the Secretary of the Interior in instances of mineral trespass.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Walter I. Johnson, Jr., Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 653-8815**

RIN: 1004-AA38

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Land Management (BLM)

Final Rule Stage

1292. OIL AND GAS LEASING AND GEOTHERMAL RESOURCE LEASING-GENERAL

Legal Authority: 16 USC 3101 et seq; 30 USC 181 et seq; 30 USC 351 to 359; 40 USC 760 et seq; 43 USC 1701 et seq

CFR Citation: 43 CFR 1820; 43 CFR 3040; 43 CFR Group 3100; 43 CFR Group 3200

Legal Deadline: None.

Abstract: This rulemaking will make corrections and modifications to the existing regulations, including procedural changes that have resulted from operations under the regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/12/87	52 FR 22592
NPRM Comment Period End	08/11/87	52 FR 22592
Final Action	08/00/88	

Small Entity: No

Agency Contact: Mona Schermerhorn, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2228**

RIN: 1004-AA97

1293. LAND CLASSIFICATION

Legal Authority: 43 USC 315f; 43 USC 869; 43 USC 1701 et seq

CFR Citation: 43 CFR 2400

Legal Deadline: None.

Abstract: The rulemaking will revise the existing land classification regulations, will remove obsolete provisions, remove burdensome provisions, simplify the land classification system and provide a new protest system for use in connection with land classification decisions.

Timetable:

Action	Date	FR Cite
NPRM	10/22/87	52 FR 39542
NPRM Comment Period End	12/21/87	52 FR 39542
Final Action	06/00/88	

Small Entity: No

Agency Contact: Annette Jameson, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-8693**

RIN: 1004-AB19

1294. ONSHORE OIL AND GAS ORDER NO. 2 - DRILLING OPERATIONS

Legal Authority: 30 USC 189; 30 USC 359; 30 USC 226; 25 USC 396; 25 USC 396(d)

CFR Citation: 43 CFR 3164.1(b); 43 CFR 3162.3; 43 CFR 3162.5

Legal Deadline: None.

Abstract: This order is being issued under the revised oil and gas operations regulations as found in 43 CFR Part 3160. The order details the uniform national minimum standards of performance which are expected for drilling operations on Federal and Indian (except Osage) lands. It also will contain enforcement actions that will result from failure to meet the minimum standards.

Timetable:

Action	Date	FR Cite
NPRM	08/13/87	52 FR 30310
NPRM Comment Period End	10/13/87	
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: Sie Ling Chiang, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2127**

RIN: 1004-AB21

1295. ONSHORE OIL AND GAS ORDER NO. 3 - SITE SECURITY

Significance: Regulatory Program

Legal Authority: 30 USC 189; 30 USC 359; 30 USC 1701 et seq.; 25 USC 396; 25 USC 396(d)

CFR Citation: 43 CFR 3164.1(b); 43 CFR 3161.3; 43 CFR 3162.7-1; 43 CFR 3162.7-4

Legal Deadline: None.

Abstract: This order is being issued under the revised oil and gas operations regulations as found in 43 CFR Part 3160. The order supplements the minimum standards found in the regulations at 43 CFR 3162.7-4(b), (c) and (d).

Timetable:

Action	Date	FR Cite
NPRM	08/13/87	52 FR 30282
NPRM Comment Period End	10/13/87	
Final Action	07/00/88	

Small Entity: Undetermined

Agency Contact: Sie Ling Chiang, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-2127**

RIN: 1004-AB24

1296. MANAGEMENT OF EXISTING LEASES

Legal Authority: 30 USC 181 et seq; 30 USC 351 to 359; 30 USC 521 to 531; 30 USC 1201 et seq

CFR Citation: 43 CFR 3450

Legal Deadline: None.

Abstract: This rule would eliminate the right of a lessee to object to readjusted lease terms and conditions that are mandated by law or required by

regulation, and also would make the readjusted royalty and rental rates effective as of the date of the lease readjustment, regardless of whether there is a subsequent appeal of the readjusted terms and conditions.

Timetable:

Action	Date	FR Cite
NPRM	12/08/87	52 FR 46499
NPRM Comment Period End	01/07/88	52 FR 46499
Final Action	07/00/88	

Small Entity: Undetermined

Agency Contact: Harry W. Moritz, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 343-7722**

RIN: 1004-AB38

1297. GRAZING ADMINISTRATION - EXCLUSIVE OF ALASKA

Legal Authority: 43 USC 315a to 315r; 43 USC 1701 et seq; 43 USC 118(d); 43 USC 1901 et seq

CFR Citation: 43 CFR 4100

Legal Deadline: None.

Abstract: The amendment made by this rulemaking would bring the existing regulations into compliance with the decision in Natural Resources Defense Council, Inc. v. Hodel, et al., No. CIV. S-84-616 RAR (1985). It also would update the existing regulations to have them conform to recent grazing policy changes.

Timetable:

Action	Date	FR Cite
NPRM	05/20/87	52 FR 19032
NPRM Comment Period End	08/19/87	52 FR 27321
Final Action	04/00/88	

Small Entity: Undetermined

Agency Contact: Billy R. Templeton, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-9195**

RIN: 1004-AB23

1298. CONDUCT OF SALES (TIMBER)

Legal Authority: 43 USC 1181e; 30 USC 601 et seq

CFR Citation: 43 CFR 5440

Legal Deadline: None.

Abstract: This rule would amend the existing regulations to define more precisely when someone may be disbarred from participating in a timber sale and would provide notice and opportunity for a hearing to those who are subject to debarment.

Timetable:

Action	Date	FR Cite
NPRM	08/04/87	52 FR 28830
NPRM Comment Period End	10/05/87	52 FR 28830
Final Action	05/00/88	

Small Entity: No

Agency Contact: Gary Ryan, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, **202 653-8864**

RIN: 1004-AB35

1299. OFF-ROAD VEHICLES

Legal Authority: 43 USC 1201; 43 USC 315a; 16 USC 1531 et seq; 16 USC 1281c; 16 USC 670 et seq; 16 USC 4601 to 6a; 16 USC 1241 et seq; 43 USC 1701 et seq

CFR Citation: 43 CFR 8340

Legal Deadline: None.

Abstract: This rule will amend the existing regulations to clarify some of the definitions to remove confusion that has arisen since the implementation of the existing regulations and to improve the public notification process provided by the regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/17/87	52 FR 27017
NPRM Comment Period End	09/15/87	52 FR 27017
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Richard E. Traylor, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Room 2661, Main Interior Bldg., Washington, DC 20240, **202 343-9353**

RIN: 1004-AB26

1300. USE AUTHORIZATIONS; SPECIAL RECREATION PERMITS

Legal Authority: 43 USC 1201 et seq; 43 USC 1701 et seq; 43 USC 1181a; 16 USC 460 to 6a

CFR Citation: 43 CFR Subpart 8372

Legal Deadline: None.

Abstract: This rule is being revised to reflect revised, special recreation policies.

Timetable:

Action	Date	FR Cite
NPRM	09/16/85	50 FR 37555
NPRM Comment Period End	11/15/85	50 FR 37555
Final Action	06/00/88	

Small Entity: No

Agency Contact: Gary Marsh, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-9353**

RIN: 1004-AA36

DEPARTMENT OF THE INTERIOR (DOI)
Bureau of Land Management (BLM)

Completed Actions

1301. ALASKA STATE SELECTION

Legal Authority: 94 Stat. 2437

CFR Citation: 43 CFR Subpart 2627

Legal Deadline: None.

Abstract: This rule will be amended to provide a change in selection procedures for the State of Alaska as provided for in the amendments to the Alaska Statehood Act.

Timetable:

Action	Date	FR Cite
NPRM	11/18/83	48 FR 48400
Withdrawn	09/17/87	52 FR 35119

Small Entity: No

Agency Contact: Robert Faithful, Department of the Interior, Bureau of Land Management, 18th and C Streets, NW, Washington, DC 20240, **202 343-6511**

RIN: 1004-AA12

DOI—BLM

Completed Actions

1302. LEASES, PERMITS AND EASEMENTS

Legal Authority: 43 USC 1732; 43 USC 1740; 43 USC 1733; 43 USC 1734

CFR Citation: 43 CFR 2920; 43 CFR 9260

Legal Deadline: None.

Abstract: This rule will amend the existing regulations to provide penalties for unauthorized use of public lands.

Timetable:

Action	Date	FR Cite
NPRM	07/27/87	52 FR 28024
NPRM Comment Period End	08/26/87	
Final Action	12/29/87	52 FR 49114
Final Action Effective	01/28/88	52 FR 49114

Small Entity: Undetermined

Agency Contact: Ralph Conrad, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Washington, DC 20240, 202 343-8693

RIN: 1004-AB29

1303. COMPETITIVE LEASING; ENVIRONMENT

Legal Authority: 30 USC 181 et seq; 30 USC 201a; 30 USC 351 to 359; 30 USC 1201 et seq; 43 USC 1701 et seq

CFR Citation: 43 CFR 3420; 43 CFR 3460

Legal Deadline: None.

Abstract: This rule will modify the existing regulations as they relate to the 20 coal unsuitability criteria and their application during the Bureau of Land Management's land use planning process. The changes made by the rule are a result of the Office of Technology Assessment's study of the Federal coal programs treatment of environmental issues.

Timetable:

Action	Date	FR Cite
NPRM	05/15/87	52 FR 18404
NPRM Comment Period End	06/15/87	52 FR 18404
Final Action	12/08/87	52 FR 46469
Final Action Effective	01/07/88	52 FR 46469

Small Entity: No

Agency Contact: Walter Rewinski, Department of the Interior, Bureau of Land Management, 1800 C Street, NW, Room 3600, Main Interior Bldg., Washington, DC 20240, 202 343-6821

RIN: 1004-AB25

BILLING CODE 4310-84-T

DEPARTMENT OF THE INTERIOR (DOI)

Office of the Secretary (OS)

Completed Actions

1304. NATURAL RESOURCE DAMAGE ASSESSMENT - TYPE B AMENDMENTS

Legal Authority: 42 USC 9651(c)(1) CERCLA as amended

CFR Citation: 43 CFR 11

Legal Deadline: Statutory, April 17, 1987. SARA calls for any necessary amendments to be prepared within 6 months of enactment of SARA (Oct. 17, 1986).

Abstract: CERCLA allows trustees of natural resources that have been damaged by a release of a hazardous substance or a discharge of oil to bring a claim against the potentially responsible party of the Superfund. Section 301(c) requires the development of regulations for the assessment of damages to natural resources. Two sets of regulations are required by the Act: a set of simplified procedures that require minimal field investigations, referred to as the type A procedures, and a set of alternative procedures for the testing, sampling, and valuing of natural resource damages, referred to as the type B procedures. The Superfund Amendments and Reauthorization Act of 1986 (SARA), enacted on October 17, 1986, amended certain sections of CERCLA that pertain to natural resource damages and the Section 301(c) damage assessment regulations. This submittal covers the amendments required to the Section 301(c) damage assessment regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/17/87	52 FR 12886
NPRM Comment Period End	06/17/87	52 FR 19896
Final Action	02/22/88	53 FR 5166
Final Action Effective	03/23/88	

Small Entity: No

Affected Sectors: None

Agency Contact: Bruce Blanchard, Director, Office of Environmental Review, Department of the Interior, Office of the Secretary, 18th & C Sts., NW, Washington, DC 20240, 202 343-3891

RIN: 1093-AA05

1305. DEPARTMENT OF THE INTERIOR, PROCUREMENT ETHICS REGULATION

Legal Authority: 5 USC 301; EO 11222; 43 CFR 20.735

CFR Citation: 48 CFR 1400

Legal Deadline: None.

Abstract: This notice of proposed rulemaking proposes to provide implementing regulations in the Department of the Interior Acquisition Regulation for E. O. 11222 governing ethics conduct for Government employees. The proposed rule would also provide a special code of conduct for employees with procurement responsibilities in accordance with 43 CFR 20.735-2(h).

Timetable:

Action	Date	FR Cite
NPRM	03/00/87	
Became RIN No. 1090-AA15	03/01/88	

Small Entity: No

Agency Contact: William S. Opdyke, Chief, Division of Acquistion and Assistance, Department of the Interior, Office of the Secretary, 18th and C Streets, NW, Washington, DC 20240, 202 343-3433

RIN: 1093-AA06

BILLING CODE 4310-RK-T

[FR Doc. 88-5084 Filed 04-22-88; 8:45 am]

federal register

Monday
April 25, 1988

Part XI

Department of Justice

Semiannual Regulatory Agenda

DEPARTMENT OF JUSTICE (DOJ)

DEPARTMENT OF JUSTICE

8 CFR Ch. I

28 CFR Ch. I

48 CFR Ch. 28

Regulatory Agenda

AGENCY: Justice Management Division, Justice.

ACTION: Regulatory agenda.

SUMMARY: The Department of Justice is publishing its April 1988 regulatory agenda pursuant to Executive Order No. 12291, "Federal Regulation," 3 CFR Part 127 (1981 Compilation), the Regulatory Flexibility Act, 5 U.S.C.A. 601-612 (West 1984), and Office of Management and Budget Bulletin No. 88-1, October 7, 1987.

FOR FURTHER INFORMATION CONTACT: Terry Samuels, Executive Secretariat, Justice Management Division, Department of Justice, Room 1110, 10th and Constitution Avenue, NW., Washington, DC 20530 (202-633-3123).

Dated: March 4, 1988.

Harry H. Flickinger,

Assistant Attorney General for Administration.

Civil Rights Division—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1306	Nondiscrimination on the Basis of Age in Programs or Activities Receiving Federal Financial Assistance	1190-AA03
1307	Enforcement of Nondiscrimination on the Basis of Handicap in Department of Justice Programs	1190-AA16

Civil Rights Division—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1308	Implementation of the Provisions of the Voting Rights Act Regarding Language Minority Groups	1190-AA15
1309	Unfair Immigration - Related Employment Practices	1190-AA17

General Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1310	Procedures for Tax Refund Offsets for the Collection of Judgments	1103-AA16
1311	Justice Acquisition Regulations Title 48 2870 Nondiscrimination on the Basis of Handicap in DOJ Contracting Activities	1103-AA17
1312	Determination for Access to National Security Information: Eligibility, Adjudication, and Appeal Procedures	1103-AA18

General Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1313	Representation and Appearances	1103-AA05
1314	Rules of Practice and Procedure for Administrative Hearings Before Administrative Law Judges in Cases Involving Allegations of Unlawful Employment of Aliens and Unfair (Cont)	1103-AA14
1315	Implementation of the Program Fraud Civil Remedies Act of 1986	1103-AA15

General Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1316	Justice Acquisition Regulations Title 48 2801 Career Management Program	1103-AA10

DOJ

Immigration and Naturalization Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1317	Inspection of Persons Applying for Admission	1115-AA27
1318	Public Notice, Notice of Proposed Solicitation	1115-AB02

Immigration and Naturalization Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1319	Seizure and Forfeiture of Vehicles, Vessels and Aircraft	1115-AA26
1320	Nonimmigrant Classes, Special Requirements	1115-AA65
1321	Application for Verification of Information from INS Service Records; Form and Fee Cancellation	1115-AA66
1322	Establishment of National Fines Office	1115-AA73
1323	Documentary Requirements; Nonimmigrants; Waivers; Admission of Certain Inadmissible Aliens; Parole	1115-AB00
1324	Acceptance by Overseas Immigration and Naturalization Service Officers and American Consulates of Jurisdiction of Relative Petitions based on Residence of Petitioners	1115-AB01

Immigration and Naturalization Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1325	Asylum Procedures	1115-AA13
1326	Documentary Requirements: Nonimmigrants; Waivers; Admission of Certain Inadmissible Aliens; Parole; Direct Transits	1115-AA19
1327	Nonimmigrant Classes; Temporary Employees	1115-AA25
1328	Powers and Duties of Service Officers; Availability of Service Records	1115-AA28
1329	Powers and Duties of Service Officers; Availability of Service Records; Nonimmigrant Classes	1115-AA29
1330	Adjustment of Status to that of Persons Admitted for Permanent Residence; Creation of Records of Lawful Admission of Permanent Residence	1115-AA31
1331	Marriage Fraud Amendment Regulations	1115-AA32
1332	Bonds	1115-AA41
1333	Temporary Alien Workers Seeking Classification Under the Immigration and Nationality Act	1115-AA44
1334	State Employment Agencies	1115-AA50
1335	Detention and Release of Juveniles	1115-AA53
1336	Display of Control Numbers	1115-AA54
1337	Temporary Disqualification of Certain Newly Legalized Aliens from Receiving Benefits from Federal Programs of Financial Assistance	1115-AA55
1338	Special Agricultural Workers	1115-AA57
1339	Definitions of Felony and Misdemeanor	1115-AA58
1340	Documentary Requirements: Nonimmigrants; Waivers; Admission of Certain Inadmissible Aliens; Parole	1115-AA59
1341	Revision of Field Office Listing	1115-AA60
1342	Adjustment of Status for Certain Aliens	1115-AA64
1343	Certificate of Citizenship	1115-AA67
1344	Nonimmigrant Classes; Special Requirements for Admission; Extension and Maintenance of Status	1115-AA68
1345	Prevention of Unauthorized Landing of Aliens, by Owners and Operators of Railroad Lines, International Bridges, or Toll Roads	1115-AA72
1346	Visa Waiver Pilot Program	1115-AA75
1347	Equal Treatment of Fathers	1115-AA76
1348	Rule Revision to Add New Special Immigrant and Nonimmigrant Classifications	1115-AA80
1349	Immigration User Fee, Conforming Amendments	1115-AA81
1350	Special Agricultural Workers	1115-AA83
1351	Change of Nonimmigrant Classification	1115-AA87
1352	Contracts with Transportation Lines	1115-AA88
1353	Revision of Regulations Regarding the Seizure and Forfeiture of Conveyances	1115-AA95
1354	Adjustment of Status for Certain Aliens	1115-AA97

DOJ

Immigration and Naturalization Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1355	Immigration User Fee	1115-AA30
1356	Documentary Requirements: Nonimmigrants; Waivers; Admission of Certain Inadmissible Aliens; Parole; Judicial Recommendations Against Deportation; Proceedings to Determine Deportability	1115-AA34
1357	Addition of New Service Office	1115-AA49
1358	Adjustment of Status; Persons Admitted for Permanent Residence	1115-AA61
1359	Nonimmigrant Classes; Requirements for Admission, Extension, and Maintenance of Status	1115-AA69
1360	Control of Employment of Aliens	1115-AA71
1361	Documentary Requirements, Nonimmigrants	1115-AA74
1362	Change in Procedure in Asylum Adjudications	1115-AA94
1363	Residence, Physical Presence and Absence	1115-AA96
1364	Direct Mail of Applications and Petitions to the Regional Service Center in San Ysidro, California	1115-AA98
1365	Legalization and Special Agricultural Worker Applicants Assistance; Qualified Designated Entity Listing of Outreach Program	1115-AA99

Legal Activities—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1366	Implementation of the Equal Access to Justice Act in Department of Justice Administrative Proceedings	1105-AA05

Office of Justice Programs—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1367	Equal Employment Opportunity Program Guidelines	1121-AA10
1368	Nondiscrimination in Federal Assisted Programs -- Implementation of Section 809 (c) (1) of the Justice Assistance Act of 1984	1121-AA11
1369	Criminal Intelligence Systems Operating Policies	1121-AA12
1370	Criminal Justice Information Systems	1121-AA13

DEPARTMENT OF JUSTICE (DOJ)

Final Rule Stage

Civil Rights Division (CRT)

1306. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE

Legal Authority: 42 USC 6103

CFR Citation: 28 CFR 42, Subpart I, (New)

Legal Deadline: None.

Abstract: This regulation will implement the Age Discrimination Act of 1975, as amended, in programs or activities assisted by the Department of Justice (DOJ). The statute, 42 USC 6103(a)(4), requires that Federal agencies providing Federal financial assistance promulgate implementing regulations consistent with the general regulations issued by the Secretary of Health and Human Services (HHS), and the statute provides that such agency regulations shall not be effective until approved by HHS. In 1980 the proposed rule was published for comment, modified, approved by the DOJ Office of Legal Counsel, and on November 10, 1980 a draft final rule was forwarded to HHS for approval. On July 13, 1984 HHS conditionally approved the draft regulation. On August 12, 1987 DOJ submitted to HHS a draft final regulation.

Timetable:

Action	Date	FR Cite
NPRM Comment Period End	06/18/80	45 FR 32710
Final Action	00/00/00	

Small Entity: No

Agency Contact: Doreen Dennis, Attorney, Coordination and Review Section, Department of Justice, Civil Rights Division, P.O. Box 66118, Washington, DC 20035-6118, 202 724-2219

RIN: 1190-AA03

DOJ—CRT

Final Rule Stage

1307. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN DEPARTMENT OF JUSTICE PROGRAMS

Legal Authority: 29 USC 794

CFR Citation: 28 CFR 42

Legal Deadline: None.

Abstract: This proposed regulation would amend the regulation issued by the Department of Justice for enforcement of section 504 of the Rehabilitation Act of 1973, as amended, in federally assisted programs or activities to include a cross-reference to the Uniform Federal Accessibility Standards.

Timetable:

Action	Date	FR Cite
NPRM	03/01/87	
Final Action	04/01/88	

Small Entity: No

Agency Contact: Merrily Raffa, Attorney, Coordination and Review Section, Department of Justice, Civil Rights Division, P.O. Box 66118, Washington, DC 20035-6118, 202 724-2216

RIN: 1190-AA16

DEPARTMENT OF JUSTICE (DOJ)
Civil Rights Division (CRT)

Completed Actions

1308. IMPLEMENTATION OF THE PROVISIONS OF THE VOTING RIGHTS ACT REGARDING LANGUAGE MINORITY GROUPS

CFR Citation: 28 CFR 55

Completed:

Reason	Date	FR Cite
Final Action	01/12/88	53 FR 735
Final Action Effective	01/12/88	53 FR 735

Small Entity: Not Applicable

Agency Contact: David H. Hunter 202 724-5898

RIN: 1190-AA15

1309. UNFAIR IMMIGRATION - RELATED EMPLOYMENT PRACTICES

CFR Citation: 28 CFR 44

Completed:

Reason	Date	FR Cite
Final Action	10/06/87	52 FR 37402
Final Action Effective	11/05/87	

Small Entity: No

Agency Contact: Mary E. Mann 202 653-8121

RIN: 1190-AA17

DEPARTMENT OF JUSTICE (DOJ)
General Administration (DOJADM)

Proposed Rule Stage

1310. PROCEDURES FOR TAX REFUND OFFSETS FOR THE COLLECTION OF JUDGMENTS

Legal Authority: 31 USC 3720A; 31 USC 3718; 28 USC 509; 28 USC 510

CFR Citation: 28 CFR Not yet determined

Legal Deadline: None.

Abstract: The proposed regulation will establish procedures for referring to the Department of the Treasury debts for collection by offset against Federal income tax refunds.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	
NPRM Comment Period End	07/30/88	
Final Action Effective	08/30/88	

Small Entity: No

Agency Contact: Robert C. Niffenegger, Department of Justice, General Administration, 10th Street and Constitution Avenue, NW, Washington, DC 20530, 202 633-5345

RIN: 1103-AA16

1311. ● JUSTICE ACQUISITION REGULATIONS TITLE 48 2870 NONDISCRIMINATION ON THE BASIS OF HANDICAP IN DOJ CONTRACTING ACTIVITIES

Legal Authority: 29 USC 794

CFR Citation: 48 CFR 2870, (New); 48 CFR 2852.270-1

Legal Deadline: None.

Abstract: These rules will prohibit discrimination against the handicapped in agency programs or activities conducted by contractors. The rules will not have a significant cost impact on contractors but will enhance services to the handicapped and prevent discrimination.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: W. L. Vann, Procurement Executive, Department of Justice, General Administration, 601 D Street, NW, Room 6406, Washington, DC 20530, 202 272-8354

RIN: 1103-AA17

1312. ● DETERMINATION FOR ACCESS TO NATIONAL SECURITY INFORMATION: ELIGIBILITY, ADJUDICATION, AND APPEAL PROCEDURES

Legal Authority: EO 12356

CFR Citation: 28 CFR 17

Legal Deadline: None.

Abstract: To establish procedures for granting, denying, suspending, and revoking access to national security information originated by, or in the control of, the Department of Justice.

DOJ—DOJADM **Proposed Rule Stage**

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: D. Jerry Rubino, Director, Security and Emergency Planning, Staff, Department of Justice, General Administration, 10th & Constitution Avenue, N.W., Washington, DC 20530, **202 633-2094**

RIN: 1103-AA18

DEPARTMENT OF JUSTICE (DOJ)
General Administration (DOJADM)

Final Rule Stage

1313. REPRESENTATION AND APPEARANCES

Significance: Agency Priority

Legal Authority: 8 USC 1103; 8 USC 1362

CFR Citation: 8 CFR 292.1

Legal Deadline: None.

Abstract: The contemplated regulation change would limit practice of foreign-licensed attorneys outside the definition of attorney under 8 CFR 1.1(f) to matters arising outside the United States and to those instances where the Immigration and Naturalization Service allows such practice. This is designed to help assure the high quality of representation in immigration matters.

Timetable:

Action	Date	FR Cite
NPRM	01/29/87	52 FR 2951
NPRM Comment Period End	03/02/87	52 FR 2951

Next Action Undetermined

Small Entity: No

Agency Contact: Gerald S. Hurwitz, Counsel to the Director, Department of Justice, General Administration, Executive Office for Immigration Review, Suite 1609, 5203 Leesburg Pike, Falls Church, VA 22041, **703 756-6470**

RIN: 1103-AA05

1314. RULES OF PRACTICE AND PROCEDURE FOR ADMINISTRATIVE HEARINGS BEFORE ADMINISTRATIVE LAW JUDGES IN CASES INVOLVING ALLEGATIONS OF UNLAWFUL EMPLOYMENT OF ALIENS AND UNFAIR (CONT)

Significance: Agency Priority

Legal Authority: 5 USC 301; 5 USC 554; 8 USC 1103; 8 USC 1324a; 8 USC 1324b

CFR Citation: 28 CFR 66

Legal Deadline: None.

Abstract: These regulations will provide the rules of practice and procedure in administrative hearings regarding allegations of unlawful hiring, recruiting or referring for a fee, for employment in the United States of aliens knowing that the aliens are not authorized to work in the United States, or the continued employment of aliens in the United States knowing the aliens are (or have become) unauthorized to work in the United States, failure to comply with the employment verification requirements and unfair immigration-related employment practices.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/24/87	52 FR 44972

Next Action Undetermined

Small Entity: No

Additional Information: TITLE CONT: Immigration-Related Employment Practices

Agency Contact: Gerald S. Hurwitz, Counsel to the Director, Department of Justice, General Administration, Executive Office for Immigration Review, 5203 Leesburg Pike, Suite 1609, Falls Church, VA 22041, **703 756-6470**

RIN: 1103-AA14

1315. IMPLEMENTATION OF THE PROGRAM FRAUD CIVIL REMEDIES ACT OF 1986

Legal Authority: 31 USC 3801 to 3812; 28 USC 509; 28 USC 510; 5 USC 301

CFR Citation: 28 CFR 0; 28 CFR 71

Legal Deadline: Statutory, April 29, 1987.

Abstract: Part A of these regulations will implement the Program Fraud Civil Remedies Act with respect to actions initiated by the Department of Justice. The rules will establish administrative procedures for imposing statutorily authorized civil penalties against any person who makes, submits or presents a false, fictitious, or fraudulent claim or written statement to the Department of Justice.

Part B of these rules designates officials within the Department of Justice who are authorized to exercise the authorities conferred upon the Attorney General with respect to cases brought to the Department of Justice by other agencies or by Department components.

Timetable:

Action	Date	FR Cite
NPRM	02/11/88	53 FR 4034
NPRM Comment Period End	03/14/88	
Final Action	05/02/88	
Final Action Effective	05/02/88	

Small Entity: No

Additional Information: Agency Contact with respect to Part A: Janis A. Sposato, General Counsel, Justice Management Division, Department of Justice, Room 6328, 10th and Constitution Avenue, NW, Washington, DC 20530, 202-633-3452

Agency Contact with respect to Part B: Michael F. Hertz, Director, Commercial Litigation Branch, Civil Division, Department of Justice, PO Box 261, Ben Franklin Station, Washington, DC 20044, 202-724-7179

Affected Sectors: None

Agency Contact: Janis A. Sposato/Michael F. Hertz, Department of Justice, General Administration, Washington, DC 20530

RIN: 1103-AA15

DEPARTMENT OF JUSTICE (DOJ)
General Administration (DOJADM)

Completed Actions

1316. JUSTICE ACQUISITION REGULATIONS TITLE 48 2801 CAREER MANAGEMENT PROGRAM

CFR Citation: 48 CFR 2801

Completed:

Reason	Date	FR Cite
Final Action	08/31/87	52 FR 32796
Final Action Effective	08/31/87	52 FR 32796

Small Entity: No

Agency Contact: W. L. Vann 202 272-8354

RIN: 1103-AA10

DEPARTMENT OF JUSTICE (DOJ)
Immigration and Naturalization Service (INS)

Prerule Stage

1317. INSPECTION OF PERSONS APPLYING FOR ADMISSION

Legal Authority: 31 USC 9701

CFR Citation: 8 CFR 235.11

Legal Deadline: None.

Abstract: This proposed rule would amend existing regulations to charge carriers for the administrative costs and the Service's portion of the Social Security taxes associated with billable 1931 Act overtime.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Federal

Agency Contact: Charles S. Thomason, Jr., Systems Accountant, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, **202 633-4705**

RIN: 1115-AA27

1318. ● PUBLIC NOTICE, NOTICE OF PROPOSED SOLICITATION

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1255; 8 USC 1257

CFR Citation: 8 CFR 245

Legal Deadline: None.

Abstract: This notice announces the Service's consideration of implementation of a standardized English language/citizenship test for legalization purposes and to request comments from entities who are capable and interested in developing and implementing standardized tests for this effort.

Timetable:

Action	Date	FR Cite
Public Notice	04/30/88	

Small Entity: Undetermined

Additional Information: INS Number 1100-88

Agency Contact: Terrance M. O'Reilly, Deputy Assistant Commissioner, Department of Justice, Immigration and Naturalization Service, **202 786-3658**

RIN: 1115-AB02

DEPARTMENT OF JUSTICE (DOJ)
Immigration and Naturalization Service (INS)

Proposed Rule Stage

1319. SEIZURE AND FORFEITURE OF VEHICLES, VESSELS AND AIRCRAFT

Legal Authority: 8 USC 1324

CFR Citation: 8 CFR 274

Legal Deadline: None.

Abstract: The proposed changes would amend existing regulations relating to the seizure and forfeiture of vehicles, vessels and aircraft.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: INS Number 1033-87

Government Levels Affected: Federal

Agency Contact: Paul Virtue, Assistant General Counsel, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, **202 633-2656**

RIN: 1115-AA26

1320. NONIMMIGRANT CLASSES, SPECIAL REQUIREMENTS

Legal Authority: 8 USC 1101; 8 USC 1184

CFR Citation: 8 CFR 214.2(b)

Legal Deadline: None.

Abstract: The Immigration and Naturalization Service ("the Service") proposes to restrict the types of situations under which an alien may apply for an extension of stay as a nonimmigrant visitor for pleasure (B-2). Faced with ever-increasing adjudications caseloads and with resources which fail to keep pace with those increases, the Service must continually seek ways to carry out its responsibilities in a more efficient manner. By limiting the situations under which a visitor for pleasure may seek an extension of stay, the Service will decrease the amount of resources which must be dedicated to this area and will be able to increase its efforts in other areas having higher priority.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: INS Number 1029-87

Government Levels Affected: Federal

Agency Contact: Michael L. Shaul, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, **202 633-3946**

RIN: 1115-AA65

DOJ—INS

Proposed Rule Stage

1321. APPLICATION FOR VERIFICATION OF INFORMATION FROM INS SERVICE RECORDS; FORM AND FEE CANCELLATION

Legal Authority: 8 USC 1103; 31 USC 9701

CFR Citation: 8 CFR 103.7

Legal Deadline: None.

Abstract: The Immigration and Nationalization Service ("the Service") entertains numerous requests for Verification of Information from INS Service Records, via Form G-641. This form has been misused as a substitute document, while other INS documents are being prepared (i.e.: I-94, I-551 or Certificate of Naturalization or Citizenship). Should an applicant need to have his or her status verified while waiting for one of these documents to be processed, and such verification can be satisfied by obtaining a copy of a document (Certified if necessary), an FOIA/PA request can be made. If verification is needed to obtain a benefit and a copy will not suffice, the agency needing verification can make a direct request to the INS and it will be handled as appropriate.

Discontinuing the use of Form G-641 will also eliminate the need to request Form G-350, Certification of Birth Data. Requests for this document are minimal since foreign-born children are issued an alien registration receipt card or a citizenship document by INS and no other form of identification should be necessary.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: INS Number 1044-87

Government Levels Affected: Federal

Agency Contact: Ramonia Law-Hill, Information Management Specialist, Department of Justice, Immigration and Naturalization Service, **202 633-2552**

RIN: 1115-AA66

1322. ESTABLISHMENT OF NATIONAL FINES OFFICE

Legal Authority: PL 99-591

CFR Citation: 8 CFR 280

Legal Deadline: None.

Abstract: This rule establishes a centralized handling of administrative fines; dept established as a precursor of National Collections office. Removes workload from district examiners.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	
NPRM Comment Period End	07/31/88	

Small Entity: No

Additional Information: INS Number 1108-88

Government Levels Affected: Federal

Agency Contact: Daniel J. Stephan, Assistant Chief Inspector, Department of Justice, Immigration and Naturalization Service, **202 633-2680**

RIN: 1115-AA73

1323. ● DOCUMENTARY REQUIREMENTS; NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

Legal Authority: 8 USC 1101; 8 USC 1102; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1225; 8 USC 1226; 8 USC 1252; 48 FR 8039; 8 CFR 2

CFR Citation: 8 CFR 212

Legal Deadline: None.

Abstract: This rule expands the coverage of the waiver of inadmissibility of mentally retarded aliens seeking entry as nonimmigrants.

Timetable:

Action	Date	FR Cite
NPRM	02/05/88	53 FR 3403
NPRM Comment Period End	04/05/88	53 FR 3403
Final Action	09/30/88	

Small Entity: No

Additional Information: INS Number 1102-88

Agency Contact: Joanna London, Associate General Counsel, Department of Justice, Immigration and Naturalization Service, **202 633-2895**

RIN: 1115-AB00

1324. ● ACCEPTANCE BY OVERSEAS IMMIGRATION AND NATURALIZATION SERVICE OFFICERS AND AMERICAN CONSULATES OF JURISDICTION OF RELATIVE PETITIONS BASED ON RESIDENCE OF PETITIONERS

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1255

CFR Citation: 8 CFR 204

Legal Deadline: None.

Abstract: This amendment revises and clarifies the process used by overseas INS offices and American consulates in accepting jurisdiction of Forms I-130, petitions for alien relatives.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: No

Additional Information: INS Number 1055-87

Agency Contact: Yolanda Sanchez-K, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, **202 633-5014**

RIN: 1115-AB01

DEPARTMENT OF JUSTICE (DOJ)

Immigration and Naturalization Service (INS)

Final Rule Stage

1325. ASYLUM PROCEDURES

Significance: Regulatory Program

Legal Authority: 8 USC 1103; 8 USC 1158; 8 USC 1182; 8 USC 1225; 8 USC 1226; 8 USC 1252; 8 USC 1253; 8 USC 1283

CFR Citation: 8 CFR 208; 8 CFR 236.3; 8 CFR 242.17(c); 8 CFR 243.9; 8 CFR 253.1(f); 8 CFR 3

Legal Deadline: None.

Abstract: The proposed rule would set forth procedures to be used in adjudicating asylum and withholding of deportation applications under sections 208 and 243(h) of the Immigration and Nationality Act.

Timetable:

Action	Date	FR Cite
NPRM	08/28/87	52 FR 32552
NPRM Comment Period End	10/27/87	52 FR 32552
Final Action	00/00/00	

Small Entity: No

Additional Information: DOJ Order Number 1211-87

Agency Contact: Ralph B. Thomas, Immigration Inspector, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, **202 633-5463**

RIN: 1115-AA13

1326. DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE; DIRECT TRANSITS

Legal Authority: 8 USC 1182

CFR Citation: 8 CFR 212.7(d)

Legal Deadline: None.

Abstract: This final rule outlines requirements for approval of section 212(k) waivers, including an amended I-193 for use in making the application.

Timetable:

Action	Date	FR Cite
Final Action	06/30/88	

Small Entity: No

Agency Contact: Susan Curda, Assistant Chief Inspector, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, **202 633-2725**

RIN: 1115-AA19

1327. NONIMMIGRANT CLASSES; TEMPORARY EMPLOYEES

Significance: Regulatory Program

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1258

CFR Citation: 8 CFR 214.2(h)

Legal Deadline: None.

Abstract: The Immigration Reform and Control Act of 1986 (IRCA) imposes sanctions against employers who hire aliens not authorized to work. Since many of the nation's agricultural employers have become dependent upon such workers to meet production and harvesting needs, Congress created the Special Agricultural Workers (SAW) Program and the Replenishment Agricultural Workers (RAW) Program to provide permanent resident status to certain agricultural workers. To clarify the process through which employers can employ nonimmigrant seasonal and temporary agricultural workers, Congress moved agricultural employment from H-2 classification into a separate H-2A class, and incorporated a labor certification process into the statute. This interim rule establishes special H-2A regulatory criteria. It supplements the Department of Labor's rules covering the temporary agricultural labor certification process. This rule amends Service regulations relating therefore to temporary alien workers seeking classification under section 101(a)(15) (H) of the Immigration and Nationality Act.

Timetable:

Action	Date	FR Cite
NPRM	08/08/86	51 FR 28576
NPRM Comment Period End	10/07/86	52 FR 28576
Interim Final Rule	06/01/87	52 FR 20554
Interim Rule Effective Date	06/01/87	52 FR 20554
Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number 1008-87

Government Levels Affected: Federal

Agency Contact: Michael L. Aytes, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, **202 633-3946**

RIN: 1115-AA25

1328. POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS

Legal Authority: 8 USC 1103

CFR Citation: 8 CFR 103.2(b)

Legal Deadline: None.

Abstract: This proposed rule would authorize a district director to withhold adjudication of a visa petition or application when determined necessary to pursue a criminal investigation.

Timetable:

Action	Date	FR Cite
NPRM	05/30/86	51 FR 19559
NPRM Comment Period End	07/29/86	51 FR 19559
Next Action Undetermined		

Small Entity: No

Agency Contact: Lori Scialabba, Assistant General Counsel, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, **202 633-3197**

RIN: 1115-AA28

1329. POWERS AND DUTIES OF SERVICE OFFICERS; AVAILABILITY OF SERVICE RECORDS; NONIMMIGRANT CLASSES

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1351; 8 USC 1454; 8 USC 1455

CFR Citation: 8 CFR 103.1(f)(1); 8 CFR 214.4

Legal Deadline: None.

Abstract: This proposed rule would revise the procedures and authority to withdraw approval of a school to enroll foreign students.

Timetable:

Action	Date	FR Cite
NPRM	11/05/86	51 FR 40207
NPRM Comment Period End	01/05/87	51 FR 40207
Final Action	12/00/88	

Small Entity: No

Additional Information: INS Number C-87

Agency Contact: Joanna London, Associate General Counsel, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, **202 633-2895**

RIN: 1115-AA29

1330. ADJUSTMENT OF STATUS TO THAT OF PERSONS ADMITTED FOR PERMANENT RESIDENCE; CREATION OF RECORDS OF LAWFUL ADMISSION OF PERMANENT RESIDENCE

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1255; 8 USC 1257; 8 USC 1259

CFR Citation: 8 CFR 245.1; 8 CFR 245.6; 8 CFR 245.7; 8 CFR 245.8; 8 CFR 245.9; 8 CFR 249.2

Legal Deadline: Statutory, November 6, 1986.

Abstract: This interim rule will implement sections 117, 202, and 203 of the Immigration Reform and Control

Act of 1986. Section 107 contains prohibitions on adjustment of lawful permanent resident status by certain individuals. Section 202 provides for adjustment to lawful permanent resident status by certain nationals of Cuba and Haiti. Section 203 changes the registry date for creation of record of lawful permanent residence from June 30, 1948 to January 1, 1972.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/03/87	52 FR 6320
Correction of legal citation	04/27/87	52 FR 13827
Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number 1003-87

Government Levels Affected: Federal

Agency Contact: Joseph D. Cuddihy, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, **202 633-3320**

RIN: 1115-AA31

1331. MARRIAGE FRAUD AMENDMENT REGULATIONS

Significance: Regulatory Program

Legal Authority: 5 USC 301; 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1181; 8 USC 1182; 8 USC 1184; 8 USC 1186a; 8 USC 1203; 8 USC 1225; 8 USC 1226; 8 USC 1227; PL 99-639

CFR Citation: 8 CFR 204.1; 8 CFR 205.1; 8 CFR 211.1; 8 CFR 212.7; 8 CFR 214.2; 8 CFR 216.1; 8 CFR 216.2; 8 CFR 216.3; 8 CFR 216.4; 8 CFR 216.5; 8 CFR 223.2; 8 CFR 223a.4; 8 CFR 235.11; 8 CFR 242.7; 8 CFR 242.17; ...

Legal Deadline: None.

Abstract: The Immigration Marriage Fraud Amendments of 1986 (Pub.L. 99-639) became effective on November 10, 1986. The law provides for conditional permanent resident status for certain alien spouses, sons and daughters of US citizens and lawful permanent residents. It also provides for the removal of the conditional basis of such residence upon the filing of a joint petition by the conditional resident and the petitioning spouse. Additionally, the law provides for the termination of an alien's lawful permanent residence for failure to file the necessary petition or for other reasons. This rulemaking creates interim regulations necessary for the implementation of the law pending preparation of final regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/27/88	53 FR 2426
Interim Rule Comment Period Ends	02/26/88	53 FR 2426
Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number B-88

Agency Contact: Michael L. Shaul, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, 425 Eye St., NW, Washington, DC 20536, **202 633-3946**

RIN: 1115-AA32

1332. BONDS

Legal Authority: 5 USC 552(A); 8 USC 1101; 8 USC 1103; 8 USC 1201; 8 USC 1301; 8 USC 1302; 8 USC 1303; 8 USC 1304; 8 USC 1305; 8 USC 1351; 8 USC 1443; 8 USC 1454; 8 USC 1455; 28 USC 1746; 7 USC 2243; ...

CFR Citation: 8 CFR 103

Legal Deadline: None.

Abstract: This rule proposes to eliminate surety bonds as acceptable security on immigration appearance, public charge, and maintenance of status and departure bonds. This change is necessary to increase alien appearances and minimize dollar losses to the U.S.

Timetable:

Action	Date	FR Cite
NPRM	07/01/87	52 FR 24475
NPRM Comment Period End	07/31/87	52 FR 24475
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: INS Number 1036-87

Government Levels Affected: Federal

Agency Contact: Karl Klauk, Associate General Counsel, Department of Justice, Immigration and Naturalization Service, **202 633-1261**

RIN: 1115-AA41

1333. TEMPORARY ALIEN WORKERS SEEKING CLASSIFICATION UNDER THE IMMIGRATION AND NATIONALITY ACT

Legal Authority: 8 USC 1101

CFR Citation: 8 CFR 214.2(h)

Legal Deadline: None.

Abstract: The proposed rule amends regulations of the INS relating to Temporary Alien Workers seeking classification under section 101(a) (15) (H) of the Immigration and Nationality Act.

Timetable:

Action	Date	FR Cite
NPRM	08/08/86	51 FR 28576
NPRM Comment Period End	10/07/86	51 FR 28576
Interim Final Rule	00/00/00	
Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number 1040-87

Government Levels Affected: Federal

Agency Contact: Flora Richardson, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, **202 633-3240**

RIN: 1115-AA44

1334. STATE EMPLOYMENT AGENCIES

Significance: Agency Priority

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1324a; PL 99-603

CFR Citation: 8 CFR 274a.6

Legal Deadline: None.

Abstract: This interim rule amends the regulations at 8 CFR 274a.6, defining procedures for state employment agencies in verifying the identity and employment eligibility of individuals and certifying verifications to employers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/09/87	52 FR 43050
Effective date of Interim Rule	11/09/87	52 FR 43050
Comment period closes on Interim Rule	01/08/88	52 FR 43050
Final Action	00/00/00	

Small Entity: No

DOJ—INS

Final Rule Stage

Additional Information: INS Number 1046-87

Government Levels Affected: State, Federal

Agency Contact: Steven M. Hurst, Senior Special Agent, Department of Justice, Immigration and Naturalization Service, **202 633-4495**

RIN: 1115-AA50

1335. DETENTION AND RELEASE OF JUVENILES

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1182; 8 USC 1184; 8 USC 1225; 8 USC 1226; 8 USC 1228; 8 USC 1252; 8 USC 1182b; 8 USC 1182c; 8 USC 1254; 8 USC 1255; 8 USC 1357; 8 USC 1362

CFR Citation: 8 CFR 212; 8 CFR 242

Legal Deadline: None.

Abstract: The proposed rule would add a new Section 242.24 and would replace existing Subsection 212.5(a)(2)(ii) with a new section. The purpose of this regulation is to codify Service policy regarding detention and release of juvenile aliens and to provide a single policy for juveniles in both deportation and exclusion proceedings.

Timetable:

Action	Date	FR Cite
NPRM	10/15/87	52 FR 38245
NPRM Comment Period End	11/16/87	52 FR 38245
Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number 1035-87

Government Levels Affected: Federal

Agency Contact: Mary Ruth Calhoun, Juvenile Detention Specialist, Department of Justice, Immigration and Naturalization Service, **202 633-4120**

RIN: 1115-AA53

1336. DISPLAY OF CONTROL NUMBERS

Legal Authority: 66 Stat. 173; 8 USC 1103

CFR Citation: 8 CFR 299.5

Legal Deadline: None.

Abstract: A new Section 299.5 is being added to 8 CFR Part 299. The new section, titled, Display of Control Numbers, will allow the Immigration and Naturalization Service (Service), to compile, in one centralized location within its regulations, a listing of all current Service public use forms and their respective control numbers as assigned by the Office of Management and Budget (OMB) under the provisions of the Paperwork Reduction Act. The consolidated identification of public use forms will enable both Service officials and the public to easily identify those public use forms in current use by the Immigration and Naturalization Service.

Timetable:

Action	Date	FR Cite
Final Action	10/31/88	

Small Entity: No

Additional Information: INS Number 1045-87

Government Levels Affected: Federal

Agency Contact: Sharon A. Andrade, Management Analyst, Department of Justice, Immigration and Naturalization Service, **202 633-3291**

RIN: 1115-AA54

1337. TEMPORARY DISQUALIFICATION OF CERTAIN NEWLY LEGALIZED ALIENS FROM RECEIVING BENEFITS FROM FEDERAL PROGRAMS OF FINANCIAL ASSISTANCE

Significance: Agency Priority

Legal Authority: 8 USC 1101, (Note); PL 99-603; 100 Stat. 3359

CFR Citation: 8 CFR 245a

Legal Deadline: None.

Abstract: This proposed rule implements section 245A of the Immigration and Nationality Act ("ACT"), as amended by Section 201 of the Immigration Reform and Control Act of 1986, Pub.L. 99-603 ("IRCA"). Section 245A(h) of the Act provides that, with certain exceptions, aliens granted lawful temporary resident status pursuant to section 245A(a) are not eligible for a period of five years after such grant to receive benefits from programs of financial assistance furnished under Federal law on the basis of financial need. The Attorney General is required by section 245A(h)(1)(A)(i) of the Act to identify such programs after consultation with other appropriate heads of the various departments and agencies of government. This proposed rule implements such provision.

Timetable:

Action	Date	FR Cite
NPRM	08/24/87	52 FR 31784
NPRM Comment Period End	09/23/87	52 FR 31784
Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number 1038-87

Government Levels Affected: Federal

Analysis: Regulatory Impact Analysis

Agency Contact: Paul W. Virtue, Associate General Counsel, Department of Justice, Immigration and Naturalization Service, **202 633-2656**

RIN: 1115-AA55

1338. SPECIAL AGRICULTURAL WORKERS

Significance: Agency Priority

Legal Authority: 8 USC 1101 note

CFR Citation: 8 CFR 210

Legal Deadline: None.

Abstract: This rule incorporates in 8 CFR 210, a reference to the rules established by the Secretary of Agriculture for implementation of the special agricultural worker provisions of the Immigration Reform and Control Act of 1986 (IRCA).

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: INS Number 1032-87

Government Levels Affected: Federal

Agency Contact: Gerald Heinauer, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, **202 633-4657**

RIN: 1115-AA57

1339. DEFINITIONS OF FELONY AND MISDEMEANOR

Legal Authority: 8 USC 1255A

CFR Citation: 8 CFR 245a

Legal Deadline: None.

Abstract: Amends the definition of felony and misdemeanor as it applies to applicants for temporary resident status under the legalization program.

Timetable:

Action	Date	FR Cite
NPRM	09/30/87	52 FR 36582
NPRM Comment Period End	10/30/87	52 FR 36582
Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number 1052-87

Government Levels Affected: Federal

Agency Contact: Franchesco Isgro, Acting Deputy General Counsel, Department of Justice, Immigration and Naturalization Service, 202 633-2517

RIN: 1115-AA58

1340. DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE

Legal Authority: 8 USC 1103; 8 USC 1182

CFR Citation: 8 CFR 212.1(e)(3)

Legal Deadline: None.

Abstract: This rule amends the listing of countries, for which transit without visa privileges are unavailable, to include Syria.

Timetable:

Action	Date	FR Cite
Interim Final Rule	00/00/00	

Small Entity: No

Additional Information: INS Number 1013-87

Government Levels Affected: Federal

Agency Contact: Y. Peggy Wong, Assistant Chief Inspector, Department of Justice, Immigration and Naturalization Service, 202 633-4033

RIN: 1115-AA59

1341. REVISION OF FIELD OFFICE LISTING

Legal Authority: 66 Stat. 173; 8 USC 1103

CFR Citation: 8 CFR 100.4(d)

Legal Deadline: None.

Abstract: Amending the list of Border Patrol Sectors to include Puerto Rico under the Eastern Region.

Timetable:

Action	Date	FR Cite
Final Action	06/30/88	

Small Entity: No

Additional Information: INS Number 1048-87

Government Levels Affected: Federal

Agency Contact: Luis Barker, Deputy Chief, Border Patrol, Department of Justice, Immigration and Naturalization Service, 202 633-1109

RIN: 1115-AA60

1342. ADJUSTMENT OF STATUS FOR CERTAIN ALIENS

Legal Authority: PL 99-603; Stat. 3359; 8 USC 1101 note

CFR Citation: 8 CFR 245a

Legal Deadline: None.

Abstract: This regulation provides technical corrections to existing Service regulations published on May 1, 1987 at 52 FR 16205, and provides additional guidance as required.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/17/87	52 FR 43843
Interim Rule Effective	11/17/87	52 FR 43843
Comment Period Closes on Interim Rule	12/17/87	52 FR 43843
Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number 1050-87

Government Levels Affected: Federal

Agency Contact: Terrance M. O'Reilly, Deputy Assistant Commissioner, Legalization, Department of Justice, Immigration and Naturalization Service, 202 633-4657

RIN: 1115-AA64

1343. CERTIFICATE OF CITIZENSHIP

Legal Authority: PL 99-653; 8 USC 1103; 8 USC 1409(c); 8 USC 1434; 8 USC 1444; 8 USC 1448; 8 USC 1452; 8 USC 1455

CFR Citation: 8 CFR 341

Legal Deadline: Statutory, November 6, 1986.

Abstract: This rule change will implement section 22 of Public Law 99-653, the Immigration and Nationality Act Amendments of 1986, regarding issuance of certificates of citizenship for adopted children. The effect of this rule change is to facilitate acquisition of United States citizenship by adopted alien children once they enter the United States.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/22/87	52 FR 13229
Notice of Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number 1007-87

Government Levels Affected: Federal

Agency Contact: Thomas E. Cook, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, 202 633-5014

RIN: 1115-AA67

1344. NONIMMIGRANT CLASSES; SPECIAL REQUIREMENTS FOR ADMISSION; EXTENSION AND MAINTENANCE OF STATUS

Legal Authority: 8 USC 1101 (a)(15)(B); 8 USC 1184

CFR Citation: 8 CFR 214.2(b)

Legal Deadline: None.

Abstract: This notice announces the intent of the Immigration and Naturalization Service ("the Service") to set forth, in regulatory form, the special requirements for admission, extension and maintenance of status of nonimmigrant alien visitors for business and visitors for pleasure. Much of the Service's written policy relating to this subject is now contained in the Service's Operations Instructions at O.I. 214.2(b). Because it is more appropriate for interpretations and rules to be set forth in regulatory form, this information will become part of 8 CFR 214. In addition, the proposed rulemaking will clarify the criteria for according B-1 classification to members of certain occupations (such as participants in religious programs and members of foreign film crews). By issuing this advance notice, the Service is providing an opportunity to the public to submit comments and make suggestions at an earlier stage of the process. This will result in a proposed rule which is more comprehensive in its

scope and more understandable to the public.

Timetable:

Action	Date	FR Cite
ANPRM	10/01/87	52 FR 36783
ANPRM Comment Period End	11/16/87	52 FR 36783
Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number 1025-87

Government Levels Affected: Federal

Agency Contact: Michael L. Shaul, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, **202 633-3946**

RIN: 1115-AA68

1345. PREVENTION OF UNAUTHORIZED LANDING OF ALIENS, BY OWNERS AND OPERATORS OF RAILROAD LINES, INTERNATIONAL BRIDGES, OR TOLL ROADS

Legal Authority: 8 USC 1103; 8 USC 1321

CFR Citation: 8 CFR 271

Legal Deadline: None.

Abstract: It has long been the contention of owners of international bridges that sufficient safeguards to fine procedures were lacking in the statutory language of Section 271 (8 U.S.C. 1321) of the Immigration and Nationality Act, as amended. The Immigration Reform and Control Act of 1986, Public Law 99-603 Part B at Section 114 provides amelioration to some degree of this contention. This regulation provides for an inspection by the Attorney General, at the request of owners and operators of facilities which provide a means for the unlawful entry of aliens into the United States. If a determination is made that adequate measures have been taken by the owners to prevent such unlawful entry, the owners will be relieved from liability to fine proceedings as long as the facility remains in the condition in which approved.

Timetable:

Action	Date	FR Cite
NPRM	01/16/87	52 FR 1920
NPRM Comment Period End	02/17/87	52 FR 1920
Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number 1019-87

Government Levels Affected: Federal

Agency Contact: Daniel Stephan, Assistant Chief Inspector, Department of Justice, Immigration and Naturalization Service, **202 633-2745**

RIN: 1115-AA72

1346. VISA WAIVER PILOT PROGRAM

Significance: Agency Priority

Legal Authority: Sec 217 IRCA

CFR Citation: 8 CFR 212

Legal Deadline: None.

Abstract: Waives nonimmigrant tourist visa for nationals of eight different countries.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/30/88	

Small Entity: Undetermined

Additional Information: INS Number 1109-88

Government Levels Affected: Federal

Agency Contact: Y. Peggy Wong, Assistant Chief Inspector, Department of Justice, Immigration and Naturalization Service, **202 633-4033**

RIN: 1115-AA75

1347. EQUAL TREATMENT OF FATHERS

Legal Authority: PL 99-603; 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1255

CFR Citation: 8 CFR 204

Legal Deadline: Statutory, November 6, 1987.

Abstract: This revision is to assist in the implementation of Pub. L. 99-603, the Immigration Reform and Control Act of 1986, which recognizes, for preference petition purposes, the relationship between a biological father and his illegitimate child.

Timetable:

Action	Date	FR Cite
Interim Final Rule	00/00/00	

Small Entity: No

Additional Information: INS Number 1049-87

Government Levels Affected: Federal

Agency Contact: Thomas E. Cook, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, **202 633-5014**

RIN: 1115-AA76

1348. RULE REVISION TO ADD NEW SPECIAL IMMIGRANT AND NONIMMIGRANT CLASSIFICATIONS

Legal Authority: 8 USC 1103; 8 USC 1101; 8 USC 1184

CFR Citation: 8 CFR 101; 8 CFR 214

Legal Deadline: Statutory, November 6, 1987. Interim rules effective date.

Abstract: This revision was issued to assist in the implementation of P.L. 99-603, which created new special immigrant and nonimmigrant classifications. This provision was intended to alleviate hardships of international organizations and their immediate family members. The new nonimmigrant classification was added to minimize any family separations caused by ineligibility for special immigrant status on behalf of certain parents and children of persons accorded Section 101(a)(27)(I) status.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/05/88	53 FR 3331
Interim rule comment period closes	03/07/88	53 FR 3331
Final Action	05/00/88	

Small Entity: No

Additional Information: INS Number 1006-87

Government Levels Affected: Federal

Agency Contact: Thomas E. Cook, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, **202 633-5014**

RIN: 1115-AA80

1349. IMMIGRATION USER FEE, CONFORMING AMENDMENTS

Significance: Regulatory Program

Legal Authority: 8 USC 1103; 8 USC 1356; PL 99-591

CFR Citation: 8 CFR 232; 8 CFR 233; 8 CFR 235; 8 CFR 237; 8 CFR 238; 8 CFR 239; 8 CFR 271; 8 CFR 273; 8 CFR 280; 8 CFR 299

Legal Deadline: None.

Abstract: Section 101(b) subsection 205 of the Department of Justice Appropriation Act, 1987 (P.L. 99-591) establishes the collection, payment, and remittance of a specific user fee for the Immigration inspection or preinspection of passengers (with certain exceptions) arriving in the U.S. aboard commercial aircraft or commercial vessels. Subsection 206 of P.L. 99-591 places the responsibility for physical custody of excludable aliens pursuant to former section 233 of the I & N Act of 1952, as amended on the INS. This proposed rule addresses this change from carrier responsibility to INS responsibility. This rule would also amend present regulations to conform to statutory deletions and amendments.

Timetable:

Action	Date	FR Cite
NPRM	01/22/88	53 FR 1791
NPRM Comment Period End	03/22/88	53 FR 1791
Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number 1037-88

Government Levels Affected: Federal

Agency Contact: **Charles S. Thomason, Jr.**, Systems Accountant, Department of Justice, Immigration and Naturalization Service, **202 633-4705**

RIN: 1115-AA81

1350. SPECIAL AGRICULTURAL WORKERS

Significance: Agency Priority

Legal Authority: PL 99-603; 100 Stat. 3359; 8 USC 1101 note; 8 USC 1301; 8 USC 1302; 8 USC 1303; 8 USC 1304; 8 USC 1305; 8 USC 1351; 8 USC 1443; 8 USC 1454; 8 USC 1455; 8 USC 1182; 8 USC 1252; 8 USC 1362; ...

CFR Citation: 8 CFR 103; 8 CFR 210; 8 CFR 242

Legal Deadline: None.

Abstract: This rule implements a new amendment to section 210 of the INA by deleting the entry cut-off date for eligibility to file applications under section 210 in the United States; and establishing standards and procedures for processing "preliminary applications" at designated ports of entry on the southern land border. This rule clarifies and makes various grammatical and technical amendments to the regulations governing the Special Agricultural Worker Program including changes necessitated by the new amendments to section 210. The rule defines the term "preliminary application"; deletes the limitation on the authority of District Directors to deny applications at legalization offices; deletes the filing date requirement for eligible aliens apprehended prior to the application period; clarifies the provision concerning where appeals under Part 210 are to be filed; deletes the references to issuance of an Order to Show Cause and Warrant of Arrest in cases where the United States Attorney declines prosecution; clarifies the provision requiring notification of decisions to the applicant's representative; confirms that Special Agricultural Worker (CONT)

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/15/88	

Small Entity: No

Additional Information: INS Number 1101-88

ADDITIONAL ABSTRACT: (SAW) applicants are permitted to travel outside the United States and reenter upon the presentation of a valid unexpired Form I-688A; provides for eligible applicants to be issued the Temporary Resident Card at any Legalization Office; and, deletes the transitional admission.

Agency Contact: **Aaron Bodin**, Deputy Assistant Commissioner, Special Agricultural Workers (SAW), Department of Justice, Immigration and Naturalization Service, **202 786-3658**

RIN: 1115-AA83

1351. CHANGE OF NONIMMIGRANT CLASSIFICATION

Legal Authority: PL 99-603; 8 USC 1101; 8 USC 1103; 8 USC 1184; 8 USC 1257; 8 USC 1258

CFR Citation: 8 CFR 248

Legal Deadline: Statutory, November 6, 1987. Effective date Pub. L. 99-603

Abstract: This rule change will implement section 312 of Pub. L. 99-603, the Immigration Reform and Control Act of 1986, to facilitate an application for a change to nonimmigrant (N) status while in the United States.

Timetable:

Action	Date	FR Cite
Interim Final Effective Date	11/06/86	52 FR 11621
Interim Final Rule	05/11/87	52 FR 11621
Final Action	00/00/00	

Small Entity: No

Additional Information: INS Number 1000-87

Government Levels Affected: Federal

Agency Contact: **Thomas E. Cook**, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, **202 633-5014**

RIN: 1115-AA87

1352. CONTRACTS WITH TRANSPORTATION LINES

Legal Authority: 8 USC 1103; 8 USC 1228

CFR Citation: 8 CFR 238

Legal Deadline: None.

Abstract: This rule amends the listing of transportation lines which have entered into agreements with the INS for the preinspection of their passengers and crew at locations outside the United States.

Timetable:

Action	Date	FR Cite
Quarterly update of listing	03/00/88	
Quarterly update of listing	06/00/88	

Small Entity: No

Additional Information: INS Number 1041-87

Government Levels Affected: Federal

Agency Contact: **Janet M. Charney**, Assistant Chief Inspector, Department of Justice, Immigration and Naturalization Service, **202 633-2694**

RIN: 1115-AA88

1353. ● REVISION OF REGULATIONS REGARDING THE SEIZURE AND FORFEITURE OF CONVEYANCES

Legal Authority: 8 USC 1103; 8 USC 1324(b)

CFR Citation: [illegible] CFR 274

DOJ—INS

Final Rule Stage

Legal Deadline: None.

Abstract: The rule revises the extant regulations regarding conveyances seizures and forfeitures by the INS. It clarifies and amends the regulations to reflect changes in the authorizing statute, Section 274(b) on the Immigration and Nationality Act (8 USC 1324(b)), and applicable provisions of regulations of the Department of Justice in 28 CFR Part 9.

Timetable:

Action	Date	FR Cite
Final Action	06/30/88	

Small Entity: Not Applicable

Additional Information: INS Number 1061-87

Agency Contact: Karl D. Klauck, Associate General Counsel, Department of Justice, Immigration and Naturalization Service, **202 633-1260**

RIN: 1115-AA95

1354. ● ADJUSTMENT OF STATUS FOR CERTAIN ALIENS

Legal Authority: PL 99-603; 100 Stat. 3359; 8 USC 1101, (Note); PL 100-204; 101 Stat. 1331

CFR Citation: 8 CFR 245(a)

Legal Deadline: None.

Abstract: This rule amends the regulations published in the Federal Register at 52 FR 16205 on May 1, 1987, and 52 FR 43843 published on November 17, 1987. The rule further provides for another class of eligible aliens, specifically, certain nationals of countries for which extended voluntary departure (EVD) was made available at any time during the 5 year period ending on November 1, 1987.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/31/88	
Comment period closes for Interim Rule (30 days following publication in the Federal Register)	07/01/88	

Small Entity: No

Additional Information: INS Number 1106-88

Agency Contact: Terrance M. O'Reilly, Deputy Assistant Commissioner, Department of Justice, Immigration and Naturalization Service, **202 786-3658**

RIN: 1115-AA97

DEPARTMENT OF JUSTICE (DOJ)
Immigration and Naturalization Service (INS)

Completed Actions

1355. IMMIGRATION USER FEE

Significance: Regulatory Program

CFR Citation: 8 CFR 286

Completed:

Reason	Date	FR Cite
Final Action	02/26/88	53 FR 5756
Final Action Effective	03/28/88	

Small Entity: No

Agency Contact: Charles S. Thompson, Jr. **202 633-4705**

RIN: 1115-AA30

1356. DOCUMENTARY REQUIREMENTS: NONIMMIGRANTS; WAIVERS; ADMISSION OF CERTAIN INADMISSIBLE ALIENS; PAROLE; JUDICIAL RECOMMENDATIONS AGAINST DEPORTATION; PROCEEDINGS TO DETERMINE DEPORTABILITY

Significance: Regulatory Program

CFR Citation: 8 CFR 212.3(a) & (b); 8 CFR 241.1(a) & (b); 8 CFR 242.2; 8 CFR 287.1(g) to (i); 8 CFR 287.7(a) to (f).

Completed:

Reason	Date	FR Cite
Final Action	03/22/88	53 FR 9281

Small Entity: No

Agency Contact: Walter D. Cadman **202 786-4502**

RIN: 1115-AA34

1357. ADDITION OF NEW SERVICE OFFICE

CFR Citation: 8 CFR 204

Completed:

Reason	Date	FR Cite
Final Action	11/20/87	52 FR 44592
Final Action Effective	11/20/87	52 FR 44592

Small Entity: No

Agency Contact: Yolanda Sanchez-K **202 633-5014**

RIN: 1115-AA49

1358. ADJUSTMENT OF STATUS; PERSONS ADMITTED FOR PERMANENT RESIDENCE

CFR Citation: 8 CFR 245

Completed:

Reason	Date	FR Cite
Final Action	09/15/87	52 FR 34764
Final Action Effective	09/15/87	52 FR 34764

Small Entity: No

Agency Contact: Joseph D. Cuddihy **202 633-3320**

RIN: 1115-AA61

1359. NONIMMIGRANT CLASSES; REQUIREMENTS FOR ADMISSION, EXTENSION, AND MAINTENANCE OF STATUS

CFR Citation: 8 CFR 214

Completed:

Reason	Date	FR Cite
Final Action	11/30/87	52 FR 45445
Final Action Effective	12/30/87	52 FR 45445

Small Entity: No

Agency Contact: Michael L. Shaul **202 633-3946**

RIN: 1115-AA69

1360. CONTROL OF EMPLOYMENT OF ALIENS

CFR Citation: 8 CFR 274a

Completed:

Reason	Date	FR Cite
Final Action	03/16/88	53 FR 8611

Small Entity: No

DOJ—INS **Completed Actions**

Agency Contact: Walter D. Cadman 202 786-4502

RIN: 1115-AA71

1361. DOCUMENTARY REQUIREMENTS, NONIMMIGRANTS

CFR Citation: 8 CFR 212

Completed:

Reason	Date	FR Cite
Final Action	12/18/87	52 FR 48082

Small Entity: No

Agency Contact: Y. Peggy Wong 202 633-4033

RIN: 1115-AA74

1362. ● CHANGE IN PROCEDURE IN ASYLUM ADJUDICATIONS

Legal Authority: Operating Instruction 208.8(e); Operating Instruction 208.9(c)

CFR Citation: 8 CFR 208

Legal Deadline: None.

Abstract: The notice instructs Asylum adjudicators that in cases where they are unable to make a final decision without input from the Department of State, they are to pose specific questions which will be addressed by Bureau of Human Rights and Humanitarian Affairs (BHRHA).

Timetable:

Action	Date	FR Cite
Public Notice	02/02/88	53 FR 2893

Small Entity: No

Additional Information: INS Number 1059-88

Agency Contact: Ralph Thomas, Deputy Assistant Commissioner, Department of Justice, Immigration and Naturalization Service, 202 633-5463

RIN: 1115-AA94

1363. ● RESIDENCE, PHYSICAL PRESENCE AND ABSENCE

Legal Authority: 8 USC 1103; 8 USC 1427; 8 USC 1428; 8 USC 1443

CFR Citation: 8 CFR 316A

Legal Deadline: None.

Abstract: This rule adds African Medical and Research Foundation (AMREF-USA) to the list of recognized American institutes conducting research abroad.

Timetable:

Action	Date	FR Cite
Final Action	12/10/87	52 FR 46738

Small Entity: No

Additional Information: INS Number 1057-87

Agency Contact: Raymond Jaroneski, Jr., Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, 202 633-5014

RIN: 1115-AA96

1364. ● DIRECT MAIL OF APPLICATIONS AND PETITIONS TO THE REGIONAL SERVICE CENTER IN SAN YSIDRO, CALIFORNIA

Legal Authority: 8 USC 1101; 8 USC 1103; 8 USC 1151; 8 USC 1153; 8 USC 1154; 8 USC 1182; 8 USC 1255; 31 USC 9701

CFR Citation: 8 CFR 103; 8 CFR 204

Legal Deadline: None.

Abstract: This notice establishes the Regional Service Center in San Ysidro, California as the one approved filing location for the applications and petitions described in this notice.

Timetable:

Action	Date	FR Cite
Final Action		53 FR 5479
Public Notice	02/24/88	53 FR 5479

Small Entity: No

Additional Information: INS Number 1104-88

Agency Contact: Lloyd Sutherland, Senior Immigration Examiner, Department of Justice, Immigration and Naturalization Service, 202 633-3946

RIN: 1115-AA98

1365. ● LEGALIZATION AND SPECIAL AGRICULTURAL WORKER APPLICANTS ASSISTANCE; QUALIFIED DESIGNATED ENTITY LISTING OF OUTREACH PROGRAM

Legal Authority: PL 99-603

CFR Citation: 8 CFR 245a; 8 CFR 210

Legal Deadline: None.

Abstract: The Immigration and Naturalization Service has certified 977 qualified designated entities (QDEs) to assist legalization and special agricultural worker applicants seeking temporary residence according to the provisions of the Immigration Reform and Control Act of 1986. This notice lists those QDEs.

Timetable:

Action	Date	FR Cite
Notice to the Public	11/20/87	52 FR 44812

Small Entity: Not Applicable

Additional Information: INS Number 1056-87

Agency Contact: E. B. Duarte, Jr., Director, Outreach Program, Department of Justice, Immigration and Naturalization Service, 202 633-4123

RIN: 1115-AA99

DEPARTMENT OF JUSTICE (DOJ)

Legal Activities (LA) **Proposed Rule Stage**

1366. IMPLEMENTATION OF THE EQUAL ACCESS TO JUSTICE ACT IN DEPARTMENT OF JUSTICE ADMINISTRATIVE PROCEEDINGS

Legal Authority: 5 USC 504 Equal Access to Justice Act

CFR Citation: 28 CFR 24, (Revision)

Legal Deadline: None.

Abstract: The Equal Access to Justice Act was reauthorized on August 5, 1985. Various new amendments have been adopted which require revision of the procedures for applications for attorneys fees, eligible parties, and proceedings covered.

Timetable:

Action	Date	FR Cite
NPRM	04/15/88	
NPRM Comment Period End	07/15/88	
Final Action	10/00/88	

Small Entity: No

Affected Sectors: Multiple

DOJ—LA **Proposed Rule Stage**

Government Levels Affected: Local, Federal

Analysis: Regulatory Impact Analysis

Agency Contact: John Wilson, Associate General Counsel, Department of Justice, Legal Activities, 633 Indiana Ave., NW, Room 1268, Washington, DC 20531, **202 724-7792**

RIN: 1105-AA05

DEPARTMENT OF JUSTICE (DOJ)
Office of Justice Programs (OJP)

Final Rule Stage

1367. EQUAL EMPLOYMENT OPPORTUNITY PROGRAM GUIDELINES

Legal Authority: 42 USC 3789d(c)

CFR Citation: 28 CFR 42.301

Legal Deadline: None.

Abstract: To change Departmental nomenclature to comply with nomenclature changes in the Justice Assistance Act of 1984 and eliminate references to Title IV of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1977 which are not specifically applicable.

Timetable:

Action	Date	FR Cite
Final Action	10/00/88	

Small Entity: No

Agency Contact: Winifred A. Dunton, Director, Office of Civil Rights Compliance, Department of Justice, Office of Justice Programs, 633 Indiana Avenue, NW, Room 1269, Washington, DC 20531, **202 724-7681**

RIN: 1121-AA10

1368. NONDISCRIMINATION IN FEDERAL ASSISTED PROGRAMS -- IMPLEMENTATION OF SECTION 809 (C) (1) OF THE JUSTICE ASSISTANCE ACT OF 1984

Legal Authority: 42 USC 3789d(c)

CFR Citation: 28 CFR 42.201

Legal Deadline: None.

Abstract: To change Departmental nomenclature to comply with nomenclature changes in the Justice Assistance Act of 1984 and eliminate references to Title VI of the Civil Rights Act of 1964 and Title IX of the Education Amendments of 1977 which are not specifically applicable.

Timetable:

Action	Date	FR Cite
Final Action	10/00/88	

Small Entity: No

Agency Contact: Winifred A. Dunton, Director, Office of Civil Rights Compliance, Department of Justice, Office of Justice Programs, 633 Indiana Avenue, NW, Room 1269, Washington, DC 20531, **202 724-7681**

RIN: 1121-AA11

1369. CRIMINAL INTELLIGENCE SYSTEMS OPERATING POLICIES

Legal Authority: 42 USC 3789(g) (c) and (d)

CFR Citation: 28 CFR 23

Legal Deadline: None.

Abstract: To change Office and Bureau nomenclature to comply with changes resulting from the Justice Assistance Act of 1984, Pub. L. 98-473, and clarification of policy issues relating to time periods for validation of intelligence information.

Timetable:

Action	Date	FR Cite
NPRM	12/15/87	
NPRM Comment Period End	02/15/88	
Final Action	04/00/88	

Small Entity: No

Public Compliance Cost: Initial Cost: $0

Government Levels Affected: Local, State

Agency Contact: John Wilson, Associate General Counsel, Department of Justice, Office of Justice Programs, 633 Indiana Ave., NW, Rm. 1254-C, Washington, DC 20531, **202 724-7795**

RIN: 1121-AA12

1370. ● CRIMINAL JUSTICE INFORMATION SYSTEMS

Legal Authority: 42 USC 3789g

CFR Citation: 28 CFR 20

Legal Deadline: None.

Abstract: To change Office and Bureau nomenclature to comply with changes resulting from the Justice Assistance Act of 1984, Pub. L. 98-473 and State and Local Law Enforcement Assistance Act of 1986, Pub. L. 99-570 Subtitle K, and deletion of obsolete terminology.

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	

Small Entity: No

Agency Contact: John J. Wilson, Associate General Counsel, Department of Justice, Office of Justice Programs, 633 Indiana Ave., NW, Room 1254-C, Washington, DC 20531, **202 724-7795**

RIN: 1121-AA13

[FR Doc. 88-5796 Filed 04-22-88; 8:45 am]

BILLING CODE 4410-01-T

federal register

Monday
April 25, 1988

Part XII

Department of Labor

Semiannual Regulatory Agenda

DEPARTMENT OF LABOR (DOL)

DEPARTMENT OF LABOR

Office of the Secretary

20 CFR Chs. I, IV, V, VI, and VII

29 CFR Subtitle A and Chs. II, IV, V, XVII, and XXV

30 CFR Ch. I

41 CFR Ch. 60

48 CFR Ch. 29

Semiannual Agenda of Regulations

AGENCY: Office of the Secretary, Labor.

ACTION: Semiannual agenda of regulations selected for review or development.

SUMMARY: This document sets forth the Department's Semiannual Agenda of Regulations which has been selected for review or development during the coming one-year period. The agenda complies with the requirements of both Executive Order 12291 and the Regulatory Flexibility Act.

DATES: The agenda includes all regulations which are expected to be under review or development between April 1988 and April 1989.

FOR FURTHER INFORMATION CONTACT: Roland G. Droitsch, Deputy Assistant Secretary for Policy, Office of the Assistant Secretary for Policy, Department of Labor, 200 Constitution Avenue, NW., Room S-2312, Washington, DC 20210, (202) 523-9058.

Note: Information pertaining to a specific regulation can be obtained from the Agency Contact listed for that particular regulation.

SUPPLEMENTARY INFORMATION: Executive Order 12291 and the Regulatory Flexibility Act require the semiannual publication in the **Federal Register** of an agenda of regulations.

Executive Order 12291 became effective February 17, 1981, and in substance requires the Department of Labor to publish an agenda, listing all the regulations it expects to have under active consideration for promulgation, proposal or review during the coming one-year period. It also requires the Department to conduct a Regulatory Impact Analysis for all "major" regulations being developed.

The Regulatory Flexibility Act became effective on January 1, 1981. It applies only to regulations for which a notice of proposed rulemaking was issued on or after January 1, 1981, and requires the Department of Labor to publish an agenda, listing all the regulations it expects to propose or promulgate that are likely to have a "significant economic impact on a substantial number of small entities" (5 U.S.C. 602). For any regulation that will have this impact, the Department must conduct a Regulatory Flexibility Analysis to gauge the economic consequences of the rule, and to analyze the availability of more flexible approaches for lightening the rule's regulatory burden on "small entities."

If a proposed regulation will not have a "significant economic impact on a substantial number of small entities," the Department of Labor must publish a certification to that effect at the time of the general notice of proposed rulemaking or at the time of the publication of the final rule. That certification must be accompanied by a succinct statement explaining the reasons for the agency's determinations.

As permitted by law, the Department of Labor is combining this publication of its agendas under the Regulatory Flexibility Act and Executive Order 12291.

The regulatory reform process, of which the Unified Agenda is a part, continues to be an extremely valuable aid in the development of better regulations by the Department. We believe that our regulatory reform program has resulted in improved regulatory management, more clearly written regulations and significantly less burdensome regulations.

Further improvement is certainly needed, and we are constantly seeking new and innovative approaches in pursuit of this goal. All interested members of the public are invited and encouraged to let Departmental officials know how our regulatory reform process can be further improved and, of course, to participate in and comment on the review or development of the regulations listed on the agenda.

The Department of Labor's next semiannual agenda, under Executive Order 12291 and the Regulatory Flexibility Act, will be published in October 1988.

Ann McLaughlin,

Secretary of Labor.

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1371	Production or Disclosure of Information or Materials	1290-AA08

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1372	Right to Financial Privacy Act	1290-AA05
1373	Implementation of the Program Fraud Civil Remedies Act	1290-AA07

DOL

Employment Standards Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1374	Child Labor Regulations, Orders and Statements of Interpretation (ESA/W-H)	1215-AA09

Employment Standards Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1375	Government Contractors: Nondiscrimination and Affirmative Action Obligations (ESA/OFCCP)	1215-AA01
1376	Nondiscrimination and Affirmative Action Obligations for Disabled Veterans, Veterans of Vietnam Era, and Handicapped Workers (ESA/OFCCP)	1215-AA02
1377	Defining and Delimiting the Terms "Any Employee Employed in a Bona Fide Executive, Administrative, or Professional Capacity. . ." (ESA/W-H)	1215-AA14
1378	Claims for Compensation Under the Federal Employees' Compensation Act	1215-AA29
1379	Employment of Workers with Disabilities Under Special Certificates	1215-AA34
1380	Employment of Homeworkers in Certain Industries	1215-AA36
1381	Reporting System for Employment of Special Agricultural Workers	1215-AA48

Employment Standards Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1382	Labor Standards Provisions, Davis-Bacon and Related Acts (ESA/WH)	1215-AA07
1383	Labor Standards on Projects or Productions Assisted by Grants from the National Endowment for the Arts (ESA/W-H)	1215-AA35
1384	Labor Standards for Foreign Agricultural Workers	1215-AA43
1385	Migrant and Seasonal Agricultural Worker Protection	1215-AA44

Employment Standards Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1386	General Regulations Under the Walsh-Healey Public Contracts Act	1215-AA33
1387	Claims for Compensation Under the War Hazards Compensation Act	1215-AA42

Employment and Training Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1388	Services to Migrant and Seasonal Farmworkers, Job Service Complaint System, Monitoring and Enforcement	1205-AA37
1389	Use of Funds Transferred to the States Under Section 903(c) of the Social Security Act (Reed Act)	1205-AA43
1390	Disaster Unemployment Assistance Program (DUA)	1205-AA50
1391	Refocus of the Public Employment Service	1205-AA63

DOL

Employment and Training Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1392	Airline Deregulation: Employee Benefit Program	1205-AA07
1393	Job Corps Program Under Title IV-B of the Job Training Partnership Act	1205-AA54
1394	Labor Surplus Area Program Population Criteria Change as Revised by PL 99-272	1205-AA62
1395	Federal-State Unemployment Compensation Program: Income and Eligibility Verification System	1205-AA64
1396	Advances to States and Repayment of Advances; Interest on Advances	1205-AA65
1397	Labor Certification Process for the Permanent Employment of Aliens in the United States	1205-AA66
1398	Implementation of the Worker Adjustment Legislation	1205-AA67
1399	Job Training Partnership Act - Amendment Concerning Fixed Unit Price Performance Based Contracts	1205-AA68

Employment and Training Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1400	Limitations on Tax Credit Reduction and Interest on Advances to States	1205-AA14
1401	Extended Unemployment Compensation Program Extended Benefits	1205-AA15
1402	Unemployment Compensation for Ex-Servicemembers	1205-AA26
1403	Senior Community Service Employment Program	1205-AA29
1404	Administrative Procedure	1205-AA46
1405	Job Training Partnership Act Audits	1205-AA53
1406	Preference in Federal Procurement For Labor Surplus Areas Under Executive Orders 12073 and 10582	1205-AA55
1407	Labor Certification Process for Temporary Employment of Alien Workers in Agriculture: The H-2A Program	1205-AA59
1408	Trade Adjustment Assistance for Workers	1205-AA61

Employment and Training Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1409	Implementation of Job Training Partnership Act Amendments of 1986	1205-AA60

Pension and Welfare Benefits Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1410	"Top Hat" Plans	1210-AA21

Pension and Welfare Benefits Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1411	Adequate Consideration	1210-AA15
1412	Qualified Domestic Relations Orders Under the Retirement Equity Act	1210-AA19
1413	Procedures for Filing and Processing Applications for Exemption from the Prohibited Transaction Provisions of ERISA, the Internal Revenue Code, and FERSA	1210-AA26
1414	Amount Of Bond For FERS Thrift Savings Fund	1210-AA28
1415	Allocation of Fiduciary Responsibility (FERSA)	1210-AA30
1416	Final Bonding Rules (FERSA and ERISA)	1210-AA31
1417	Civil Penalties Under FERSA	1210-AA32
1418	Civil Penalty for Failure or Refusal to File Annual Report	1210-AA34

DOL

Pension and Welfare Benefits Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1419	Individual Benefits Reporting and Recordkeeping for Multiple Employer Plans	1210-AA02
1420	Individual Benefits Reporting and Recordkeeping for Single Employer Plans	1210-AA03
1421	Participant Directed Individual Account Plans	1210-AA08
1422	Loans to Participants	1210-AA09
1423	Definition of "Plan Assets" (Participant Contributions) (Proposed at 44 FR 50363, August 28, 1979)	1210-AA16
1424	Procedures for the Administrative Imposition of Civil Sanctions Under Section 502(i) of the Employee Retirement Income Security Act of 1974 (ERISA)	1210-AA20
1425	Proposed Regulation Exempting Certain Broker-Dealers and Investment Advisers From Bonding Requirements	1210-AA25

Pension and Welfare Benefits Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1426	Adoption of Temporary Bonding Regulations Under ERISA Section 412 for Purposes Of FERSA Section 8478	1210-AA29

Office of Labor Management Standards—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1427	Labor Organization Annual Financial Reports	1294-AA04

Office of Labor Management Standards—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1428	General Statement Concerning the Election Provisions of the Labor-Management Reporting and Disclosure Act of 1959 Characteristics of Candidates	1294-AA02

Mine Safety and Health Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1429	Diesel-Powered Equipment for Underground Coal Mines	1219-AA27
1430	Notification, Investigation, Reports and Records of Accidents Injuries, Illnesses, Employment, and Coal Production in Mines	1219-AA33
1431	Asbestos	1219-AA46
1432	Hazard Communication	1219-AA47

Mine Safety and Health Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1433	Pattern of Violations	1219-AA04
1434	Underground Coal Mine Electrical Standards	1219-AA10
1435	Review of Metal and Nonmetal Electrical Standards	1219-AA14

DOL

Mine Safety and Health Administration—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
1436	Review of Metal and Nonmetal Explosives Standards	1219-AA17
1437	Metal and Nonmetal Air Quality Standards	1219-AA21
1438	Certification and Qualification of Persons	1219-AA36
1439	Automatic Warning Devices for Mobile Equipment	1219-AA38
1440	Automatic Brakes on Self-Propelled Electric Face Equipment	1219-AA39
1441	Electric Mine Lamps Other Than Standard Cap Lamps	1219-AA40
1442	Coal Air Quality	1219-AA41
1443	Multiple-Shot Blasting Units	1219-AA42
1444	Rules of Practice for Petitions for Modification of Mandatory Safety Standards	1219-AA45

Mine Safety and Health Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1445	Procedures for Approval of Mining Equipment	1219-AA06
1446	Underground Coal Mine Ventilation	1219-AA11
1447	Explosives and Blasting in Underground Coal Mines	1219-AA16
1448	Safety Standards for Loading, Hauling and Dumping and Machinery and Equipment at Metal and Nonmetal Mines	1219-AA18
1449	Approval Requirements for Explosives and Sheathed Explosive Units	1219-AA23
450	Metal and Nonmetal Radiation Standards	1219-AA28
451	Approval Criteria for Respiratory Protective Devices	1219-AA30

Mine Safety and Health Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1452	Underground Coal Mine Roof Control	1219-AA13
1453	Safety Standards for Machinery and Equipment at Metal and Nonmetal Mines	1219-AA19
1454	Mine Plan Approvals	1219-AA26
1455	Surface Coal Mine Electrical Standards	1219-AA32
1456	Escapeways and Escape Facilities	1219-AA37
1457	Hands-on Training in SCSR's	1219-AA43

Office of the Assistant Secretary for Administration and Management—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1458	Nondiscrimination in Programs and Activities Receiving Federal Financial Assistance from the Department of Labor	1291-AA02

Office of the Assistant Secretary for Administration and Management—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1459	Guidelines for Nonprocurement Suspension and Debarment	1291-AA11

DOL

Office of the Assistant Secretary for Administration and Management—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1460	Department of Labor Acquisition Regulation (DOLAR) Implementation of Competition in Contracting Act of 1984 (CICA) (Pub. L. 98-369) into DOLAR	1291-AA06
1461	Public Contracts and Property Management; Federal Standards for Audit of Federally Funded Grants, Contracts and Agreements	1291-AA10
1462	Uniform Requirements for Grants to State and Local Governments (Implementation of OMB Circular A-102)	1291-AA12
1463	Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally Assisted Programs	1291-AA14

Occupational Safety and Health Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1464	Asbestos, Tremolite, Anthophyllite and Actinolite	1218-AA26
1465	Manual Lifting (Parts 1910, 1915, 1917, 1918, 1919, 1926 and 1928)	1218-AA95
1466	Medical Surveillance Programs for Employees	1218-AB00
1467	Exposure Monitoring Programs	1218-AB01

Occupational Safety and Health Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1468	Carcinogen Policy	1218-AA01
1469	Respiratory Protection	1218-AA05
1470	Methods of Compliance	1218-AA28
1471	Oil and Gas Well Drilling and Servicing (Part 1910)	1218-AA34
1472	Benzene	1218-AA47
1473	Fall Protection Systems (Personal Protective Equipment) (Part 1910)	1218-AA48
1474	Confined Space (Part 1910)	1218-AA51
1475	Logging (Part 1910)	1218-AA52
1476	Control of Hazardous Energy Sources (Lockout/Tagout) (Part 1910)	1218-AA53
1477	Safety and Health Regulations for Longshoring (Part 1918)	1218-AA56
1478	4,4'-Methylenedianiline	1218-AA58
1479	Electric Power Generation, Transmission and Distribution (Part 1910)	1218-AA59
1480	Pulp, Paper and Paperboard Mills (Part 1910)	1218-AA61
1481	Motor Vehicles, Mechanized Equipment, and Marine Operations (Part 1926)	1218-AA63
1482	Steel Erection (Part 1926)	1218-AA65
1483	Fall Protection (Part 1915)	1218-AA66
1484	Scaffolds (Part 1915)	1218-AA68
1485	Access and Egress (Part 1915)	1218-AA70
1486	Face, Head, Eye and Foot Protection (Personal Protective Equipment) (Part 1910)	1218-AA71
1487	Welding, Cutting and Brazing (Part 1910)	1218-AA72
1488	Welding, Cutting and Heating (Part 1915)	1218-AA73
1489	Personal Protective Equipment (Part 1915)	1218-AA74
1490	Compressed Air (Part 1926)	1218-AA76
1491	1,3-Butadiene	1218-AA83
1492	Glycol Ethers: 2-Methoxyethanol, 2-Ethoxyethanol and their Acetates	1218-AA84
1493	Explosive and Other Dangerous Atmospheres (Part 1915)	1218-AA91
1494	Gear Certification (Part 1919)	1218-AA97
1495	Methylene Chloride	1218-AA98
1496	Hazard Communication	1218-AB02
1497	Walking and Working Surfaces (Part 1910)	1218-AB04
1498	Bloodborne Infectious Diseases	1218-AB15
1499	Cadmium	1218-AB16
1500	Permissible Exposure Limit Update	1218-AB17
1501	Hazardous Materials (Part 1910)	1218-AB20
1502	Shipyard Employment: Phase II (Part 1915)	1218-AB22

DOL

Occupational Safety and Health Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1503	Occupational Exposures to Toxic Substances in Laboratories	1218-AA00
1504	Ethylene Dibromide (EDB)	1218-AA06
1505	Access to Employee Exposure and Medical Records	1218-AA15
1506	Concrete and Masonry Construction (Part 1926)	1218-AA20
1507	Electrical Safety-Related Work Practices (Part 1910)	1218-AA32
1508	Powered Platforms for Exterior Building Maintenance (Part 1910)	1218-AA33
1509	Excavations (Part 1926)	1218-AA36
1510	Fall Protection (Part 1926)	1218-AA37
1511	Underground Construction (Tunnels and Shafts)(Part 1926)	1218-AA38
1512	Scaffolds (Part 1926)	1218-AA40
1513	Crane or Derrick Suspended Platforms (Part 1926)	1218-AA45
1514	Stairways and Ladders (Part 1926)	1218-AA57
1515	Hazardous Waste Operations and Emergency Response (Part 1910)	1218-AB13
1516	Lead (Reconsideration of the Feasibility of Compliance in Nine Industry Sectors)	1218-AB18
1517	Asbestos Short Term Exposure Limit	1218-AB21

Occupational Safety and Health Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1518	Ethylene Oxide	1218-AA03
1519	Grain Handling Facilities (Parts 1910 and 1917)	1218-AA22
1520	Safety Testing/Certification (Part 1910)	1218-AA42
1521	Presence Sensing Device Initiation of Mechanical Power Presses (Part 1910)	1218-AA54
1522	Formaldehyde	1218-AA82
1523	Surface Preparation and Preservation (Part 1915)	1218-AA96

DEPARTMENT OF LABOR (DOL)

Final Rule Stage

Office of the Secretary (OS)

1371. ● PRODUCTION OR DISCLOSURE OF INFORMATION OR MATERIALS

Significance: Agency Priority

Legal Authority: 5 USC 552, as amended; EO 12600

CFR Citation: 29 CFR 70, (Revision)

Legal Deadline: Statutory, April 27, 1987.

Abstract: The document proposes regulations to implement the Freedom of Information Reform Act of 1986, which requires agencies to promulgate regulations on a schedule of fees and on fee waivers, and Executive Order 12600, which requires predisclosure notification to submitters of confidential business information. The proposal also revises the existing DOL Freedom of Information Act (FOIA) regulations, which currently include interpretive material on FOIA exemptions, to limit the scope principally to procedural matters.

Timetable:

Action	Date	FR Cite
NPRM	02/23/88	53 FR 5346
NPRM Comment Period End	03/24/88	
Final Action	07/00/88	

Small Entity: No

Agency Contact: Seth D. Zinman, Associate Solicitor for Legislation and, Legal Counsel, Department of Labor, Office of the Secretary, 200 Constitution Avenue, NW, Room N2428, FPBldg., Washington, DC 20210, 202 523-8201

RIN: 1290–AA08

DEPARTMENT OF LABOR (DOL)
Office of the Secretary (OS)

Completed Actions

1372. RIGHT TO FINANCIAL PRIVACY ACT

Legal Authority: 12 USC 3401 et seq Right to Financial Privacy Act of 1978

CFR Citation: 29 CFR 19, (New)

Legal Deadline: None.

Abstract: These proposed regulations would authorize Department of Labor units to request financial records from a financial institution pursuant to the formal written request procedure established by the Right to Financial Privacy Act of 1978, 12 U.S.C. 3401 et seq., and would set forth the conditions under which such requests may be made. Section 1108(2) of the Right to Financial Privacy Act of 1978 requires that the formal written request be authorized by regulations promulgated by the head of the agency or department. These proposed regulations would thus, once implemented, enable Department of Labor units to utilize the formal written request procedure to obtain financial records.

Timetable:

Action	Date	FR Cite
NPRM	04/02/85	50 FR 13049
NPRM Comment Period End	05/02/85	50 FR 13049
Final Action	12/22/87	52 FR 48419
Final Action Effective	01/21/88	52 FR 48419

Small Entity: No

Agency Contact: **Seth D. Zinman, Associate Solicitor**, for Legislation and Legal Counsel, Department of Labor, Office of the Secretary, 200 Constitution Ave., NW, Rm N2428, FPBldg., Washington, DC 20210, **202 523-8201**

RIN: 1290-AA05

1373. IMPLEMENTATION OF THE PROGRAM FRAUD CIVIL REMEDIES ACT

Significance: Agency Priority

Legal Authority: 31 USC 3801 to 3812

CFR Citation: 29 CFR 22

Legal Deadline: Statutory, April 21, 1987. The Act requires agencies to have implementing regulations within 180 days of the passage of the statute.

Abstract: This regulation will implement the Program Fraud Civil Remedies Act of 1986 (PL 99-509, Secs. 6101 to 6104). Specifically, this part will (i) establish administrative procedures for imposing civil remedies and assessment against persons who make, submit, or present, or cause to be made, submitted, or presented, false, fictitious, or fraudulent claims or written statements to authorities or to their agents, and (ii) specify the hearing and appeal rights of persons subject to allegations of liability for such penalties and assessments.

Timetable:

Action	Date	FR Cite
NPRM	06/02/87	52 FR 20606
NPRM Comment Period End	07/02/87	52 FR 20606
Final Action	12/22/87	52 FR 48492
Final Action Effective	01/21/88	52 FR 48492

Small Entity: Undetermined

Agency Contact: **Seth D. Zinman,** Associate Solicitor for Legislation and, Legal Counsel, Department of Labor, Office of the Secretary, Office of the Solicitor, 200 Constitution Avenue, NW RM N2428, Washington, DC 20210, **202 523-8201**

RIN: 1290-AA07

DEPARTMENT OF LABOR (DOL)
Employment Standards Administration (ESA)

Prerule Stage

1374. CHILD LABOR REGULATIONS, ORDERS AND STATEMENTS OF INTERPRETATION (ESA/W-H)

Significance: Regulatory Program

Legal Authority: 29 USC 203

CFR Citation: 29 CFR 570

Legal Deadline: None.

Abstract: Section 3(1) of the Fair Labor Standards Act requires the Secretary of Labor to issue regulations with respect to minors between 14 and 16 years of age ensuring that the periods and conditions of their employment do not interfere with their schooling, health, or well-being. The Secretary also is directed to designate occupations that may be particularly hazardous for minors between 16 and 18 years of age. Child Labor Regulation No. 3 sets forth the permissible industries and occupations in which 14 and 15 year olds may be employed. In addition, this regulation specifies the number of hours in a day and in a week, and time periods within a day that such minors may be employed. The nonagricultural hazardous occupations orders which prohibit the employment of minors in such occupations are also contained in 29 CFR 570. Changes in technology and job content over the years require a review of these regulations. In order to increase job opportunities for such minors, while maintaining essential protection for their well-being, modifications to these regulations may be needed. The Department has established a Child (cont)

Timetable:

Action	Date	FR Cite
Notice published--decision to establish Child Labor Advisory Committee	07/21/87	52 FR 27476
Notice published--announcing meetings of Committee on March 9-10, 1988	02/17/88	53 FR 4788

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: Labor Advisory Committee to advise the Secretary on the effective administration of the child labor provisions of the FLSA. The recommendations of the committee will be given careful consideration in the review of these regulations.

Agency Contact: **Paula V. Smith,** Administrator, Wage and Hour Division, Department of Labor, Employment Standards Administration, 200 Constitution Avenue, NW, Rm

DOL—ESA **Prerule Stage**

S3502, FPBldg., Washington, DC 20210, **202 523-8305**

RIN: 1215-AA09

DEPARTMENT OF LABOR (DOL)
Employment Standards Administration (ESA)

Proposed Rule Stage

1375. GOVERNMENT CONTRACTORS: NONDISCRIMINATION AND AFFIRMATIVE ACTION OBLIGATIONS (ESA/OFCCP)

Significance: Regulatory Program

Legal Authority: EO 11246, as amended; 38 USC 2012; 29 USC 793; 29 USC 1781

CFR Citation: 41 CFR 60-1; 41 CFR 60-2; 41 CFR 60-4; 41 CFR 60-20; 41 CFR 60-30; 41 CFR 60-50; 41 CFR 60-60; 41 CFR 60-250; 41 CFR 60-741

Legal Deadline: Statutory, October 1, 1983. Rules implementing Section 481 of the 1982 JTPA (29 USC 1781). The operational aspects of such rules need to be coordinated with the pending revisions to the Executive Order 11246 program discussed above.

Abstract: These regulations cover nondiscrimination and affirmative action obligations of Federal contractors under Executive Order 11246, as amended, the Vietnam Era Veterans' Readjustment Assistance Act of 1974 (38 U.S.C. 2012), as amended, and Section 503 of the Rehabilitation Act of 1973, as amended. Proposed changes were published in the Federal Register on 12/28/79 and 2/22/80. The resulting final rule was published on 12/30/80 but its effective date was stayed pending review in accordance with President Reagan's Executive Order 12291 of 2/17/81. Subsequently, OFCCP published an ANPRM (7/14/81, supplemented 8/21/81) and a NPRM 8/25/81, supplemented 4/23/82). The NPRM also extended the suspension of the effective date of the 12/30/80 final rule. OFCCP's review of regulatory options continues, and includes consideration of proposed regulations to integrate the requirements of Section 481 of the Job Training Partnership Act of 1982 (29 U.S.C. 1781) with the Executive Order 11246 program.

Timetable:

Action	Date	FR Cite
ANPRM	07/14/81	46 FR 36213
Supplement to ANPRM	08/21/81	46 FR 42490
Previous NPRM & Suspend Eff Date	08/25/81	46 FR 42968
NPRM	04/23/82	47 FR 17770
NPRM	03/00/89	
Final Action	09/00/89	

Small Entity: Yes

Agency Contact: Leonard J. Biermann, Deputy Director, Office of Federal Contract, Compliance Programs, Department of Labor, Employment Standards Administration, 200 Constitution Ave., NW, Rm C3324, FPBldg., Washington, DC 20210, **202 523-9475**

RIN: 1215-AA01

1376. NONDISCRIMINATION AND AFFIRMATIVE ACTION OBLIGATIONS FOR DISABLED VETERANS, VETERANS OF VIETNAM ERA, AND HANDICAPPED WORKERS (ESA/OFCCP)

Significance: Agency Priority

Legal Authority: 29 USC 793; 38 USC 2012

CFR Citation: 41 CFR 60-1; 41 CFR 60-250; 41 CFR 60-741

Legal Deadline: None.

Abstract: This proposal would, among other things, incorporate 1978 and 1980 statutory amendments to definitions applicable to Section 503 of the Rehabilitation Act and to the Veterans' programs. However, since 1981 there have been additional amendments to the Rehabilitation Act and to the Vietnam Era Veterans' Readjustment Assistance Act affecting definitions applicable under the respective programs. All such statutorily required changes to the definitions would be incorporated into the proposed regulatory action contemplated under RIN - 1215-AA01.

Timetable:

Action	Date	FR Cite
NPRM	12/30/80	45 FR 86205
NPRM Comment Period End	03/02/81	45 FR 86205
NPRM Second	03/00/89	
Final Action	09/00/89	

Small Entity: Undetermined

Agency Contact: Leonard J. Biermann, Deputy Director, Office of Federal Contract, Compliance Programs, Department of Labor, Employment Standards Administration, 200 Constitution Ave., NW, Rm C3324, FPBldg., Washington, DC 20210, **202 523-9475**

RIN: 1215-AA02

1377. DEFINING AND DELIMITING THE TERMS "ANY EMPLOYEE EMPLOYED IN A BONA FIDE EXECUTIVE, ADMINISTRATIVE, OR PROFESSIONAL CAPACITY. . ." (ESA/W-H)

Significance: Regulatory Program

Legal Authority: 29 USC 213(a)(1)

CFR Citation: 29 CFR 541

Legal Deadline: None.

Abstract: These regulations set forth the criteria used in the determination of the application of the Fair Labor Standards Act exemption for "executive," "administrative," "professional" and "outside sales employees" from the minimum wage and overtime requirements of the Act. The existing regulation was targeted for review by the President's Task Force on Regulatory Relief. A final rule increasing the salary test criteria was published on 01/13/81 (46 FR 3010) and was scheduled to become effective on 02/13/81. On 02/12/81 (46 FR 11972) an indefinite stay of the final rule was published. On 03/27/81 (46 FR 18998) a proposal to suspend the final rule indefinitely was published with comments due by 04/28/81. As a result of numerous comments and petitions received from industry groups regarding the duties and responsibilities tests as set forth in the regulations, as well as recent case law developments, the Department concluded that a more comprehensive review of these regulations was needed and decided to reopen the comment period and broaden the scope of the review to include all aspects of the regulations.

An ANPRM was published on 11/19/85 and its comment period was (cont)

Timetable:

Action	Date	FR Cite
Indefinite Stay of Final Rule	02/12/81	46 FR 11972
Proposal to suspend rule indefinitely	03/27/81	46 FR 18998
Comments due on suspension proposal	04/28/81	46 FR 18998
ANPRM	11/19/85	50 FR 47696
Extension of ANPRM Comment Period from 01/2l/86 to 03/22/86	01/17/86	51 FR 2525
ANPRM Comment Period End	03/22/86	51 FR 2525
NPRM	07/00/88	
Final Action	12/00/88	

Small Entity: Yes

Additional Information: ABSTRACT CONT: subsequently extended to 03/22/86. Action on this regulation was delayed due to other regulatory priorities.

Agency Contact: Paula V. Smith, Administrator, Wage and Hour Division, Department of Labor, Employment Standards Administration, Rm S3502, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8305

RIN: 1215-AA14

1378. ● CLAIMS FOR COMPENSATION UNDER THE FEDERAL EMPLOYEES' COMPENSATION ACT

Significance: Agency Priority

Legal Authority: 5 USC 8101 et seq.

CFR Citation: 20 CFR 10

Legal Deadline: None.

Abstract: Certain provisions of Final Rules published April 1, 1987, have been challenged as being promulgated in violation of the APA. Those sections deal with collection of forfeited compensation from on-going benefits. In order to ensure that any doubt as to the procedural validity of the rules is laid to rest, the Department has taken two actions: 1) publishing an interim final rule which reinstates the affected sections without the language which has been challenged; and 2) a proposed rule with an invitation to comment, which in effect would reinstate the April 1, 1987 rule but would assure that any defects in the comment period are corrected.

Timetable:

Action	Date	FR Cite
NPRM	04/07/88	53 FR 11596
Interim Final Rule (Reinstating Affected Sections)	04/07/88	53 FR 11594
NPRM Comment Period End	06/06/88	
Final Action	08/00/88	

Small Entity: No

Agency Contact: Thomas M. Markey, Associate Director for Federal Employees', Compensation, OWCP, Department of Labor, Employment Standards Administration, 200 Constitution Ave., NW, RM S3229 - FPBldg., Washington, DC 20210, 202 523-7552

RIN: 1215-AA29

1379. EMPLOYMENT OF WORKERS WITH DISABILITIES UNDER SPECIAL CERTIFICATES

Significance: Regulatory Program

Legal Authority: 29 USC 214; 29 USC 211

CFR Citation: 29 CFR 524; 29 CFR 525; 29 CFR 529

Legal Deadline: None.

Abstract: These regulations establish the terms and conditions, pursuant to section 14(c) of the Fair Labor Standards Act (FLSA), under which handicapped workers may be employed, under certificate, at wage rates less than those otherwise required by statute. The 1986 Amendments to the FLSA substantially revised section 14(c) to simplify worker certification by eliminating separate certification for more productive workers, multiple handicapped individuals, and those in evaluation or training and work activities centers. Three affected regulations (29 CFR 524, 525 and 529) will be combined into a single proposed new rule which will be published for public comments.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	08/00/88	

Small Entity: Yes

Agency Contact: Paula V. Smith, Administator, Wage and Hour Division, Department of Labor, Employment Standards Administration, 200 Constitution Ave., NW, RM S3502, FPBldg., Washington, DC 20210, 202 523-8305

RIN: 1215-AA34

1380. EMPLOYMENT OF HOMEWORKERS IN CERTAIN INDUSTRIES

Significance: Regulatory Program

Legal Authority: 29 USC 211

CFR Citation: 29 CFR 530

Legal Deadline: None.

Abstract: This regulation sets forth restrictions on industrial homework and governs the issuance of certificates authorizing the employment of homeworkers in certain industries, pursuant to Section 11(d) of the Fair Labor Standards Act (FLSA). As originally issued, these regulations restricted the employment of industrial homework in seven industries: knitted outerwear; women's apparel; jewelry; buttons and buckles; gloves and mittens; handkerchiefs; and embroideries. The ban was removed on homework in the knitted outerwear industry by the Department 11/9/81 following extensive hearings and public comment. This action was subsequently upheld by the District Court for the District of Columbia. However, on appeal the ban was reimposed 2/29/84 by the U.S. Court of Appeals for the District of Columbia Circuit. On 3/27/84 the Department published a proposed rule rescinding the ban on homework in the knitted outerwear industry only. In addition to soliciting comments on the proposed recission, the Department sought comments on various alternatives to such action (49 FR 11786). On November 5, 1984, a final rule was published lifting the ban on homework for employers (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/21/86	51 FR 30036
NPRM Comment Period End	12/04/86	51 FR 37298
NPRM Second	03/30/88	53 FR 10342
NPRM Second -- Comment Period End	04/29/88	
Final Action	07/00/88	

DOL—ESA **Proposed Rule Stage**

Small Entity: No

Additional Information: ABSTRACT CONT: in the knitted outerwear industry who obtain a certificate from the Department. Based on analysis of the results of its enforcement experience under the new certification procedure, the Department is proposing to rescind the remaining restrictions in the other industries for employers who currently obtain certificates. A Notice of Proposed Rulemaking was published on August 21, 1986 (51 FR 30036). A notice extending the comment period to December 4, 1986 was published on October 21, 1986 (51 FR 37298). Based on the review of the comments and the Department's further examination of enforcement experience in knitted outerwear, a new proposal was developed which includes enforcement mechanisms to enhance compliance among employers of homeworkers.

Agency Contact: Paula V. Smith, Administrator, Wage and Hour Division, Department of Labor, Employment Standards Administration, 200 Constitution Avenue, NW, Rm S3502, FPBldg., Washington, DC 20210, **202 523-8305**

RIN: 1215-AA36

1381. ● REPORTING SYSTEM FOR EMPLOYMENT OF SPECIAL AGRICULTURAL WORKERS

Significance: Regulatory Program

Legal Authority: Immigration Reform and Control Act of 1986

CFR Citation: Not yet determined

Legal Deadline: Statutory, September 30, 1988.

Abstract: Section 210A(b)(2) of the Immigration Reform and Control Act (IRCA) of 1986, requires reports from any person or entity who employs in seasonal agricultural services, beginning with fiscal year 1989 and ending with fiscal year 1992, a special agricultural worker (SAW) whose status was adjusted to temporary residency under either Section 210 or 210A of IRCA. The employer is required to provide reports on the employment of SAWs and replacement agricultural workers (RAWs) in seasonal agricultural services to the Federal Government and to provide a certificate or report on such employment to individual RAWs, but not SAWs. Thus, the procedures for implementing the SAW reporting system must be in place by the beginning of fiscal year 1989, with the first reports required in fiscal year 1989 and the first reports to RAW workers, if any are admitted, required in fiscal year 1990. The person or entity reporting could be a farm operator, a farm labor contractor, an agricultural services firm or an operator of horticultural and juvenile tree nurseries. Seasonal agricultural services are defined by USDA regulations (cont)

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
Final Action	09/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: for seasonal labor is unpredictable, e.g., Christmas trees and hops. (See 52 FR 20372) labor is unpredictable, e.g., christmas trees and hops. (See 52 FR 20372)

Agency Contact: Mr. Gary Reed, Director, Office of Program Economics, Office of Policy, Department of Labor, Employment Standards Administration, 200 Constitution Avenue, NW, Room S2114, FPBldg., Washington, DC 20210, **202 523-6006**

RIN: 1215-AA48

DEPARTMENT OF LABOR (DOL)
Employment Standards Administration (ESA)

Final Rule Stage

1382. LABOR STANDARDS PROVISIONS, DAVIS-BACON AND RELATED ACTS (ESA/WH)

Significance: Regulatory Program

Legal Authority: 40 USC 276a to 276a7; 40 USC 276c; 40 USC 327 to 332; 5 USC Appendix Reorganization Plan No. 14 of 1950; 29 USC 259

CFR Citation: 29 CFR 1; 29 CFR 5

Legal Deadline: None.

Abstract: These regulations govern labor standards applicable to federally funded or assisted construction contracts subject to the Davis- Bacon and Related Acts (as well as contracts subject to the Contract Work Hours and Safety Standards Act). The Department plans to implement provisions in these regulations that would permit contractors to expand their use of semi-skilled "helpers" on Davis-Bacon covered projects at wages lower than those paid to skilled journeymen. Revised final rules were originally published 05/28/82 (47 FR 23658), but were deferred on 07/26/82 (47 FR 32070) due to an injunction issued by the U.S. District Court. Although the U.S. Court of Appeals for the D.C. Circuit has since upheld most of the key provisions published in 1982, the district court injunction remains in effect against certain provisions dealing with helpers. The Department intends to implement the helper provisions in accordance with the decisions of the District and Appeals Courts. A revised proposal was published 08/19/87 (52 FR 31366), and the comment period was later extended to 11/18/87 (52 FR 38473).

Timetable:

Action	Date	FR Cite
NPRM	08/19/87	52 FR 31366
NPRM Comment Period End	11/18/87	52 FR 38473
Final Action	08/00/88	

Small Entity: Yes

Agency Contact: Paula V. Smith, Administrator, Wage and Hour Division, Department of Labor, Employment Standards Administration, 200 Constitution Ave., NW, Rm S3502, FPBldg., Washington, DC 20210, **202 523-8305**

RIN: 1215-AA07

1383. LABOR STANDARDS ON PROJECTS OR PRODUCTIONS ASSISTED BY GRANTS FROM THE NATIONAL ENDOWMENT FOR THE ARTS (ESA/W-H)

Significance: Regulatory Program

Legal Authority: 20 USC 954(i) to (j); 20 USC 956 (g)

CFR Citation: 29 CFR 505

DOL—ESA

Final Rule Stage

Legal Deadline: Statutory, June 18, 1986.

Abstract: The National Foundation on the Arts and Humanities Act of 1965, as amended in 1976, requires the Secretary to determine the prevailing minimum compensation for professional performers and related or supporting professional personnel employed on projects or productions assisted by grants from the National Endowment for the Arts and the National Endowment for the Humanities. As originally enacted, these labor standards only applied to the Arts; the existing regulations do not reflect the amendments which applied the same labor standards to the Humanities. The Arts, Humanities, and Museums Amendments of 1985, which were enacted on December 20, 1985, require the Secretary of Labor to issue regulations to assure that prevailing minimum compensation is provided to all professional performers and related or supporting professional personnel employed on projects or productions financed in whole or in part by the National Endowment for the Humanities.

Timetable:

Action	Date	FR Cite
NPRM	09/21/87	52 FR 35447
NPRM Comment Period End	10/21/87	
Final Action	05/00/88	

Small Entity: No

Agency Contact: Paula V. Smith, Administrator, Wage and Hour Division, Department of Labor, Employment Standards Administration, Room S3502, FPBldg., 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8305

RIN: 1215-AA35

1384. LABOR STANDARDS FOR FOREIGN AGRICULTURAL WORKERS

Significance: Regulatory Program

Legal Authority: PL 99-603

CFR Citation: 29 CFR 501

Legal Deadline: Statutory, June 1, 1987.

Abstract: The Immigration Reform and Control Act of 1986 contains certain labor standards requirements for foreign agricultural workers employed under the H-2A foreign agricultural worker program, as well as for U.S. workers hired by employers who utilize foreign agricultural workers. The standards relate to pay, working conditions, housing, transportation and recruitment. The Employment Standards Administration will issue regulations that incorporate the labor standards issued by the Employment and Training Administration and set forth procedures for enforcement of these labor standards. (Note: Final action on these regulations has been delayed until we acquire experience in enforcing the statutory requirements applicable to temporary foreign agricultural workers.

Timetable:

Action	Date	FR Cite
NPRM	05/05/87	52 FR 16795
NPRM Comment Period End	05/19/87	52 FR 16795
Interim Final Rule	06/01/87	52 FR 20524
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Paula V. Smith, Administrator, Wage and Hour Division, Department of Labor, Employment Standards Administration, 200 Constitution Avenue, NW, Rm S3502, FPBldg., Washington, DC 20210, 202 523-8305

RIN: 1215-AA43

1385. MIGRANT AND SEASONAL AGRICULTURAL WORKER PROTECTION

Significance: Agency Priority

Legal Authority: 29 USC 1801 to 1872; PL 99-603

CFR Citation: 29 CFR 500

Legal Deadline: Statutory, June 1, 1987.

Abstract: The Immigration Reform and Control Act of 1986 amended the Migrant and Seasonal Agricultural Worker Protection Act (MSPA) in a number of areas concerning the recruitment and employment of illegal aliens. Certain changes to the existing MSPA regulations are needed to conform them to the amended Act. These statutory changes became effective June 1, 1987. In addition, minor clarifying changes will be made in certain definitions in the current regulations.

Timetable:

Action	Date	FR Cite
NPRM	05/06/87	52 FR 16859
NPRM Comment Period End	06/05/87	52 FR 16859
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: Paula V. Smith, Administrator, Wage and Hour Division, Department of Labor, Employment Standards Administration, 200 Constitution Avenue, NW, Rm S3502, FPBldg., Washington, DC 20210, 202 523-8305

RIN: 1215-AA44

DEPARTMENT OF LABOR (DOL)

Employment Standards Administration (ESA)

Completed Actions

1386. GENERAL REGULATIONS UNDER THE WALSH-HEALEY PUBLIC CONTRACTS ACT

Legal Authority: 41 USC 38

CFR Citation: 41 CFR 50-201.101(b)

Legal Deadline: None.

Abstract: The proposed rule would revise the role of the Small Business Administration (SBA) in determining a small business concern's eligibility as a "manufacturer" or "regular dealer" under the Walsh-Healey Public Contracts Act (PCA). Current procedures for small businesses require SBA review of all contracting agency findings of ineligibility, as well as all protests which challenge an agency's findings of eligibility. SBA did not have an opportunity to comment when the current rules were first adopted following enactment of the 1977 Amendments to the Small Business Act (P.L. 95-89, 91 Stat. 561 (15 USC 637(b)(7)(B)). SBA believes its review authority under the Act is restricted to only executive branch agency findings of noneligibility under PCA, and has requested revisions to the regulations which would eliminate SBA review in

protest cases which challenge an agency's findings that a small business is eligible for award. Additional revisions requested by SBA would streamline the processing of cases between SBA and Wage Hour.

Timetable:

Action	Date	FR Cite
NPRM	03/13/87	52 FR 7892
Final Action	03/10/88	53 FR 7741
Final Action Effective	05/09/88	

Small Entity: Yes

Agency Contact: Paula V. Smith, Administrator, Wage and Hour Division, Department of Labor, Employment Standards Administration, Room S-3502, FP Building, Washington, DC 20210, 202 523-8305

RIN: 1215-AA33

1387. CLAIMS FOR COMPENSATION UNDER THE WAR HAZARDS COMPENSATION ACT

Significance: Agency Priority

Legal Authority: 42 USC 1701 et seq

CFR Citation: 20 CFR 61; 20 CFR 62

Legal Deadline: None.

Abstract: The War Hazards Compensation Act regulations have been reviewed and modifications made to (1) reflect amendments made to the Act which replaced the World War II frame of reference in the Act with language applicable to the current and future conditions faced by employees of contractors working in hazardous overseas locations; (2) simplify and clarify the requirements for filing a claim under the Act; and (3) remove unnecessary and repetitious sections in the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/01/87	52 FR 20536
NPRM Comment Period End	08/19/87	52 FR 27417
Final Action	02/08/88	53 FR 3678
Final Action Effective	04/08/88	53 FR 3678

Small Entity: Not Applicable

Agency Contact: Thomas M. Markey, Associate Director for Federal Employees', Compensation, OWCP, Department of Labor, Employment Standards Administration, 200 Constitution Ave., NW, Rm S3229 - FPBldg., Washington, DC 20210, 202 523-7552

RIN: 1215-AA42

DEPARTMENT OF LABOR (DOL)

Employment and Training Administration (ETA)

Prerule Stage

1388. SERVICES TO MIGRANT AND SEASONAL FARMWORKERS, JOB SERVICE COMPLAINT SYSTEM, MONITORING AND ENFORCEMENT

Significance: Regulatory Program

Legal Authority: 29 USC 49(k)

CFR Citation: 20 CFR 653; 20 CFR 658; 20 CFR 651

Legal Deadline: None.

Abstract: ETA is reviewing services to migrant and seasonal farmworkers under the Wagner-Peyser Act as a result of amendments to Wagner-Peyser under Title V of the Job Training Partnership Act. It is anticipated that an ANPRM and subsequent rulemaking may result.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/88	

Small Entity: Undetermined

Government Levels Affected: State, Federal

Agency Contact: Thomas M. Bruening, Chief, Division of Foreign Labor, Certifications, Department of Labor, Employment and Training Administration, 200 Constitution Ave., NW, Rm N4456, FPBldg., Washington, DC 202103, 202 535-0163

RIN: 1205-AA37

1389. USE OF FUNDS TRANSFERRED TO THE STATES UNDER SECTION 903(C) OF THE SOCIAL SECURITY ACT (REED ACT)

Legal Authority: 26 USC 3304; 42 USC 1302; 42 USC 503; 42 USC 1103

CFR Citation: 20 CFR 601; 20 CFR 651; 20 CFR 652; 20 CFR 658; 41 CFR 29 to 70

Legal Deadline: None.

Abstract: This regulation sets out Reed Act requirements for States. It covers: restoration of Reed Act funds used to pay unemployment benefits; appropriation by the States and use of funds for administration; and disposition, reduced usage, and replacement of Reed Act-financed property. The regulation implements P.L. 97-248 and updates existing material issued as manuals. Alternatives being considered include: (1) Issuing a regulation, another type of directive, or nothing; (2) Limiting the scope of the regulation to areas involving compliance with Federal law or not limiting scope; and (3) which rules, if any, should be issued regarding the calculation of Reed Act balances, restorations of Reed Act funds, program income, and sales, other dispositions, and reduced usage of property acquired with Reed Act funds. Issuing a regulation will benefit grantees by reducing their uncertainty as to the applicable rules. No significant additional costs will result.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/88	
ANPRM Comment Period End	07/00/88	
NPRM	10/00/88	
Final Action	01/00/89	

Small Entity: Not Applicable

Public Compliance Cost: Initial Cost: $5,000; Yearly Recurring Cost: $5,000; Base Year for Dollar Estimates: 1984

Affected Sectors: 94 Administration of Human Resource Programs

Government Levels Affected: State, Federal

Agency Contact: David Henson, Chief, Division of Fiscal Policy, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Room C5317, FPBldg., Washington, DC 20210, 202 535-8762

RIN: 1205-AA43

DOL—ETA

Prerule Stage

1390. DISASTER UNEMPLOYMENT ASSISTANCE PROGRAM (DUA)

Significance: Agency Priority

Legal Authority: 42 USC 5177

CFR Citation: 20 CFR 625, (Revision)

Legal Deadline: None.

Abstract: A few technical amendments are necessary to update the DUA Final Regulations which were published September 26, 1977. A clarification is needed on the administration of DUA in the Virgin Islands. Also, the Canal Zone should be deleted from the eligible "States." The formula for computing DUA weekly benefit amounts needs to be simplified. The first week of DUA payable needs to be clarified and the appropriate share of Federal-State costs needs to be determined.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Disaster Relief Act was not amended, therefore, no need to revise regulations. Significance policy decisions were put on hold that would have required changes.

Affected Sectors: None

Government Levels Affected: State, Federal

Agency Contact: Lorenzo Roberts, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm C4514, FPBldg., Washington, DC 20210, 202 535-0309

RIN: 1205-AA50

1391. REFOCUS OF THE PUBLIC EMPLOYMENT SERVICE

Legal Authority: PL 97-300 Wagner-Peyser Act as amended by the JTPA

CFR Citation: 20 CFR 652; 20 CFR 653

Legal Deadline: None.

Abstract: In September 1986, the Department of Labor announced in the Federal Register its review of the public employment service, raising the concern of the employment service capability to meet the current and future labor market needs, particularly the labor market needs that will emerge in the year 2000. The announcement provided the public an opportunity to respond either orally at public meetings held in October, 1986 or in writing directly to the Department. The announcement described the concern of the questions concerning the purpose and role of the employment service. An analysis of the public response to the announcement, as well as other data available to the Department from other research, studies, and papers provides the basis for the Department to propose a refocus of the employment service to address current and emerging labor force trends. Regulations may be proposed to the extent needed, to either implement any new legislation that may emerge or to achieve the new direction.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Clayton J. Cottrell, Chief, Division of Planning and Operations, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm N4456, FPBldg., Washington, DC 20210, 202 535-0192

RIN: 1205-AA63

DEPARTMENT OF LABOR (DOL)
Employment and Training Administration (ETA)

Proposed Rule Stage

1392. AIRLINE DEREGULATION: EMPLOYEE BENEFIT PROGRAM

Significance: Agency Priority

Legal Authority: 49 USC 1552

CFR Citation: 20 CFR 638

Legal Deadline: None.

Abstract: These regulations are being developed to implement the benefit provisions contained in Sec. 43 of the Airline Deregulation Act of 1978. The Act requires the Secretary of Labor to specify the percentage of prior salary which an "eligible protected employee" would receive as a benefit payment under the Act. An eligible protected employee is a person who has had at least 4 years of employment with a certificated air carrier as of October 24, 1978 and who loses his or her job during the ten years following such date in a bankruptcy or major employment contraction if and only if the Department of Transportation determines that the principal causes of such job loss was deregulation. On May 17, 1984 the U.S. District Court for the District of Columbia held that Section 43 of the Airline Deregulation Act was unconstitutional. On July 16, 1985, the U.S. Court of Appeals decided that the employee protection provisions of Section 43 were severable from the legislative veto provisions. The U.S. Supreme Court ruled on March 25, 1987 that the legislative veto provisions were unconstitutional but the first right-to-hire provisions were constitutional, therefore, rulemaking can proceed on the (Cont'd)

Timetable:

Action	Date	FR Cite
NPRMPrevious	03/30/79	44 FR 19146
NPRM First right of hire	09/17/82	47 FR 41304
Comments due First right of hire NPRM	10/18/82	
NPRM	08/00/88	
NPRM Comment Period End	09/00/88	
Final Action	06/00/89	

Small Entity: No

Additional Information: ABSTRACT (CONT'D): monetary benefit aspects of the employee protection provisions.

Government Levels Affected: State, Federal

Agency Contact: Lorenzo Roberts, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm C4514, FPBldg., Washington, DC 20210, 202 535-0309

RIN: 1205-AA07

1393. JOB CORPS PROGRAM UNDER TITLE IV-B OF THE JOB TRAINING PARTNERSHIP ACT

Legal Authority: 29 USC 1579

CFR Citation: 20 CFR 684

Legal Deadline: None.

Abstract: The regulations will revise and streamline the existing rules for the Job Corps program. These changes will not create new cost nor materially change the existing program. The new rules will be in compliance with Title IV-B of the Job Training Partnership Act.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	07/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: Peter E. Rell, Director, Office of Job Corps, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm N4508, FPBldg., Washington, DC 20210, **202 535-0550**

RIN: 1205–AA54

1394. LABOR SURPLUS AREA PROGRAM POPULATION CRITERIA CHANGE AS REVISED BY PL 99-272

Significance: Agency Priority

Legal Authority: EO 12073; EO 10582; PL 95-89; PL 96-302; PL 99-272

CFR Citation: 20 CFR 654

Legal Deadline: Statutory, July 7, 1986.

Abstract: The Consolidated Omnibus Budget Reconciliation Act of 1985 (Public Law 99-272) Section 18003 amended the Small Business Act to require the Secretary of Labor to reduce the population criteria for labor surplus areas from fifty-thousand to twenty-five thousand. Section 18003 of Public Law 99-272 became effective on July 7, 1986. The Department of Labor is in the process of implementing the new requirements of the Law but such data did not exist for such areas on a monthly basis at the time Public Law 99-272 was enacted. Implementation has, therefore, been hampered while the data for hundreds of areas were being developed on a monthly basis going back to January 1984.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Government Levels Affected: Federal

Agency Contact: Clayton J. Cottrell, Chief, Division of Planning and Operations, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, N.W., Rm N4456, FPBldg., Washington, DC 20210, **202 535-0192**

RIN: 1205–AA62

1395. FEDERAL-STATE UNEMPLOYMENT COMPENSATION PROGRAM: INCOME AND ELIGIBILITY VERIFICATION SYSTEM

Significance: Regulatory Program

Legal Authority: 42 USC 1302

CFR Citation: 20 CFR 603, (Revision)

Legal Deadline: None.

Abstract: The Employment and Training Administration proposes to amend the regulations at 20 CFR 603, Income and Eligibility Verification System. The amendment will permit access to the State unemployment insurance information by the Federal Parent Locator Service for the purpose of child support enforcement.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	08/00/88	
Final Action	04/00/89	

Small Entity: No

Additional Information: Levels of Government Affected - State and the Federal Parent Locator Service

Government Levels Affected: State, Federal

Agency Contact: Barbara Ann Farmer, Director, Office of Program Management, Unemployment Insurance Service, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm C4512, FPBldg., Washington, DC 20210, **202 535-0610**

RIN: 1205–AA64

1396. ● ADVANCES TO STATES AND REPAYMENT OF ADVANCES; INTEREST ON ADVANCES

Significance: Regulatory Program

Legal Authority: 42 USC 1321; 42 USC 1322

CFR Citation: 20 CFR 606

Legal Deadline: None.

Abstract: Since 1981, the Congress has enacted major changes in the Federal Unemployment Tax Act (FUTA) and Social Security Act (SSA) with respect to advances to States for the payment of unemployment benefits and the repayment of such advances. A Notice of Proposed Rulemaking governing relief provisions only was published in the Federal Register on October 28, 1987. This proposed rule will address the accrual and repayment of interest associated with advances. States applying for advances will be given formal procedures and guidance to follow in the loan application and repayment process as well as the interest payment process. To date, UIPLs have been issued to SESAs describing the process.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	
NPRM Comment Period End	12/00/88	
Final Action	06/00/89	

Small Entity: No

Agency Contact: James H. Manning, Chief, Division of Actuarial Services, Unemployment Insurance Service, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Room S4519, FPBldg., Washington, DC 20210, **202 535-0604**

RIN: 1205–AA65

1397. ● LABOR CERTIFICATION PROCESS FOR THE PERMANENT EMPLOYMENT OF ALIENS IN THE UNITED STATES

Significance: Regulatory Program

Legal Authority: 8 USC 1182(a)(14)

CFR Citation: 20 CFR 656

Legal Deadline: None.

Abstract: Experience in administering the regulations relating to the certification of immigrant aliens for permanent employment in the United

DOL—ETA

Proposed Rule Stage

States indicates that a number of changes should be made to these regulations. The proposed amendments would be intended to make labor certification process more efficient, to prevent abuse or manipulation of the labor certification process, to clarify some apparent ambiguities in the regulations, and to make the regulations easier to read. Before the Department of State (DOS) and the Immigration and Naturalization Service (INS) may issue visas and admit certain immigrant aliens to work permanently in the United States, the Secretary of Labor pursuant to section 212(a)(14) of the Immigration and Naturalization Act (INA) must certify to the Secretary of State and to the Attorney General that: (a) There are not sufficient United States workers who are able, willing, qualified and available at the time of the application for a visa and admission into the United States and at the place where the alien is to perform work; and (cont)

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	07/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: (b) The employment of the alien will not adversely affect the wages and working conditions of similarly employed U.S. workers (8 USC 1182(a)(14). The Department of Labor (DOL) has promulgated regulations at 20 CFR Part 656 pursuant to and to implement section 212(a)(14) of the INA (8 USC 1182(a)(14). These regulations set forth the fact finding process designed to support the granting or denial of a permanent labor certification.

Agency Contact: Thomas M. Bruening, Chief, Division of Foreign Labor, Certification, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Room N4456, FPBldg., Washington, DC 20210, **202 535-0163**

RIN: 1205-AA66

1398. ● IMPLEMENTATION OF THE WORKER ADJUSTMENT LEGISLATION

Significance: Regulatory Program

Legal Authority: 29 USC 1501

CFR Citation: 20 CFR 631

Legal Deadline: None.

Abstract: In early 1987, the President proposed legislation for a new Worker Readjustment Program to respond to dislocations caused by plant closings, mass layoffs, international competition and technological change. The Congress, in conference, is considering worker readjustment legislation as a replacement for the Job Training Partnership Act (JTPA) Title III program for dislocated workers. The Department anticipates enactment in 1988. The new program will incorporate several important new changes. Among these changes are: (1) institutionalizing a State rapid response capability, (2) changing delivery system to mandate the designation of substate grantees, (3) focusing on better resource utilization through reallotment and reallocation provisions, (4) greater emphasis on training in innovative features such as certificates of continuing eligibility and individual vouchers for training. In addition, greater emphasis will be placed upon coordination and linkages among major training and employment program components such as the public employment service, the UI and TAA programs.

Timetable:

Program

NPRM 11/00/88

Interim Final Rule 02/00/89

Substate Designation

NPRM 10/00/88

Interim Final Rule 12/00/88

Small Entity: No

Agency Contact: Robert N. Colombo, Director, Office of Employment Training, Programs, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Room N4469, FPBldg., Washingto, DC 20210, **202 535-0577**

RIN: 1205-AA67

1399. ● JOB TRAINING PARTNERSHIP ACT - AMENDMENT CONCERNING FIXED UNIT PRICE PERFORMANCE BASED CONTRACTS

Significance: Regulatory Program

Legal Authority: Not Yet Determined

CFR Citation: 20 CFR 629, (Revision)

Legal Deadline: None.

Abstract: On October 13, the President signed into law the Job Training Partnership Act (JTPA) Amendments of 1986. In an Advance Notice of Proposed Rulemaking of January 16, 1987, the Department indicated that, in addition to proposed rules for the JTPA Amendments of 1986, it would review fixed-unit price performance- based contracting to determine the need for regulatory revision. The Department has completed this review with the resulting determination of the need for regulatory revision in this area. Proposed regulatory revisions will be published as a final rule around the latter part of 1988. The revisions will deal with the following critical areas: (1) the definition of the term "training" for the purposes of 20 CFR 629.38(a)(2) the allocation of charges among the several cost categories of the final elements of performance--"placement in unsubsidized employment in the occupation trained for, and at the specific wage"--do not occur; (3) clarification regarding the generation of profits and the use of such profits by contractors and/or (4) the practice of making incremental payments to contractors for achieving interim performance benchmarks rather than full performance.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	
NPRM Comment Period End	12/00/88	
Final Action	02/00/89	

Small Entity: No

Agency Contact: Mr. Robert N. Colombo, Director, Office of Employment and Training, Programs, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Room N4469, FPBldg., Washington, DC 20210, **202 535-0577**

RIN: 1205-AA68

DEPARTMENT OF LABOR (DOL)

Final Rule Stage

Employment and Training Administration (ETA)

1400. LIMITATIONS ON TAX CREDIT REDUCTION AND INTEREST ON ADVANCES TO STATES

Significance: Regulatory Program

Legal Authority: 26 USC 3302; 42 USC 1302; PL 97-35, Sec 2408

CFR Citation: 20 CFR 606, (New)

Legal Deadline: None.

Abstract: The Omnibus Budget Reconciliation Act of 1981 amended the tax credit provisions of FUTA to authorize the placing of a "cap" on reductions in tax credits on a State-by-State basis in certain prescribed circumstances. The amendment requires these determinations to be made in accordance with regulations prescribed by the Secretary of Labor. The same Act also amended Title XII of the Social Security Act to assess interest on advances to States, the payment of which is prohibited from State unemployment funds. The proposal would implement these statutory changes.

Timetable:

Action	Date	FR Cite
NPRM	10/28/87	52 FR 41463
NPRM Comment Period End	11/27/87	52 FR 41463
Final Action	07/00/88	

Small Entity: No

Government Levels Affected: State, Federal

Agency Contact: James Manning, Chief, Division of Actuarial Services, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm S4519, FPBldg., Washington, DC 20210, **202 535-0604**

RIN: 1205-AA14

1401. EXTENDED UNEMPLOYMENT COMPENSATION PROGRAM EXTENDED BENEFITS

Significance: Regulatory Program

Legal Authority: 26 USC 3304 Note; 42 USC 1302

CFR Citation: 20 CFR 615

Legal Deadline: None.

Abstract: These regulations would be amended to implement various statutory amendments of 1980, 1981, 1982, and 1983 to the Federal-State Extended Unemployment Compensation Act of 1970. The regulations would (1) provide for the denial of extended benefits to certain interstate claimants and to individuals who fail to actively engage in seeking work or refuse to accept an offer of suitable work, (2) provide for the purging of certain disqualifications in order to establish eligibility for extended benefits, and (3) establish the method of determining the rate of insured unemployment for extended benefit claims, the State trigger rates and removal of the National trigger.

Timetable:

Action	Date	FR Cite
NPRM	10/24/86	51 FR 37741
NPRM Comment Period End	11/24/86	51 FR 37741
Final Action	05/00/88	

Small Entity: Undetermined

Government Levels Affected: State, Federal

Agency Contact: Lorenzo Roberts, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm C4514, FPBldg., Washington, DC 20210, **202 535-0309**

RIN: 1205-AA15

1402. UNEMPLOYMENT COMPENSATION FOR EX-SERVICEMEMBERS

Significance: Regulatory Program

Legal Authority: 5 USC 8508; 5 USC 8521 to 8525

CFR Citation: 20 CFR 614

Legal Deadline: None.

Abstract: Section 201 of Public Law 97-362 (Miscellaneous Revenue Act of 1982) amends the eligibility requirements for unemployment compensation for ex-servicemembers. The proposed regulations would implement these new requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/09/87	52 FR 46604
NPRM Comment Period End	01/08/88	52 FR 46604
Final Action	08/00/88	

Small Entity: No

Government Levels Affected: State, Federal

Agency Contact: Lorenzo Roberts, Unemployment Insurance Specialist, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm C4514, FPBldg., Washington, DC 20210, **202 535-0309**

RIN: 1205-AA26

1403. SENIOR COMMUNITY SERVICE EMPLOYMENT PROGRAM

Significance: Regulatory Program

Legal Authority: 42 USC 3056 et seq, Older Americans Community Svcs Employ Act

CFR Citation: 20 CFR 674

Legal Deadline: Statutory, May 8, 1985. P.L. 98-459, Section 205(c)

Abstract: The regulations will revise and update the existing rules for the Senior Community Service Employment Program. These changes will not create new cost nor materially change the existing program. However, the new rules will place the program in compliance with the 1984 Amendments to the Older Americans Act.

Timetable:

Action	Date	FR Cite
NPRM	07/19/85	50 FR 29606
NPRM Comment Period End	08/27/85	50 FR 34725
Extension of Comment Period to 9/19/85	08/27/85	50 FR 34725
Final Action	00/00/00	

Small Entity: No

Agency Contact: Paul A. Mayrand, Director, Office of Special Targeted, Programs, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm N4641, FPBldg., Washington, DC 20210, **202 535-0500**

RIN: 1205-AA29

1404. ADMINISTRATIVE PROCEDURE

Significance: Regulatory Program

Legal Authority: 42 USC 1302

CFR Citation: 20 CFR 601.9, (Revision)

Legal Deadline: None.

Abstract: The regulation will provide States with administrative appeal rights before the Office of Administrative Law Judges for final determinations disallowing costs or imposing corrective actions as a result of all audits in the Federal-State unemployment benefit and allowance programs. Currently, no

such appeal rights exist and if a State seeks review of one of the above actions the only appeal forum is the Federal Court. Provision of these appeal rights before the Office of Administrative Law Judges should reduce the workload of the Federal Court system and allow the Department of Labor adjudicate the issues in a more informal setting with the Administrative Law Judges, who are more accustomed to dealing with the particular issues involved. The regulation will also correct what is perceived as an inequity, since most Employment and Training Administration programs have administrative appeal rights.

Timetable:

Action	Date	FR Cite
NPRM	06/10/86	51 FR 20991
NPRM Comment Period End	07/10/86	51 FR 20991
Final Action	09/00/88	

Small Entity: No

Additional Information: A Department of Labor Inter-Agency Task Force established to implement the Single Audit Act has decided that all Department of Labor programs shall have some type of appeal rights within the Department of Labor. The Office of the Assistant Secretary for Employment and Training Administration decided that appeal rights for all Employment and Training Administration programs shall be provided by the Office of Administrative Law Judges.

Government Levels Affected: State, Federal

Agency Contact: Linda D. Kontnier, Chief, Division of Debt Management, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm N4671, FPBldg., Washington, DC 20210, **202 535-0704**

RIN: 1205-AA46

1405. JOB TRAINING PARTNERSHIP ACT AUDITS

Significance: Agency Priority

Legal Authority: Section 164 Job Training Partnership Act; Section 169 Job Training Partnership Act

CFR Citation: 20 CFR 629.42

Legal Deadline: None.

Abstract: Governors are responsible for resolving audits of their JTPA subgrantees and subcontractors. Current ETA policy requires federal review and approval of these resolutions only in cases of fraud, gross mismanagement and abuse. More routine audit resolutions are only reviewed on a sample basis during onsite compliance reviews. However, a recent legal opinion stated that the JTPA regulations as presently written could be construed as requiring federal review and approval of all Governors' audit resolutions. The regulations may have to be amended in order to implement ETA's policy.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Affected Sectors: None

Government Levels Affected: State, Federal

Agency Contact: David O. Williams, Administrator, Office of Financial and, Administrative Management, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm N4671, FPBldg., Washington, DC 20210, **202 535-0690**

RIN: 1205-AA53

1406. PREFERENCE IN FEDERAL PROCUREMENT FOR LABOR SURPLUS AREAS UNDER EXECUTIVE ORDERS 12073 AND 10582

Significance: Regulatory Program

Legal Authority: EO 12073; EO 10582

CFR Citation: 20 CFR 654.5(b)

Legal Deadline: None.

Abstract: Currently the Department of Labor only classifies civil jurisdictions (counties, cities over 50,000 population as well as townships and towns in certain selected States) as labor surplus areas. This policy has resulted in some employment centers in the nation's large metropolitan areas not being classified as labor surplus areas, even though the entire Metropolitan Statistical Areas or Primary Metropolitan Statistical Areas would meet the labor surplus area criteria if such geographic areas were classified. The proposed rule would grant the Assistant Secretary for Employment and Training the authority to classify Metropolitan Statistical Areas and Primary Metropolitan Statistical Areas as labor surplus areas to help alleviate unemployment in these areas. The change will add some additional labor surplus areas to the current list but it will not increase the funds going to such designated areas.

Timetable:

Action	Date	FR Cite
NPRM	07/24/86	51 FR 26555
NPRM Comment Period End	08/25/86	51 FR 26555
Final Action	06/00/88	

Small Entity: No

Agency Contact: Robert A. Schaerfl, Director, United States Employment Service, Department of Labor, Employment and Training Administration, 200 Constitution Ave., NW, Rm N4470 FPBldg., Washington, DC 20210, **202 535-0157**

RIN: 1205-AA55

1407. LABOR CERTIFICATION PROCESS FOR TEMPORARY EMPLOYMENT OF ALIEN WORKERS IN AGRICULTURE: THE H-2A PROGRAM

Significance: Regulatory Program

Legal Authority: 8 USC 1101(a)(15)(H)(ii)(a)

CFR Citation: 20 CFR 655

Legal Deadline: Statutory, June 1, 1987.

Abstract: The regulation will implement the new H-2A program created by the Immigration Reform and Control Act of 1986 (IRCA). IRCA established H-2A as a new nonimmigrant subcategory for the admission of Foreign Temporary Agricultural Workers.

Timetable:

Action	Date	FR Cite
NPRM	05/05/87	52 FR 16770
NPRM Comment Period End	05/19/87	52 FR 16770
Interim Final Rule	06/01/87	52 FR 20496
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Thomas M. Bruening, Chief, Division of Foreign Labor, Certification, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm N4456, FPBldg., Washington, DC 20210, **202 535-0153**

RIN: 1205-AA59

DOL—ETA **Final Rule Stage**

1408. TRADE ADJUSTMENT ASSISTANCE FOR WORKERS

Significance: Regulatory Program

Legal Authority: PL 99-292 Consolidated Omnibus Budget Reconciliation Act (1985)

CFR Citation: 20 CFR 617

Legal Deadline: None.

Abstract: These regulations implement PL 99-272, enacted on April 7, 1986, which amended the trade adjustment assistance provisions of the Trade Act of 1974, by extending the program for six (6) years to September 30, 1991; requiring participation in a job search program, where reasonably available, as a condition for receiving TRA payments; changing the number of weeks of employer authorized leave credited to satisfy the 26 weeks of employment in the last 52 weeks to qualify for TRA; extending the period to receiving basic TRA from 52 weeks to 104 weeks (no increase in the number of weeks payable); and making other changes.

Timetable:

Action	Date	FR Cite
NPRM	10/22/87	52 FR 39586
NPRM Comment Period End	11/23/87	52 FR 39586
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: Glenn M. Zech, Deputy Director, Office of Trade, Adjustment Assistance, Department of Labor, Employment and Training Administration, 601 D Street, NW, Rm 6434, PHBldg., Washington, DC 20213, **202 376-2646**

RIN: 1205-AA61

DEPARTMENT OF LABOR (DOL)

Employment and Training Administration (ETA)

Completed Actions

1409. IMPLEMENTATION OF JOB TRAINING PARTNERSHIP ACT AMENDMENTS OF 1986

Significance: Regulatory Program

Legal Authority: JTPA Amendments of 1986

CFR Citation: 20 CFR 626, (Revision); 20 CFR 627, (Revision); 20 CFR 628, (Revision); 20 CFR 629, (Revision); 20 CFR 630, (Revision); 20 CFR 631, (Revision)

Legal Deadline: None.

Abstract: Issue regulations to implement those provisions of the 1986 amendments requiring regulatory revision. These include: (1) clarification on the use of six percent funds for technical assistance and post-program data collection; (2) clarification of the requirements for summer program plans and their approval/ disapproval; and (3) Title III eligibility criteria. Further, in areas not related to the JTPA Amendments, the Department intends to propose rulemaking. This will be policy clarifications, technical corrections, or to address other policy areas in the regulations which have emerged as problems.

Timetable:

Action	Date	FR Cite
ANPRM	01/16/87	52 FR 1932
ANPRM Comment Period End	02/17/87	52 FR 1932
NPRM	06/24/87	52 FR 23681
NPRM Comment Period End	07/24/87	52 FR 23681
Final Action	02/12/88	53 FR 4262
Final Action Effective	03/14/88	53 FR 4262

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Government Levels Affected: Local, State

Agency Contact: Robert N. Colombo, Director, Office of Employment and, Training Programs, Department of Labor, Employment and Training Administration, 200 Constitution Avenue, NW, Rm N4469, FPBldg., Washington, DC 20210, **202 535-0577**

RIN: 1205-AA60

DEPARTMENT OF LABOR (DOL)

Pension and Welfare Benefits Administration (PWBA)

Prerule Stage

1410. "TOP HAT" PLANS

Significance: Regulatory Program

Legal Authority: 29 USC 1135

CFR Citation: 29 CFR 2510

Legal Deadline: None.

Abstract: This regulation would provide guidance as to what constitutes an unfunded employee benefit plan maintained primarily for the purpose of providing deferred compensation for a select group of management or highly compensated employees ("top hat" plans) for purposes of Title I of ERISA.

Timetable:

Action	Date	FR Cite
Agency to complete review with respect to feasibility of & form of policy guidance	05/00/88	

Small Entity: Undetermined

Agency Contact: Judith B. Kahn, Employee Benefit Plan Specialist, Department of Labor, Office of the Secretary, 200 Constitution Ave., NW, Rm N5669, FPBldg., Washington, DC 20210, **202 523-8581**

RIN: 1210-AA21

DEPARTMENT OF LABOR (DOL)

Pension and Welfare Benefits Administration (PWBA)

Proposed Rule Stage

1411. ADEQUATE CONSIDERATION

Significance: Regulatory Program

Legal Authority: 29 USC 1002(3)(18); 29 USC 1135

CFR Citation: 29 CFR 2510

Legal Deadline: None.

Abstract: This regulation would provide guidance as to what constitutes adequate consideration under Section 3(18) of ERISA for securities for which there is no generally recognized market.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	01/00/89	

Small Entity: Undetermined

Agency Contact: Daniel J. Maguire, Staff Attorney, Department of Labor, Office of the Secretary, 200 Constitution Ave., NW, Rm N4611, FPBldg., Washington, DC 20210, **202 523-9596**

RIN: 1210-AA15

1412. QUALIFIED DOMESTIC RELATIONS ORDERS UNDER THE RETIREMENT EQUITY ACT

Legal Authority: 29 USC 1056(d)(3)(L); 29 USC 1135

CFR Citation: 29 CFR 2530

Legal Deadline: None.

Abstract: This regulation would clarify the application of the qualified domestic relations order provisions of Section 206(d)(3) of ERISA added by the Retirement Equity Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Jean Van Ness, Staff Attorney, Department of Labor, Office of the Secretary, 200 Constitution Ave., NW, Rm N4611, FPBldg., Washington, DC 20210, **202 523-9593**

RIN: 1210-AA19

1413. PROCEDURES FOR FILING AND PROCESSING APPLICATIONS FOR EXEMPTION FROM THE PROHIBITED TRANSACTION PROVISIONS OF ERISA, THE INTERNAL REVENUE CODE, AND FERSA

Significance: Regulatory Program

Legal Authority: 29 USC 1108; 29 USC 1135; 5 USC 8477 (C) (3)

CFR Citation: 29 CFR 2570

Legal Deadline: None.

Abstract: This regulation describes the procedures for filing and processing applications for exemptions from the prohibited transaction provisions of ERISA of 1974 and IRC and FERSA of 1986. The proposed regulation updates the description of the Department's procedures to reflect changes in the Department of Labor's exemption authority and to clarify the procedures by providing a more detailed description of the prohibited transaction exemption process.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Interim Final Rule	12/00/88	

Small Entity: Undetermined

Agency Contact: Daniel J. McGuire, Staff Attorney, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Rm N5669, FPBuilding, Washington, DC 20210, **202 523-9596**

RIN: 1210-AA26

1414. AMOUNT OF BOND FOR FERS THRIFT SAVINGS FUND

Significance: Agency Priority

Legal Authority: 5 USC 8478

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: Section 8478(b)(1) requires the Secretary of Labor to prescribe the amount of a bond at the beginning of each Fiscal Year of the fund. This rulemaking accomplishes that objective.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Rudy F. Nuissl, Employee Benefit Plan Specialist, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Rm N5669 FP Building, Washington, DC 20210, **202 523-7901**

RIN: 1210-AA28

1415. ● ALLOCATION OF FIDUCIARY RESPONSIBILITY (FERSA)

Significance: Regulatory Program

Legal Authority: 5 USC 8477(e)(1)(E)

CFR Citation: Not yet determined

Legal Deadline: Statutory, December 31, 1988. Section 114 of the Federal Employees' Retirement System Technical Corrections Act of 1986 imposes a December 31, 1988 deadline for promulgating these regulations.

Abstract: Section 8477(e)(1)(E) of the Federal Employees' Retirement System Act of 1986 (FERSA) requires the Secretary of Labor to prescribe in regulations procedures for allocating fiduciary responsibilities among fiduciaries, including investment managers, with respect to the Thrift Savings Fund (Fund) established under FERSA. This regulation would carry out the requirement of FERSA that the Secretary promulgate regulations prescribing procedures for allocating fiduciary responsibility with respect to the Thrift Savings Fund.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	12/00/88	

Small Entity: No

Agency Contact: Gerald B. Lindrew, Assistant Director for Policy and, Legislative Analysis, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Room N5647, FPBldg., Washington, DC 20210, **202 523-7933**

RIN: 1210-AA30

1416. ● FINAL BONDING RULES (FERSA AND ERISA)

Significance: Regulatory Program

Legal Authority: 5 USC 8478

CFR Citation: Not yet determined

Legal Deadline: Statutory, December 31, 1989. Section 113 of the Federal Employees' Retirement System Technical Corrections Act of 1986 imposes a December 31, 1989 deadline for promulgating final bonding regulations under FERSA.

Abstract: FERSA Section 8478 requires the Secretary of Labor to promulgate regulations governing the bonding of fiduciaries and other persons who handle the funds or other property of the Thrift Savings Fund established under FERSA. The regulations set forth the required bonding procedures.

DOL—PWBA — Proposed Rule Stage

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/23/87	52 FR 35864
NPRM	02/00/89	
NPRM Comment Period End	04/00/89	

Small Entity: Undetermined

Agency Contact: Gerald B. Lindrew, Assistant Director for Policy and, Legislative Analysis, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Room N5647, FPBldg., Washington, DC 20210, 202 523-7933

RIN: 1210-AA31

1417. ● CIVIL PENALTIES UNDER FERSA

Significance: Regulatory Program

Legal Authority: 5 USC 8477(e)(1)(B)

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: Section 8477(e)(1)(B) of the Federal Employees' Retirement System Act of 1986 (FERSA) authorizes the Secretary of Labor to assess civil penalties against parties in interest who engage in prohibited transactions with the Thrift Savings Fund (Fund) established under FERSA. The regulations will govern the procedures for imposing sanctions and enable the Department to penalize persons who violate the prohibited transaction rules with respect to assets of the Fund.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	08/00/88	
Final Action	11/00/88	

Small Entity: No

Agency Contact: Gerald B. Lindrew, Assistant Director for Policy and, Legislative Analysis, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Room N5647, FPBldg., Washington, DC 20210, 202 523-7933

RIN: 1210-AA32

1418. ● CIVIL PENALTY FOR FAILURE OR REFUSAL TO FILE ANNUAL REPORT

Significance: Regulatory Program

Legal Authority: PL 100 to 203 Section 9342(c)

CFR Citation: Not yet determined

Legal Deadline: Statutory, January 1, 1989. Section 9342(d) of OBRA 1987 specifically directs the Secretary to issue not later than January 1, 1989, the regulations required to implement this provision.

Abstract: Section 502(c) of the Employee Retirement Income Security Act of 1974 (ERISA) was amended by Section 9342(c) of the Omnibus Budget Reconciliation Act of 1987 (OBRA 1987) to authorize the Secretary of Labor to assess a civil penalty of up to $1,000 a day from the date of a plan administrator's failure or refusal to file the complete annual report required to be filed with the Secretary under section 101(b)(4) of ERISA. This regulation would carry out the requirement of OBRA 1987 that the Secretary promulgate regulations implementing the new civil penalty provision relating to a plan administrator's failure or refusal to file a complete annual report.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	08/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: Gerald B. Lindrew, Assistant Director for Policy and, Legislative Analysis, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Room N5647, FPBldg., Washington, DC 20210, 202 523-7933

RIN: 1210-AA34

DEPARTMENT OF LABOR (DOL)

Pension and Welfare Benefits Administration (PWBA)

Final Rule Stage

1419. INDIVIDUAL BENEFITS REPORTING AND RECORDKEEPING FOR MULTIPLE EMPLOYER PLANS

Significance: Regulatory Program

Legal Authority: 29 USC 1025; 29 USC 1059; 29 USC 1135

CFR Citation: 29 CFR 2520; 29 CFR 2530

Legal Deadline: None.

Abstract: The rule would govern: (1) reports that must be furnished to participants and beneficiaries in multiple employer pension plans, regarding the benefits to which they are entitled, or may become entitled, at retirement; and (2) records that must be maintained to provide the information necessary to prepare these reports. This rule was first proposed on 02/09/79 (44 FR 8294) jointly with the single employer plan benefit reporting regulations.

Timetable:

Action	Date	FR Cite
NPRM Previous	02/09/79	44 FR 8294
NPRM	08/08/80	45 FR 52824
NPRM Comment Period End	10/08/80	
Notice of Public Hearing on 11/25/80	11/12/80	45 FR 74727
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Katherine Lewis, Employee Benefit Plan Specialist, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Ave., NW, Rm N5669, FPBldg., Washington, DC 20210, 202 523-7901

RIN: 1210-AA02

1420. INDIVIDUAL BENEFITS REPORTING AND RECORDKEEPING FOR SINGLE EMPLOYER PLANS

Significance: Regulatory Program

Legal Authority: 29 USC 1025; 29 USC 1059; 29 USC 1135

CFR Citation: 29 CFR 2520; 29 CFR 2530

Legal Deadline: None.

Abstract: The rule would govern: (1) reports that must be furnished to participants and beneficiaries in single employer pension plans, regarding the benefits to which they are entitled, or may become entitled, at retirement; and

(2) records that must be maintained to provide the information necessary to prepare these reports. This rule was first proposed on 02/09/79 (44 FR 8294) jointly with the multiple employer plan benefit reporting regulation.

Timetable:

Action	Date	FR Cite
NPRM Previous	02/09/79	44 FR 8294
NPRM	08/01/80	45 FR 51231
Notice of Public Hearing on 11/25/80	11/12/80	45 FR 74728
NPRM Comment Period End	10/01/81	
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Katherine Lewis, Employee Benefit Plan Specialist, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Ave., NW, Rm N5669, FPBldg., Washington, DC 20210, **202 523-7901**

RIN: 1210-AA03

1421. PARTICIPANT DIRECTED INDIVIDUAL ACCOUNT PLANS

Significance: Regulatory Program

Legal Authority: 29 USC 1104(c); 29 USC 1135

CFR Citation: 29 CFR 2550

Legal Deadline: None.

Abstract: The regulation would describe the kinds of participant directed individual account plans referred to in Section 404(c) of ERISA, the circumstances under which a participant or beneficiary will be considered to have exercised control over his individual account, and the consequences under section 404(c) of such an exercise of control.

Timetable:

Action	Date	FR Cite
NPRM	09/03/87	52 FR 33508
NPRM Comment Period End	11/02/87	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: Martin Staubus, Staff Attorney, Department of Labor, Office of the Secretary, 200 Constitution Ave., NW, Rm N4611, FPBldg., Washington, DC 20210, **202 523-9596**

RIN: 1210-AA08

1422. LOANS TO PARTICIPANTS

Significance: Regulatory Program

Legal Authority: 29 USC 1135; 29 USC 1108

CFR Citation: 29 CFR 2550

Legal Deadline: None.

Abstract: This rule describes the circumstances under which the exemption in Section 408(b)(1) of ERISA from the prohibited transaction provisions for loans by a plan to plan participants will be available.

Timetable:

Action	Date	FR Cite
NPRM	01/22/88	53 FR 1798
NPRM Comment Period End	03/22/88	
Final Action	11/00/88	

Small Entity: Undetermined

Agency Contact: Susan Rees, Staff Attorney, Department of Labor, Office of the Secretary, 200 Constitution Ave., NW, Rm N4611, FPBldg., Washington, DC 20210, **202 523-9596**

RIN: 1210-AA09

1423. DEFINITION OF "PLAN ASSETS" (PARTICIPANT CONTRIBUTIONS) (PROPOSED AT 44 FR 50363, AUGUST 28, 1979)

Significance: Regulatory Program

Legal Authority: 29 USC 1135

CFR Citation: 29 CFR 2550

Legal Deadline: None.

Abstract: This regulation would describe when monies paid to, or withheld by, an employer as contributions to an employee benefit plan are considered "Plan Assets" for purposes of Title I of ERISA and certain related provisions of the Internal Revenue Code. Proposed regulations dealing with this matter were published by the Department on August 28, 1979.

Timetable:

Action	Date	FR Cite
NPRM	08/28/79	44 FR 50363
NPRM Comment Period End	01/07/80	
Public Hearings	02/27/80	
Final Action	05/00/88	

Small Entity: No

Additional Information: Subpart of RIN 1210-AA06 (Definition of Plan Assets) which will be handled separately. This item is included as 1210-AA23 in the U.S. Regulatory Program.

Agency Contact: Daniel J. McGuire, Staff Attorney, Department of Labor, Office of the Secretary, 200 Constitution Ave., NW, Rm N4611, FPBldg., Washington, DC 20210, **202 523-9596**

RIN: 1210-AA16

1424. PROCEDURES FOR THE ADMINISTRATIVE IMPOSITION OF CIVIL SANCTIONS UNDER SECTION 502(I) OF THE EMPLOYEE RETIREMENT INCOME SECURITY ACT OF 1974 (ERISA)

Significance: Regulatory Program

Legal Authority: 29 USC 1132 (i); 29 USC 1135

CFR Citation: 29 CFR 2560; 29 CFR 2570

Legal Deadline: None.

Abstract: This procedural rule would implement Section 502(i) of ERISA which authorizes the Secretary of Labor to impose civil sanctions against parties in interest (as defined in ERISA Section 3(14)) who engage in prohibited transactions with welfare plans and nonqualified pension plans.

Timetable:

Action	Date	FR Cite
NPRM	08/27/86	51 FR 30501
NPRM Comment Period End	10/27/86	51 FR 30501
Final Action	05/00/88	

Small Entity: No

Agency Contact: Susan Rees, Staff Attorney, Department of Labor, Office of the Secretary, 200 Constitution Ave., NW, Rm N4611, FPBldg., Washington, DC 20210, **202 523-9596**

RIN: 1210-AA20

1425. PROPOSED REGULATION EXEMPTING CERTAIN BROKER-DEALERS AND INVESTMENT ADVISERS FROM BONDING REQUIREMENTS

Significance: Agency Priority

Legal Authority: 29 USC 1135; 29 USC 1112

CFR Citation: 29 CFR 2580

Legal Deadline: None.

Abstract: The proposed regulation is intended to provide an exemption from the bonding requirements of Section 412 (a) of ERISA for certain broker dealers

DOL—PWBA **Final Rule Stage**

and investment advisers who handle plan assets if the proposed regulation's alternative bonding requirements are met. If adopted, the regulation would permit broker-dealer and their investment adviser affiliates to substitute the fidelity bond required by the self-regulatory organizations of which they are members, subject to a minimum level of coverage, for the bond otherwise required by Section 412 of ERISA.

Timetable:

Action	Date	FR Cite
NPRM	08/19/87	52 FR 31039
NPRM Comment Period End	10/19/87	52 FR 31039
Final Action	00/00/00	

Small Entity: No

Agency Contact: Linda Shore, Employee Benefit Plan Specialist, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Rm N5667 FPBuilding, Washington, DC 20210, 202 523-8671

RIN: 1210-AA25

DEPARTMENT OF LABOR (DOL)
Pension and Welfare Benefits Administration (PWBA)

Completed Actions

1426. ADOPTION OF TEMPORARY BONDING REGULATIONS UNDER ERISA SECTION 412 FOR PURPOSES OF FERSA SECTION 8478

Significance: Regulatory Program

Legal Authority: 5 USC 8478; PL 99-556 SECTION 113

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: Section 8478 of FERS Requires the Secretary of Labor to prescribe within regulations concerning the bonding (for loss through theft or embezzlement) of property of the thrift savings fund. Section 113 of the Federal Employees' Retirement System Technical Corrections Act of 1986 authorizes the Secretary of Labor to apply the temporary bonding regulations under ERISA Section 412 to FERSA Section 8478 (until January 1, 1990). This rulemaking effects such interim adoption of the ERISA bonding regulations for FERSA purposes.

Timetable:

Action	Date	FR Cite
Interim Final Action Effective	04/01/87	
Interim Final Rule	09/23/87	52 FR 35864
Final Temporary Rule	09/23/87	52 FR 35864
End of Comment Period	11/23/87	

Small Entity: No

Agency Contact: Rudy F. Nuissl, Employee Benefit Plan Specialist, Department of Labor, Pension and Welfare Benefits Administration, 200 Constitution Avenue, NW, Rm N5669 FP Building, Washington, DC 20210, 202 523-7901

RIN: 1210-AA29

DEPARTMENT OF LABOR (DOL)
Office of Labor Management Standards (OLMS)

Proposed Rule Stage

1427. ● LABOR ORGANIZATION ANNUAL FINANCIAL REPORTS

Legal Authority: 29 USC 431; 29 USC 438; 29 USC 461

CFR Citation: 29 CFR 403

Legal Deadline: None.

Abstract: This proposed regulation would implement a new labor organization annual report form to replace Labor Organization Annual Report forms LM-2 and LM-3, which are incorporated in the Department's regulations at 29 CFR 403.3 and 403.4(a). It would also replace Form LM-1A, entitled "Report of Current Status: Labor Organization Information Supplement," which is incorporated in the regulations at 29 CFR 402.4(a).

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Kay H. Oshel, Chief, Division of Interpretations and, Standards, Department of Labor, Office of Labor Management Standards, 200 Constitution Avenue, NW, Room N5613, FPBldg., Washington, DC 20210, 202 523-7373

RIN: 1294-AA04

DEPARTMENT OF LABOR (DOL)

Office of Labor Management Standards (OLMS)

Completed Actions

1428. GENERAL STATEMENT CONCERNING THE ELECTION PROVISIONS OF THE LABOR-MANAGEMENT REPORTING AND DISCLOSURE ACT OF 1959 CHARACTERISTICS OF CANDIDATES

Legal Authority: 29 USC 481; 29 USC 482

CFR Citation: 29 CFR 452.46

Legal Deadline: None.

Abstract: This regulation will amend 29 CFR 452.46 regarding maximum age restrictions on candidacy for union office. The amendment is required in part to conform the regulations to a recent amendment to the Age Discrimination in Employment Act of 1967.

Timetable:

Action	Date	FR Cite
Final Action	03/17/88	53 FR 8750
Final Action Effective	03/17/88	

Small Entity: Not Applicable

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Kay Oshel, Chief, Division of Interpretations and, Standards, Department of Labor, Office of Labor Management Standards, 200 Constitution Avenue, NW, Rm N5613, FPBldg., Washington, DC 20210, 202 523-7373

RIN: 1294-AA02

DEPARTMENT OF LABOR (DOL)

Mine Safety and Health Administration (MSHA)

Prerule Stage

1429. DIESEL-POWERED EQUIPMENT FOR UNDERGROUND COAL MINES

Significance: Regulatory Program

Legal Authority: 30 USC 811; 30 USC 957

CFR Citation: 30 CFR 7; 30 CFR 70; 30 CFR 75

Legal Deadline: None. Under the Mine act, the advisory committee must submit recommendations within 180 days of convening.

Abstract: MSHA has established a mining equipment approval program, including evaluation criteria, and corresponding safety standards requiring the use of certain equipment. Existing approval regulations do not generally apply to the diesel equipment now being used in underground coal mines. An Advisory Committee convened in January 1988 to make recommendations concerning what standards and regulations would be appropriate for coal mines.

Timetable:

Action	Date	FR Cite
Establishment of Advisory Committee	10/06/87	52 FR 37381
Notice of Appointment of Committee Members and Notice of First Meeting	01/05/88	53 FR 00189
Committee Delivers Recommendations	07/00/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA27

1430. NOTIFICATION, INVESTIGATION, REPORTS AND RECORDS OF ACCIDENTS INJURIES, ILLNESSES, EMPLOYMENT, AND COAL PRODUCTION IN MINES

Significance: Regulatory Program

Legal Authority: 30 USC 957; 30 USC 813(d)

CFR Citation: 30 CFR 50

Legal Deadline: None.

Abstract: In response to concerns raised by members of Congress and the mining community about the nature and accuracy of existing reporting obligations, MSHA established an intra-agency task force to review its requirements for reports of accidents, injuries and illnesses in coal and metal and nonmetal mines. The Agency focused on several aspects of the reporting requirements including the definition of an occupational injury or illness, and an expanded audit program. The Agency has determined that the existing regulations in Part 50 should be clarified and improved through the rulemaking process. MSHA will clarify the definitions of reportable injuries and illnesses and solicit suggestions from the public in this effort.

Timetable:

Action	Date	FR Cite
Begin Review	12/01/85	
Task Force Report Completed	03/03/86	
ANPRM	05/00/88	

Small Entity: Yes

Additional Information: MSHA will work closely with BLS and OSHA throughout the rulemaking to assure departmental consistency.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Rm 627, BT #3, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA33

1431. ● ASBESTOS

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 71.702; 30 CFR 56.5001(b); 30 CFR 57.5001(h)

Legal Deadline: None.

Abstract: In 1986, OSHA lowered its asbestos limit to general industry to .2 fibers per cubic centimeter. MSHA will consider whether this limit would also be appropriate for the mining industry based on the health risks posted and the economic and technical feasibility of lowering the present limit.

DOL—MSHA **Prerule Stage**

Timetable:

Action	Date	FR Cite
To be coordinated with OSHA	06/00/88	

Small Entity: Undetermined

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Room 631, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA46

1432. ● HAZARD COMMUNICATION

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR NEW

Legal Deadline: None.

Abstract: The primary purpose of this action is to provide miners with the means to receive necessary information on the hazards of chemical to which they are exposed and the action necessary to protect their safety and health. MSHA is reviewing OSHA's hazard communication standard and is also reviewing information collected by NIOSH.

Timetable:

Action	Date	FR Cite
ANPRM	03/30/88	53 FR 10257
ANPRM Comment Period End	05/31/88	
NPRM	12/00/88	

Small Entity: Undetermined

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Room 631, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA47

DEPARTMENT OF LABOR (DOL)
Mine Safety and Health Administration (MSHA)

Proposed Rule Stage

1433. PATTERN OF VIOLATIONS

Significance: Regulatory Program

Legal Authority: 30 USC 814(e); 30 USC 957

CFR Citation: 30 CFR 104

Legal Deadline: None.

Abstract: In 1980, a proposal was issued but subsequently withdrawn as a result of certain Review Commission decisions and other policy considerations. A second ANPRM which outlined new procedures for implementing the statutory provision for pattern of violations was issued in 1985. Various segment of the mining community have viewed the role of the pattern provision with marked differences, often resulting in a contradictory record to reconcile these differences and achieve the intended objective, the Agency has been working to develop both appropriate criteria and a meaningful procedure for identifying operators who are potential pattern violators.

Timetable:

Action	Date	FR Cite
ANPRM	02/08/85	50 FR 5470
Withdrawal of 1980 NPRM	02/08/85	50 FR 5470
Extension of Comment Period to 5/10/85	04/05/85	50 FR 13617
ANPRM Comment Period End	04/09/85	50 FR 5470
NPRM	05/00/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA04

1434. UNDERGROUND COAL MINE ELECTRICAL STANDARDS

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.500; 30 CFR 75.600; 30 CFR 75.700; 30 CFR 75.800; 30 CFR 75.900; 30 CFR 75.1000

Legal Deadline: None.

Abstract: Existing electrical standards for underground coal mines would be substantially reorganized, clarified, and updated. General incorporations by reference of the National Electric Code would be eliminated and replaced with specific standards applicable to underground coal mining operations. The Agency is in the process of developing a proposed rule that addresses the wide range of issues raised by commenters.

Timetable:

Action	Date	FR Cite
Begin Review	07/09/82	47 FR 30025
ANPRM	05/23/86	51 FR 18899
Comment Period Extended to 8/15/86	07/03/86	51 FR 24387
ANPRM Comment Period End	07/22/86	51 FR 18899
NPRM	08/00/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA10

1435. REVIEW OF METAL AND NONMETAL ELECTRICAL STANDARDS

Significance: Agency Priority

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 56.12000; 30 CFR 57.12000

Legal Deadline: None.

Abstract: The electrical standards are part of the overall review of regulations dealing with metal and nonmetal mines and mills. General incorporations by reference of the National Electric Code would be eliminated and replaced with standards applicable to metal and nonmetal mining and mills.These standards would also be substantially clarified, updated, and realigned into functional categories, and would

include technological advances in electrical systems.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/83	45 FR 19267
ANPRM	05/20/83	48 FR 22895
ANPRM Comment Period End	07/19/83	
NPRM	08/00/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Rm 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA14

1436. REVIEW OF METAL AND NONMETAL EXPLOSIVES STANDARDS

Significance: Agency Priority

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 56.6000; 30 CFR 57.6000

Legal Deadline: None.

Abstract: The explosives standards are part of the overall review of regulations dealing with metal and nonmetal mines and mills. These standards would be clarified and updated consistent with technological advances, such as gaseous initiation systems, miniaturized detonating cord systems and the use of bulk mixing of explosives materials.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/80	45 FR 19267
ANPRM	08/20/84	49 FR 33087
Extension of ANPRM Comment Period to 11/16/84	09/25/84	49 FR 37640
ANPRM Comment Period End	10/19/84	
NPRM	05/00/88	

Small Entity: Yes

Additional Information: Public hearings will most likely be held during July 1988.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA17

1437. METAL AND NONMETAL AIR QUALITY STANDARDS

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 55.5; 30 CFR 56.5

Legal Deadline: None.

Abstract: The Agency is developing a NPRM which would replace an incorporation by reference with updated permissible exposure limits which are specifically applicable to the hazards encountered in metal and nonmetal mining. The proposal would solicit comment on which means of control would provide the necessary protection from airborne contaminants. Standards for use of respiratory protective equipment would replace an outdated incorporation by reference. Other issues being considered are: requirements for exposure monitoring and precautions for handling restricted-use chemicals; notification of workers of overexposures; and access to exposure records.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/80	45 FR 19267
ANPRM	07/06/83	48 FR 31171
Extension of Comment Period to 10/06/83	08/12/83	48 FR 36789
Extension of Comment Period to 11/07/83	09/16/83	48 FR 41747
ANPRM Comment Period End	11/07/83	
NPRM	07/00/88	

Small Entity: Yes

Additional Information: Public hearings will most likely be held during September 1988. The Agency will also include air quality and chemical substances for coal mines (RIN: 1219-AA41) in the proposal because of the commonality of potential exposures and the desire of the Agency to have a uniform health enforcement program.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA21

1438. CERTIFICATION AND QUALIFICATION OF PERSONS

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.100; 30 CFR 75.150; 30 CFR 77.100; 30 CFR 77.105

Legal Deadline: None.

Abstract: Certain MSHA regulations require persons working in coal mines to be qualified or certified to perform certain tasks, e.g., testing for methane, making ventilation examinations, etc. The existing rule requires operators to submit certification and qualification applications to MSHA every six months for recertification. The proposal eliminates the six-month limitation, permitting persons to remain certified or qualified for as long as they continue to satisfy the substantive requirements and remain employed at the same coal mine or independent contractor.

Timetable:

Action	Date	FR Cite
NPRM	04/13/88	53 FR 12250
NPRM Comment Period End	06/13/88	
Final Action	09/00/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 631, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA36

1439. AUTOMATIC WARNING DEVICES FOR MOBILE EQUIPMENT

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 77.410

Legal Deadline: None.

Abstract: MSHA's existing standard requires mobile equipment to be equipped with devices which automatically sound an alarm when the equipment is put in reverse. MSHA is considering revising the standard to exclude pickup trucks if the driver has an unobstructed rear view. The Agency

is also considering allowing alternatives to automatic warning devices.

Timetable:

Action	Date	FR Cite
NPRM	04/13/88	53 FR 12253
NPRM Comment Period End	06/13/88	
Final Action	09/00/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 631, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA38

1440. AUTOMATIC BRAKES ON SELF-PROPELLED ELECTRIC FACE EQUIPMENT

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.523-3

Legal Deadline: None.

Abstract: In 1973, the Agency issued installation and performance requirements for automatic emergency brakes on rubber-tired, self-propelled electric face equipment for underground coal mines. However, there was not sufficient technical data to develop criteria for evaluating the designs of these braking systems. On July 30, 1974, the effective dates for compliance with 75.523-3 were suspended indefinitely. MSHA now has sufficient technical date to review the standard.

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	53 FR 6512
NPRM Comment Period End	05/02/88	53 FR 6512
Final Action	12/00/88	

Small Entity: Yes

Additional Information: Public hearings will most likely be held in May 1988.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm. 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA39

1441. ELECTRIC MINE LAMPS OTHER THAN STANDARD CAP LAMPS

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 20

Legal Deadline: None.

Abstract: Under existing standards MSHA is limited to investigating and approving lamps which meet the design, construction and test requirements specifically set forth in 30 CFR 20. As a result, the Agency is restricted from approving lamps that incorporate alternative technology. The proposal would amend Part 20 to enable the Agency to issue approvals for lamps which, after testing, are found to be safe for their intended use and provide, at a minimum, the same degree of protection as lamps currently approved under the existing standards.

Timetable:

Action	Date	FR Cite
NPRM	04/13/88	53 FR 12250
NPRM Comment Period End	06/13/88	
Final Action	09/00/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA40

1442. COAL AIR QUALITY

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 70

Legal Deadline: None.

Abstract: Permissible exposure limits for most noxious and poisonous gases in underground coal mines are addressed in 30 CFR 75.301-2. This ventilation standard incorporates by reference an outdated national consensus standard. MSHA would replace the incorporation by reference with updated standards that are more specific to the mining industry. These standards would be recodified with other health standards for underground coal mining in 30 CFR 70.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA41

1443. MULTIPLE-SHOT BLASTING UNITS

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 25

Legal Deadline: None.

Abstract: The requirements for approval of blasting units are part of the overall coal review to update standards. The revision of existing Part 25 specifications is to be proposed as Subpart D to Part 7. Under this concept, testing would be done by the applicant or a third party, subject to Agency requirements and approval.

Timetable:

Action	Date	FR Cite
ANPRM	06/05/84	49 FR 23281
Notice of Public Conferences for 7/11/84	06/05/84	49 FR 23281
Extension of Comment Period to 9/24/84	07/31/84	49 FR 30636
ANPRM Comment Period End	08/10/84	49 FR 23281
NPRM	04/00/88	

Small Entity: Yes

Additional Information: The review of 30 CFR 25 was originally listed in the Agenda in 1984. In the October 1985 Agenda, MSHA consolidated the Review of Part 25 under 1219-AA16. A proposal is expected to be published in April 1988 which will revise 30 CFR 25 and combine it as a subpart of 30 CFR 7.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health

DOL—MSHA **Proposed Rule Stage**

Administration, 4015 Wilson Blvd., Rm 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA42

1444. ● RULES OF PRACTICE FOR PETITIONS FOR MODIFICATION OF MANDATORY SAFETY STANDARDS

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 44

Legal Deadline: None.

Abstract: On July 10, 1987, the United States Court of Appeals for the District of Columbia invalidated the Agency's existing interim relief regulation based in part, on procedural defects, holding that it was contrary to Congressional interest. (INT. UNION v. MSHA, 823 F. 2d 608 (D.C. Cir. 1987). Therefore, MSHA has issued a proposal addressing interim relief in situations where enforcement of a mandatory standard would result in a diminution of safety to affected miners or in emergency situations.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: Undetermined

Additional Information: Public hearings will most likely be held in July 1988.

Agency Contact: Patricia W. Silvey, Director, Office of Standard, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Room 631, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA45

DEPARTMENT OF LABOR (DOL) — Final Rule Stage

Mine Safety and Health Administration (MSHA)

1445. PROCEDURES FOR APPROVAL OF MINING EQUIPMENT

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 7

Legal Deadline: None.

Abstract: This would be a new Part. Under existing regulations, certain equipment must be tested and approved by MSHA prior to use in certain underground mines. The proposal would permit manufacturers or independent laboratories to test certain equipment prior to issuance of the Agency's approval. The actual authority for approval would continue to remain with the government. The final rule contains a mechanism for monitoring quality assurance and conducting post-approval audits.

Timetable:

Action	Date	FR Cite
ANPRM	03/04/83	48 FR 09475
Notice of Public Hearings	03/18/83	48 FR 11665
ANPRM Comment Period End	05/03/83	
NPRM	02/06/86	51 FR 4686
Notice of Public Hearings	02/06/86	51 FR 4668
Extension of Comment Period to 5/7/86	04/04/86	51 FR 11586
NPRM Comment Period End	04/07/86	51 FR 4686
Final Action	04/00/88	

Small Entity: Yes

Additional Information: Public hearings were held during July 1986.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA06

1446. UNDERGROUND COAL MINE VENTILATION

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.300

Legal Deadline: None.

Abstract: The Agency published a proposed rule concerning ventilation in underground mines which included provisions for the introduction of new technology for systematic monitoring of explosive methane gas, as well as gases that may indicate a mine fire. Other important issues include ventilation of worked-out areas: timeframes for tests for methane; and using intake air that has been used to ventilate a belt conveyor entry. The existing escapeway standards contained in 30 CFR Part 75.1704 (previously RIN: 1219-AA37) are incorporated into the proposal.

Timetable:

Action	Date	FR Cite
Begin Review	07/09/82	47 FR 30025
ANPRM	11/19/85	50 FR 47702
Extension of ANPRM Comment Period to 4/4/86	02/14/86	51 FR 5546
ANPRM Comment Period End	02/18/86	
NPRM	01/27/88	53 FR 2382
NPRM Comment Period End	03/28/88	53 FR 2382
Final Action	06/00/89	

Small Entity: Yes

Additional Information: Public hearings are anticipated to be held during April 1988.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA11

1447. EXPLOSIVES AND BLASTING IN UNDERGROUND COAL MINES

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.1300

Legal Deadline: None.

Abstract: The existing standards governing the use of explosives in underground coal mines are outdated and incomplete. MSHA's final rule will substantially reorganize, clarify and update these requirements. In addition,

the rule will recognize new explosive technology and will permit future changes in technology with assurances for a safe mining environment.

Timetable:

Action	Date	FR Cite
Begin Review	07/09/82	47 FR 30025
ANPRM	05/08/84	49 FR 19601
ANPRM Comment Period End	07/20/84	49 FR 19601
NPRM	05/09/86	51 FR 17284
Extension of Comment Period to 7/31/86	07/03/86	51 FR 24387
NPRM Comment Period End	07/08/86	51 FR 17284
Notice of Public Hearings	10/21/86	51 FR 37376
Supplemental Public Hearing	03/26/87	52 FR 9670
Final Action	06/00/88	

Small Entity: Yes

Additional Information: Public hearings were held in November 1986. See also RIN 1219-AA23 for abstract and timetables of related rulemaking to revise approval specifications for explosives. A supplemental public hearing was held 4/22/87 in Bruceton, PA in conjunction with public hearings on 30 CFR Part 15.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA16

1448. SAFETY STANDARDS FOR LOADING, HAULING AND DUMPING AND MACHINERY AND EQUIPMENT AT METAL AND NONMETAL MINES

Significance: Agency Priority

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 56.9000; 30 CFR 57.9000

Legal Deadline: None.

Abstract: The loading, hauling and dumping and machinery and equipment (previously RIN: 1219-AA19) standards are part of the overall review of regulations dealing with metal and nonmetal mines and mills. As a result of consideration of the public rulemaking records relating to both the machinery and equipment and loading, hauling and dumping standards, the Agency reorganized the standards to more accurately and clearly identify the hazards. A combined final rule of these two sections was published in April 1988.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/80	45 FR 19267
ANPRM	04/22/83	48 FR 17513
ANPRM Comment Period End	06/21/83	
NPRM	12/18/84	49 FR 49202
Extension of Time to Comment to 03/22/85	01/25/85	50 FR 3681
NPRM Comment Period End	02/19/85	49 FR 49202
Notice of Public Hearings	07/03/85	50 FR 27566
Final Action	04/00/88	

Small Entity: Yes

Additional Information: Public hearings were held during August 1985.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA18

1449. APPROVAL REQUIREMENTS FOR EXPLOSIVES AND SHEATHED EXPLOSIVE UNITS

Significance: Agency Priority

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 15

Legal Deadline: None.

Abstract: The requirements for approval of explosives are part of the overall coal review of high priority standards. The final rule updated and clarified existing specifications and tests, and recognized new provisions in the development of sheathed explosive units. Public hearings were held during April 1987.

Timetable:

Action	Date	FR Cite
ANPRM	06/05/84	49 FR 23281
ANPRM Comment Period End	08/10/84	
NPRM	11/12/86	51 FR 41046
NPRM Comment Period End	01/12/87	51 FR 41046
Notice of Public Hearings	03/26/87	52 FR 9670
Final Action	07/00/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Rm 627, Arlington, VA 22203, 703 235-1910

RIN: 1219-AA23

1450. METAL AND NONMETAL RADIATION STANDARDS

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 57.5037 to 57.5047

Legal Deadline: None.

Abstract: MSHA is reviewing its radiation standards for underground metal and nonmetal mines and has identified certain issues with respect to regulatory action. The Agency published a proposal in December 1986 revising its existing ionizing radiation standards. Public hearings were held in August 1987.Several issues still remain to be resolved in the final rule and MSHA is coordinating with NIOSH, EPA, and NRC.

Timetable:

Action	Date	FR Cite
Request for Comments	01/29/85	50 FR 4144
Extension of Comment Period to 6/3/85	03/22/85	50 FR 11638
ANPRM	11/19/85	50 FR 47700
ANPRM Comment Period End	02/18/86	
NPRM	12/19/86	51 FR 45678
NPRM Comment Period End	02/16/87	51 FR 45678
Notice of Hearings	07/14/87	52 FR 26352
Extension of Comment Period to 02/29/88	11/12/87	
Final Action	08/00/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards,

DOL—MSHA

Final Rule Stage

Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Rm 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA28

1451. APPROVAL CRITERIA FOR RESPIRATORY PROTECTIVE DEVICES

Significance: Regulatory Program

Legal Authority: 30 USC 957

CFR Citation: 30 CFR 11

Legal Deadline: None.

Abstract: Under the 1977 Mine Act, MSHA and the National Institute for Occupational Safety and Health (NIOSH) jointly approve respirators for use in hazardous atmospheres. New technology has been developed which has not been accommodated by the existing regulations. In addition, questions have been raised about laboratory testing and field performance of respirators. The decision has been made for NIOSH to have the lead in approval of respirators. MSHA will be involved with the devices which are uniquely adapted or required for mining. A proposed rule to remove MSHA's regulations upon completion of a concurrent NIOSH rulemaking was published in August 1987. However, further rulemaking is contingent upon NIOSH's timetables.

Timetable:

Action	Date	FR Cite
NPRM	08/27/87	52 FR 32313
Final Action	12/00/88	

Small Entity: Yes

Additional Information: Completion of MSHA's final rule is contingent upon NIOSH's completion of parallel rulemaking.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Arlington, Va 22203, **703 235-1910**

RIN: 1219-AA30

DEPARTMENT OF LABOR (DOL)
Mine Safety and Health Administration (MSHA)

Completed Actions

1452. UNDERGROUND COAL MINE ROOF CONTROL

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.200

Legal Deadline: None.

Abstract: The final rule clarified, revised, and updated MSHA's existing standards for controlling roof falls in underground coal mines. The final rule also recognized technical advances in roof support, such as the ATRS system which is a new and developing technology that stabilizes unsupported roof during the installation of support.

Timetable:

Action	Date	FR Cite
Begin Review	07/09/82	47 FR 30025
ANPRM	09/02/83	48 FR 40165
ANPRM Comment Period End	11/18/83	48 FR 40165
NPRM	10/15/85	50 FR 41784
Extension of Comment Period to 02/17/86	12/13/85	50 FR 50925
Notice of Public Hearings	01/17/86	51 FR 2525
Final Action	01/27/88	53 FR 2354
Final Action Effective	03/28/88	53 FR 2354

Small Entity: Yes

Additional Information: Public hearings were held during February 1986.

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA13

1453. SAFETY STANDARDS FOR MACHINERY AND EQUIPMENT AT METAL AND NONMETAL MINES

Significance: Agency Priority

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 56.14000; 30 CFR 57.14000

Legal Deadline: None.

Abstract: The machinery and equipment standards are part of the overall review of regulations dealing with metal and nonmetal mines and mills. As a result of consideration of the public rulemaking records relating to both the machinery and equipment and loading, hauling and dumping standards, the Agency reorganized the standards to more accurately and clearly identify the hazards. The Agency will publish a combined final rule of these two sections.

Timetable:

Action	Date	FR Cite
Begin Review	03/25/80	45 FR 19267
ANPRM	02/11/83	48 FR 6489
ANPRM Comment Period End	04/15/83	
NPRM	03/06/84	49 FR 8375
NPRM Comment Period End	05/07/84	49 FR 8375
Notice of Public Hearings	05/21/84	49 FR 21494
Combined with 1219-AA18 Combined with Loading, Hauling and Dumping regulation.	01/26/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Rm 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA19

1454. MINE PLAN APPROVALS

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR "Chapter I"

Legal Deadline: None.

Abstract: In March 1985, the Agency issued an ANPRM requesting comment on the existing plan approval process. After reviewing the comments, the Agency decided to incorporate plan

approval provisions into the regulations for roof support and ventilation in coal mines rather than develop a separate rulemaking. This item is therefore removed from the Agenda.

Timetable:

Action	Date	FR Cite
Request for comments	03/22/85	50 FR 11644
Incorporated into other regulations Incorporated with roof support and ventilation regulations.	01/26/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Rm 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA26

1455. SURFACE COAL MINE ELECTRICAL STANDARDS

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 77.500; 30 CFR 77.600; 30 CFR 77.700; 30 CFR 77.800; 30 CFR 77.900; 30 CFR 77.1000; 30 CFR 77.1800

Legal Deadline: None.

Abstract: Existing electrical standards for surface coal mines would be reorganized, clarified, and updated. General incorporations by reference of the National Electric Code would be eliminated and replaced with specific standards applicable to surface coal mining operations. The Agency is also currently developing a proposal for its underground electrical standards. Because of the common issues. This rulemaking is, in part, contingent upon revisions now being developed for the underground proposal. Therefore, MSHA has decided to defer rulemaking at this time.

Timetable:

Action	Date	FR Cite
Deferred	12/15/87	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations, and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Boulevard, Rm 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA32

1456. ESCAPEWAYS AND ESCAPE FACILITIES

Significance: Regulatory Program

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.1704; 30 CFR 75.1707

Legal Deadline: None.

Abstract: Escapeways are the primary means of egress during a fire or similar life threatening situation. MSHA's existing standards need to be updated and clarified to assure that escapeways are properly maintained and miners are informed of escape procedures.

Timetable:

Action	Date	FR Cite
Integrated into Ventilation Reg.	01/26/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Rm 627, BT #3, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA37

1457. HANDS-ON TRAINING IN SCSR'S

Significance: Agency Priority

Legal Authority: 30 USC 811

CFR Citation: 30 CFR 75.1714

Legal Deadline: None.

Abstract: An emergency temporary standard (ETS) was published (6/30/87, 52 FR 24374) which required all coal miners to receive hands-on training in the use of SCSR's by 9/28/87. The ETS was issued in accordance with Section 101(b) of the Mine Act and revises 30 CFR 75.1714. The ETS was effective on the date of publication (6/30/87). In conjunction with the ETS, MSHA published a proposed rule (6/30/87; 52 FR 24378) which will supersede the ETS when promulgated in final form.

Timetable:

Action	Date	FR Cite
NPRM	06/30/87	52 FR 24378
Emergency Temporary Standard	06/30/87	52 FR 24374
NPRM Comment Period End	08/14/87	52 FR 24378
Final Action	03/30/88	53 FR 10332
Final Action Effective	04/29/88	

Small Entity: Yes

Agency Contact: Patricia W. Silvey, Director, Office of Standards, Regulations and Variances, Department of Labor, Mine Safety and Health Administration, 4015 Wilson Blvd., Room 627, Arlington, VA 22203, **703 235-1910**

RIN: 1219-AA43

DEPARTMENT OF LABOR (DOL) — Proposed Rule Stage

Office of the Assistant Secretary for Administration and Management (OASAM)

1458. NONDISCRIMINATION IN PROGRAMS AND ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE FROM THE DEPARTMENT OF LABOR

Significance: Regulatory Program

Legal Authority: 29 USC 794; 42 USC 6101 to 6107; 42 USC 2000d to 2000d-4; 20 USC 1681 to 1683; 15 USC 3151; 29 USC 1501 et seq; 20 USC 1685; 20 USC 1686

CFR Citation: 29 CFR 31

Legal Deadline: Statutory, October 1, 1983. The statutory effective date for JTPA implementing regulations is 10/01/83; the ADA required implementing regulations within 90 days of the HHS guidance regulation which was published on June 12, 1979.

Abstract: DOL's existing regulations implementing Title VI of the Civil Rights Act of 1964 and Section 504 of

DOL—OASAM **Proposed Rule Stage**

the Rehabilitation Act of 1973, as amended would be amended and revised as a single comprehensive civil rights regulation covering all DOL statutory authority relating to nondiscrimination in Federally assisted programs with uniform administrative and enforcement procedures.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	

Small Entity: No

Additional Information: The regulation must be coordinated with DOJ pursuant to Executive Order 12250 and with the Office of Management and Budget for review pursuant to E.O. 12291, prior to publication as an NPRM.

Public Compliance Cost: Initial Cost: $0

Affected Sectors: None

Government Levels Affected: Local, State

Agency Contact: William J. Harris, Director, Directorate of Civil Rights, Department of Labor, Office of the Assistant Secretary for Administration and Management, 200 Constitution Ave., NW, Rm N4123, FPBldg., Washington, DC 20210, 202 523-8927

RIN: 1291-AA02

DEPARTMENT OF LABOR (DOL) — Final Rule Stage
Office of the Assistant Secretary for Administration and Management (OASAM)

1459. GUIDELINES FOR NONPROCUREMENT SUSPENSION AND DEBARMENT

Significance: Agency Priority

Legal Authority: EO 12549

CFR Citation: 29 CFR 98

Legal Deadline: Statutory, May 26, 1988. OMB Guidelines were published on May 26, 1987 and provided for rulemaking within one year.

Abstract: Executive Order 12549 provides that to the extent permitted by law, Executive Departments and agencies shall participate in a debarment and suspension from programs and activities involving Federal financial assistance. This proposed regulation covers the Department of Labor's participation in voluntary common rulemaking to implement the Executive Order. OMB has developed the guidelines and the proposed common rule.

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	52 FR 39024
NPRM Comment Period End	12/20/87	
Final Action	05/00/88	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Theodore Goldberg, Director, Office of Procurement and Grant, Policy, Department of Labor, Office of the Assistant Secretary for Administration and Management, 200 Constitution Avenue, NW, Rm S1522, FPBldg., Washington, DC 20210, 202 523-9174

RIN: 1291-AA11

DEPARTMENT OF LABOR (DOL) — Completed Actions
Office of the Assistant Secretary for Administration and Management (OASAM)

1460. DEPARTMENT OF LABOR ACQUISITION REGULATION (DOLAR) IMPLEMENTATION OF COMPETITION IN CONTRACTING ACT OF 1984 (CICA) (PUB. L. 98-369) INTO DOLAR

Significance: Agency Priority

Legal Authority: 5 USC 301; 29 USC 551; 40 USC 486(c); 41 USC 401; PL 98-369, Sec 2701; EO 12352; EO 12291

CFR Citation: 48 CFR 29

Legal Deadline: None.

Abstract: Develop Department of Labor Acquisition Regulations to implement new regulations incorporated into the Federal Acquisition Regulation (FAR) mandated by the Competition in Contracting Act of 1984 (Pub. L. 98-369).

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/06/86	51 FR 40372
Final Action	02/09/88	53 FR 3839
Final Action Effective	03/10/88	53 FR 3839

Small Entity: No

Affected Sectors: All

Agency Contact: Theodore Goldberg, Director, Division of Procurement and Grant, Policy, Department of Labor, Office of the Assistant Secretary for Administration and Management, 200 Constitution Ave., NW, Rm S1522, FPBldg., Washington, DC 20210, 202 523-9174

RIN: 1291-AA06

1461. PUBLIC CONTRACTS AND PROPERTY MANAGEMENT; FEDERAL STANDARDS FOR AUDIT OF FEDERALLY FUNDED GRANTS, CONTRACTS AND AGREEMENTS

Significance: Agency Priority

Legal Authority: 5 USC 301; 31 USC 7505(a); OMB Circular No. A-128; OMB Circular No. A-110

CFR Citation: 29 CFR 96

Legal Deadline: None.

Abstract: Amends administrative requirements for audit by adding sections on audit resolution and audit appeals.

Timetable:

Action	Date	FR Cite
NPRM	06/27/86	51 FR 23433
NPRM Comment Period End	08/26/86	51 FR 23433

DOL—OASAM **Completed Actions**

Action	Date	FR Cite
Final Action	02/26/88	53 FR 5966
Final Action Effective	03/28/88	53 FR 5966

Small Entity: No

Agency Contact: Theodore Goldberg, Director, Division of Procurement and Grant, Policy, Department of Labor, Office of the Assistant Secretary for Administration and Management, 200 Constitution Ave., NW, Rm S1522, FPBldg., Washington, DC 20210, **202 523-9174**

RIN: 1291-AA10

1462. ● UNIFORM REQUIREMENTS FOR GRANTS TO STATE AND LOCAL GOVERNMENTS (IMPLEMENTATION OF OMB CIRCULAR A-102)

Significance: Agency Priority

Legal Authority: OMB Circular A-102

CFR Citation: 29 CFR 97

Legal Deadline: Statutory, March 12, 1988. Presidential memorandum dated March 12, 1987 directing affected Executive departments and agencies simultaneously issue a common rule that adopts government-wide terms and conditions for grants to State and local governments within one year.

Abstract: This is a common rule for Federal agencies to implement OMB Circular A-102 covering the administration of grants to State and local governments.

Timetable:

Action	Date	FR Cite
NPRM	06/09/87	52 FR 21816
NPRM Comment Period End	08/10/87	52 FR 21816
Final Action	03/11/88	53 FR 8034
Final Action Effective	10/01/88	

Small Entity: No

Agency Contact: Theodore Goldberg, Director, Office of Procurement and Grant, Policy, Department of Labor, Office of the Assistant Secretary for Administration and Management, 200 Constitution Avenue, NW, Room S1522, FPBldg., Washington, DC 20210, **202 523-9174**

RIN: 1291-AA12

1463. ● UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS

Significance: Agency Priority

Legal Authority: 42 USC 4601-4655 Title IV of STURA

CFR Citation: 29 CFR 12

Legal Deadline: Statutory, September 1988. Federal Highway Administration (DOT), Lead Agency for common rulemaking effort has scheduled publication of final rule for September 1988.

Abstract: Implement provisions of the Uniform Act by rescinding common rule codified at 17 places in CFR and establish single rule published at one place in CFR, cross referenced from other titles.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/17/87	52 FR 48019

Small Entity: Undetermined

Government Levels Affected: Local, State, Federal

Agency Contact: Mr. Joseph McGovern, Program Analyst, Department of Labor, Office of the Assistant Secretary for Administration and Management, 200 Constitution Avenue, NW, Room S1513, FPBldg., Washington, DC 20210, **202 523-6401**

RIN: 1291-AA14

DEPARTMENT OF LABOR (DOL) **Prerule Stage**

Occupational Safety and Health Administration (OSHA)

1464. ASBESTOS, TREMOLITE, ANTHOPHYLLITE AND ACTINOLITE

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 29 USC 657

CFR Citation: 29 CFR 1910.1001; 29 CFR 1926.58

Legal Deadline: None.

Abstract: On June 17, 1986, OSHA issued revised standards governing occupational exposure to asbestos, tremolite, anthophyllite, and actinolite in general industry and in the construction industry. These standards replaced OSHA's previous asbestos standard promulgated in 1972. Since the issuance of the revised standards OSHA has received letters and petitions, from both rulemaking participants and nonparticipants, that contain additional comments, assertions and information that the rulemaking record may not fully reflect. These letters and petitions concern the appropriateness of regulating nonasbestiform tremolite, anthophyllite and actinolite as presenting the same health risk as asbestos. OSHA has granted a temporary stay of the effective dates of the current standards as they apply to nonasbestiform varieties of tremolite, anthophyllite and actinolite. This action was taken, in part, to enable the Agency to review letters and memoranda from the National Institute for Occupational Safety and Health as well as submissions by the R.T. Vanderbilt Company and various other (Cont'd)

Timetable:

Action	Date	FR Cite
Notice of partial administrative stay	10/17/86	51 FR 37002
To be coordinated with MSHA	06/00/88	

Small Entity: Yes

Additional Information: ABSTRACT (CONT'D): trade associations concerning the appropriateness of regulating nonasbestiform tremolite, anthophyllite and actinolite in the revised standards. In addition, the temporary stay was imposed to allow sufficient time for OSHA to reopen the rulemaking record and conduct supplemental proceedings on the issue of whether, and how, to regulate occupational exposure to the nonasbestiform varieties of tremolite, anthophyllite and actinolite.

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AA26

DOL—OSHA

Prerule Stage

1465. MANUAL LIFTING (PARTS 1910, 1915, 1917, 1918, 1919, 1926 AND 1928)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: The Nation's number one injury problem is back injuries. These injuries account for one of five compensation claims and one of four dollars expended for compensation. The purpose of the proposed request for comments and information is to enable OSHA to determine a course of action—possibly either rulemaking or informal guidance-aimed at reducing the number of back-related injuries which result from improper manual lifting. The request will identify a number of approaches to improving manual lifting, and invite public comments and suggestions. Specific engineering and administrative controls should reduce the pain, suffering, and lost time of the workforce as well as reduce the associated economic costs.

Timetable:

Action	Date	FR Cite
Request for Information onManual Lifting-Related Injuries	10/02/86	51 FR 35241
Reopening of Comment Period and Expansion of Scope	04/17/87	52 FR 12559

Next Action Undetermined

Small Entity: Undetermined

Additional Information: The Agency has determined that it will establish an interagency work group within the Department to seek more information in the area of manual lifting. Rulemaking is, therefore, not scheduled to begin immediately.

Affected Sectors: All

Government Levels Affected: State, Federal

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3605, FPBldg., Washington, DC 20210, 202 523-8061

RIN: 1218-AA95

1466. ● MEDICAL SURVEILLANCE PROGRAMS FOR EMPLOYEES

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 00 CFR "Not Yet Determined"

Legal Deadline: None.

Abstract: OSHA is developing a modification of the Z table permissible exposure limits of 29 CFR 1910.1000 in response to current scientific data. Section 6(b) of the Act requires provision for medical surveillance in each 6(b) rulemaking for a harmful substance. A generic standard for medical surveillance would satisfy the requirements of the Act thus enabling the Agency to deal directly with the narrower issues of the revision of the tables. No costs or benefits have yet been estimated.

Timetable:

Action	Date	FR Cite
ANPRM or Request for Information	00/00/00	

Small Entity: Undetermined

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3718, FPBldg., Washington, DC 20210, 202 523-7075

RIN: 1218-AB00

1467. ● EXPOSURE MONITORING PROGRAMS

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 00 CFR "Not Yet Determined"

Legal Deadline: None.

Abstract: OSHA is developing a modification of the Z table permissible exposure limits of 29 CFR 1910.1000 in response to current scientific data. Section 6(b)(7) of the Act requires provisions for exposure monitoring for each substance undergoing 6(b) rulemaking. A generic standard for exposure monitoring would satisfy the monitoring requirement of the Act thus enabling the Agency to deal directly with the narrower issues of the revision of the Z tables. No costs or benefits have yet been estimated.

Timetable:

Action	Date	FR Cite
ANPRM or Request for Information	00/00/00	

Small Entity: Undetermined

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3718, FPBldg., Washington, DC 20210, 202 523-7075

RIN: 1218-AB01

DEPARTMENT OF LABOR (DOL)

Occupational Safety and Health Administration (OSHA)

Proposed Rule Stage

1468. CARCINOGEN POLICY

Significance: Regulatory Program

Legal Authority: 29 USC 653; 29 USC 655; 29 USC 657

CFR Citation: 29 CFR 1990

Legal Deadline: None.

Abstract: The Carcinogen Policy describes the criteria and procedures OSHA will use to identify, classify, and then regulate carcinogens. The Policy also establishes a process for screening chemicals and for setting priorities for potential rulemaking activities. The Carcinogen Policy explicitly recognizes that periodic revisions are necessary in order to incorporate the latest scientific advances and techniques into the regulatory process. Hence, given the very rapid advances since 1980 in the understanding of the mechanisms of carcinogenesis, it is time for OSHA to review and modernize the Carcinogen Policy. The original standard was issued in 1980 before the Supreme Court "benzene" decision on significant risk. Thereafter, a final rule deleting

provisions of the Carcinogen Policy that were inconsistent with the benzene decision was published on 1/19/81 (46 FR 4889). A proposal was published on 1/23/81 (46 FR 7402) to permit alternatives to the risk analysis section of the carcinogen policy to be addressed. The proposal was withdrawn on 3/27/81 (46 FR 19000). An advance notice of proposed rulemaking was published on 1/5/82 (47 FR 187) with comments due by 4/5/82. That document (cont)

Timetable:

Action	Date	FR Cite
ANPRM	01/05/82	47 FR 187
End of Comment Period on stay	02/19/82	
ANPRM Comment Period End	04/05/82	
Stay published	01/04/83	48 FR 241
NPRM	12/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: also proposed to stay the publication of the candidate and priority lists. The final stay was published on 1/4/83 (48 FR 241). As part of its evaluation of the policy, OSHA is reviewing the public comments received in response to the document published by the Office of Science and Technology Policy entitled "Chemical Carcinogens, Review of the Science and its Associated Principles, May 1984" and is reviewing the later version of that document which was published March 14, 1985.

Government Levels Affected: Federal

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AA01

1469. RESPIRATORY PROTECTION

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.134; 29 CFR 1915.152; 29 CFR 1918.102; 29 CFR 1926.103

Legal Deadline: None.

Abstract: The present respiratory protection standards have been in place for more than 10 years and do not take into consideration the current state-of-the-art for respiratory protection. In addition, the general industry standard for respirators contains redundancies and includes several advisory provisions which should be eliminated or changed. OSHA has reviewed the current standards and intends to propose revisions.

Timetable:

Action	Date	FR Cite
ANPRM	05/14/82	47 FR 20803
ANPRM Comment Period End	09/13/82	
Public Comment Period onPreproposal Draft Ends	11/29/85	
NPRM	07/00/88	

Small Entity: Yes

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AA05

1470. METHODS OF COMPLIANCE

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1000(e); 29 CFR 1910.134(a)(1)

Legal Deadline: None.

Abstract: OSHA's policy concerning the use of engineering controls and respirators was targeted for review by the President's Task Force on Regulatory Relief in 1981. Current OSHA regulations require that employers implement feasible engineering controls to maintain air contaminant concentrations in the workplace at or below the prescribed permissible exposure limits. The use of respirators is permitted only in those cases where engineering controls are not feasible, not yet installed, or not adequate. This policy has been criticized as being inflexible, not cost-effective, and often unnecessary for employee health protection. OSHA believes that any changes to the policy for use of engineering controls must be closely coordinated with revisions in the respiratory protection regulations (29 CFR 1910.134). This rulemaking does not address the assessment and reduction of any absolute existing risks, but rather addresses the possible change in risk abatement associated with the use of respirators instead of engineering controls.

Timetable:

Action	Date	FR Cite
ANPRM	02/22/83	48 FR 7473
ANPRM Comment Period End	06/22/83	
NPRM	05/00/88	

Small Entity: Yes

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3718, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-7075**

RIN: 1218-AA28

1471. OIL AND GAS WELL DRILLING AND SERVICING (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.270

Legal Deadline: None.

Abstract: Employees in oil and gas well drilling and servicing are exposed to a variety of safety hazards which are not specifically covered by present OSHA safety standards. It has proved difficult to apply the existing general industry standards to control the unique nature of this industry. OSHA is considering a standard which will address the unique problems of oil and gas well drilling and servicing.

Timetable:

Action	Date	FR Cite
NPRM	12/28/83	48 FR 57202
NPRM Comment Period End	06/04/84	49 FR 9913
Public Hearing Held 07/24/84 thru	08/10/84	49 FR 9913
NPRM - Second	12/00/88	

Small Entity: Yes

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA34

1472. BENZENE

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1000, Table Z-2; 29 CFR 1910.1028

Legal Deadline: None.

Abstract: OSHA has amended its standard for occupational exposure to benzene by reducing the permissible exposure limit from 10 parts benzene per million parts of air (10 ppm) to an eight-hour time-weighted average of 1 ppm and by adding appropriate industrial hygiene and medical surveillance provisions necessary for the protection of employee health. This action is based on OSHA's determination that the amendments are needed to reduce the risk of leukemia and other adverse health effects associated with occupational exposure to benzene.

OSHA published its final amendment to the standard on September 11, 1987. Due to technical problems associated with the completion of a detailed study of feasibility in barge and tanker cleaning and repair operations, however, OSHA exempted these operations from certain provisions of the standard. OSHA intends to issue a proposal to amend the benzene standard which will address the factors specific to the barge and tanker cleaning and repair industry.

Timetable:

Action	Date	FR Cite
NPRM	12/10/85	50 FR 50512
Notice Changing Public Hearing	01/28/86	51 FR 3474
NPRM Comment Period End	02/14/86	50 FR 50512
Public Hearings	03/11/86	50 FR 50512
Final Action	09/11/87	52 FR 34460
Final Action Effective	12/10/87	
NPRM on Barge/Tanker Cleaning and Repair Operations	08/00/88	

Small Entity: Yes

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AA47

1473. FALL PROTECTION SYSTEMS (PERSONAL PROTECTIVE EQUIPMENT) (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910, Subpart I

Legal Deadline: None.

Abstract: Existing standards do not contain criteria for personal fall protection systems. Consequently, requirements containing criteria for personal fall protection systems would be added to 29 CFR Part 1910; Subpart I, Personal Protection Equipment, to enhance employee protection from injury and death due to falls to different elevations.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	
Final Action	10/00/89	

Small Entity: No

Additional Information: 1. 1218-AA48 will be issued concurrently with 1218-AB04.

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA48

1474. CONFINED SPACE (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.146

Legal Deadline: None.

Abstract: Entry into confined spaces has been responsible for many employee deaths and injuries. However, current standards do not specifically address the hazards associated with entry into confined spaces. Therefore, OSHA is proposing certain criteria and precautions which are necessary to minimize the hazards associated with employees entering confined spaces.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
Final Action	12/00/89	

Small Entity: Undetermined

Analysis: Regulatory Impact Analysis

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA51

1475. LOGGING (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.266, (Revision)

Legal Deadline: None.

Abstract: Logging is a very hazardous industry. It has an incidence rate nearly twice that of manufacturing, and reflecting the seriousness of the injuries incurred, a lost workday rate nearly four times as high. The purpose of the standard will be to protect workers from the ever-present hazards of chain saw operation, falling objects (trees, branches), rolling or sliding logs, falls from trees, and materials handling accidents. At present there is no OSHA standard specifically applicable to logging in general. There is a standard, 29 CFR 1910.266, applicable only to pulpwood logging; however, pulpwood logging is estimated to account for less than half of the logging activity in the United States. Development of a national OSHA standard addressing all types of logging will provide coverage for those loggers not now protected. The new regulation will provide coverage where there is no approved state regulation and will set a minimum safety level for those states that chose to develop a state regulation.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
Final Action	07/00/89	

Small Entity: Undetermined

Additional Information: A preproposal draft standard was circulated for public comment. The proposed standard will be developed to incorporate public comment as appropriate.

Affected Sectors: 24 Lumber and Wood Products, Except Furniture

Government Levels Affected: State, Federal

Agency Contact: Mr. Barry J. White, Director, Safety Standards, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA52

1476. CONTROL OF HAZARDOUS ENERGY SOURCES (LOCKOUT/TAGOUT) (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.147, (New)

Legal Deadline: None.

Abstract: The proposed standard will fill a major gap in our current regulations which now depend for enforcement on the general duty clause, 5(a)(1). It will apply to those situations where the unexpected energization, start up or the release of stored energy could cause injury to employees. Providing comprehensive and uniform control procedures is also expected to reduce significantly the potential for injury and death of employees because the hazards targeted for control exist in virtually every workplace. Further, the proposed standard will respond to the concerns of organized labor who petitioned OSHA in 1979 and again in 1982 for regulatory action to protect employees and to the American National Standards Institute's petition for OSHA to adopt its consensus standard ANSI Z244.1-1982. Regulatory options involve developing a comprehensive standard covering all potentially hazardous energy sources or limiting the scope and application to those certain machines or industries that are causing most of the injuries.

Timetable:

Action	Date	FR Cite
ANPRM	06/17/80	45 FR 41012
ANPRM Comment Period End	09/15/80	
NPRM	04/00/88	
Final Action	03/00/89	

Small Entity: Yes

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: Mr. Barry J. White, Director, Safety Standards, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm. N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA53

1477. SAFETY AND HEALTH REGULATIONS FOR LONGSHORING (PART 1918)

Significance: Regulatory Program

Legal Authority: 29 USC 655 Occupational Safety and Health Act of 1970; 33 USC 941 Longshoremen's and Harborworkers Compensation Act

CFR Citation: 29 CFR 1910.16; 29 CFR 1918, (Revision)

Legal Deadline: None.

Abstract: The purpose of this regulatory action would be to update and revise a standard first issued in 1960. The current language in many instances addresses the hazards to cargo handling involving methods long since abandoned, and fails to address the serious hazards of newer methods. Because much of the current standard is out of date, there are problems with compliance. These revised requirements will provide both employers and employees with a blueprint for effective and safe workpractices in the cargo handling industry. No alternative other than revision is contemplated. The annual cost of the revision is expected to be minimal -- less than five million dollars.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	
Final Action	11/00/89	

Small Entity: Yes

Affected Sectors: 44 Water Transportation

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605 FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA56

1478. 4,4'-METHYLENEDIANILINE

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 29 USC 657

CFR Citation: 29 CFR 1910

Legal Deadline: None.

Abstract: 4,4'-Methylenedianiline (MDA) is a chemical used primarily to manufacture methylenediphenyl diisocyanate, which is used to make polyurethane foams and elastomers. Recent scientific data indicate that MDA is a carcinogen in animals and a potential carcinogen in humans. In 1983, OSHA and the Environmental Protection Agency participated in a joint effort to publish an advance notice of proposed rulemaking to solicit information on MDA production and use, estimates of environmental and occupational exposure, and studies of its toxic and carcinogenic effects. EPA evaluated the data received in response to the advance notice and concluded that the chemical presents an unreasonable risk of injury to the health of exposed workers. Under the provisions of section 9(a) of the Toxic Substances Control Act, EPA referred MDA to OSHA for action. OSHA responded to the EPA referral on 2/26/86. OSHA established a mediated rulemaking advisory committee composed of interested parties from labor, industry and government to assist the agency in developing a proposed standard. The Committee completed its work in June 1987 (Cont'd)

Timetable:

Action	Date	FR Cite
ANPRM	09/20/83	48 FR 42836
ANPRM Comment Period End	11/23/83	48 FR 42836
Publication of Committee Recommendation	07/16/87	52 FR 26776
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	10/00/88	

Small Entity: Undetermined

Additional Information: ABSTRACT (CONT'D): and forwarded its recommendations to the Agency. OSHA published the Committee's recommendations on July 16, 1987, and intends to publish a proposed standard for MDA within 90 days.

Agency Contact: Charles E. Adkins, Director, Health Standards Programs,

Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AA58

1479. ELECTRIC POWER GENERATION, TRANSMISSION AND DISTRIBUTION (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.269

Legal Deadline: None.

Abstract: A major area of coverage not addressed in the current OSHA electrical standards for general industry (29 CFR 1910) involves the maintenance and operation practices associated with electrical transmission and distribution lines, substations and generating stations. It is intended that the proposed standard fill this void by establishing minimum requirements for electrical safety work practices for qualified employees working on or near installations whose purpose is the generation and distribution of electricity.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	07/00/89	

Small Entity: No

Affected Sectors: Multiple

Government Levels Affected: Local, State, Federal

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA59

1480. PULP, PAPER AND PAPERBOARD MILLS (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.261, (Revision)

Legal Deadline: None.

Abstract: This regulatory action will revise the existing standards covering mills where pulp, paper, and paperboard are manufactured and converted. The revision will develop performance oriented standards that address current gaps in coverage, the use of new technology, the elimination of outmoded or redundant provisions, and the use of appropriate OSHA general industry standards.

Timetable:

Action	Date	FR Cite
NPRM	01/00/89	
Final Action	08/00/89	

Small Entity: Undetermined

Affected Sectors: 26 Paper and Allied Products

Government Levels Affected: State, Federal

Agency Contact: Barry J. White, Director, Safety Standards, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA61

1481. MOTOR VEHICLES, MECHANIZED EQUIPMENT, AND MARINE OPERATIONS (PART 1926)

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.600; 29 CFR 1926.601; 29 CFR 1926.602; 29 CFR 1926.603; 29 CFR 1926.604; 29 CFR 1926.605; 29 CFR 1926.606

Legal Deadline: None.

Abstract: This regulatory action is being made to update the rollover protective structures to reflect the latest technology. In addition, the action will eliminate redundant provisions, remove outdated referenced consensus standards, and delete ambiguous language from the existing provisions which address motor vehicles, material handling equipment, pile driving equipment, site clearing, and marine operations and equipment.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: OSHA has determined, based on staff resources and priorities, that immediate action will not be taken. Data collection will continue and the Agency intends to reevaluate the decision within 12 to 18 months.

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA63

1482. STEEL ERECTION (PART 1926)

Significance: Regulatory Program

Legal Authority: 29 USC 655; 40 USC 333

CFR Citation: 29 CFR 1926.750, (Revision); 29 CFR 1926.751, (Revision); 29 CFR 1926.752, (Revision)

Legal Deadline: None.

Abstract: This action will consolidate, clarify, and revise the provisions addressing fall protection for employees performing steel erection operations. When completed, the revised requirements may be relocated and incorporated into Subpart M (of Part 1926) which is the general fall protection standard. In addition, this action will consolidate, clarify, and revise the existing provisions governing steel erection assembly, flooring, bolting, riveting, fitting-up, and plumbing-up.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
Final Action	12/00/89	

Small Entity: Undetermined

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA65

1483. FALL PROTECTION (PART 1915)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 33 USC 941

CFR Citation: 29 CFR 1915.201; 29 CFR 1915.202; 29 CFR 1915.203; 29 CFR 1915.73; 29 CFR 1915.74; 29 CFR 1915.75; 29 CFR 1915.77

Legal Deadline: None.

Abstract: This regulatory action will revise the existing shipyard standard covering fall protection and will

consolidate all related and applicable 29 CFR 1910 provisions into 29 CFR 1915. The revision will develop, in part, performance-oriented standards, address current gaps in coverage, address new technology and eliminate outmoded and redundant provisions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	03/00/89	

Small Entity: No

Additional Information: 1. Applicable Part 1910 provisions under consideration: 29 CFR 1910.21 - .23.

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Room N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA66

1484. SCAFFOLDS (PART 1915)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 33 USC 941

CFR Citation: 29 CFR 1915.71; 29 CFR 1910.28; 29 CFR 1910.29

Legal Deadline: None.

Abstract: This regulatory action will revise the existing shipyard standards covering scaffolds and will consolidate all related and applicable 29 CFR 1910 provisions into 29 CFR 1915. The revision will develop, in part, performance-oriented standards, address current gaps in coverage, address new technology, and eliminate outmoded and redundant provisions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	03/00/89	

Small Entity: No

Additional Information: Applicable Part 1910 provisions under consideration: 29 CFR 1910.28 - .29.

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA68

1485. ACCESS AND EGRESS (PART 1915)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 33 USC 941

CFR Citation: 29 CFR 1915.72; 29 CFR 1915.74; 29 CFR 1915.75; 29 CFR 1915.76

Legal Deadline: None.

Abstract: This regulatory action will revise the existing shipyard standards covering access and egress and will consolidate all related and applicable 29 CFR 1910 provisions into 29 CFR 1915. The revision will develop, in part, performance-oriented standards, address current gaps in coverage, address new technology, and eliminate outmoded and redundant provisions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	03/00/89	

Small Entity: No

Additional Information: 1. Applicable Part 1910 provisions under consideration: 29 CFR 1910.24 - .27; 29 CFR 1910.36 - .37.

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA70

1486. FACE, HEAD, EYE AND FOOT PROTECTION (PERSONAL PROTECTIVE EQUIPMENT) (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910

Legal Deadline: None.

Abstract: Existing standards for eye, face, head, and foot protection reference outdated national consensus standards which have been updated and improved. Consequently, criteria for personal protective equipment for eye, face, head, and foot would be revised to reflect improved developments in these types of equipment. This would allow the use of better personal protective equipment and would result in improved employee protection from eye, face, head, and foot hazards.

Timetable:

Action	Date	FR Cite
NPRM	03/00/89	
Final Action	03/00/90	

Small Entity: Undetermined

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605 FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA71

1487. WELDING, CUTTING AND BRAZING (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.251; 29 CFR 1910.252; 29 CFR 1910.253; 29 CFR 1910.254

Legal Deadline: None.

Abstract: OSHA proposes to revise and update its existing Subpart Q covering welding, cutting and brazing operations, and to develop performance-oriented standards designed to reduce the number of deaths and injuries due to unsafe equipment and unsafe operations. There has been no substantial revision to Subpart Q since its adoption in 1971. A complete and comprehensive revision is needed at this time to bring the standard into line with the current state-of-the art and updated consensus standards.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	11/00/89	

Small Entity: Undetermined

Affected Sectors: Multiple

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA72

DOL—OSHA

Proposed Rule Stage

1488. WELDING, CUTTING AND HEATING (PART 1915)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 33 USC 941

CFR Citation: 29 CFR 1915.51; 29 CFR 1915.52; 29 CFR 1915.53; 29 CFR 1915.54; 29 CFR 1915.55; 29 CFR 1915.56; 29 CFR 1915.57

Legal Deadline: None.

Abstract: This regulatory action will revise the existing shipyard standard covering welding, cutting, and heating. The revision will develop, in part, a performance-oriented standard, address current gaps in coverage, recognize new technology, and eliminate outmoded or redundant provisions. In addition, it will consolidate 29 CFR 1915 standards and applicable 29 CFR 1910 standards into one set of provisions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	03/00/89	

Small Entity: Yes

Additional Information: 1. Applicable Part 1910 provisions under consideration: 29 CFR 1910.251 - .252.

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA73

1489. PERSONAL PROTECTIVE EQUIPMENT (PART 1915)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 33 USC 941

CFR Citation: 29 CFR 1915.151; 29 CFR 1915.152; 29 CFR 1915.153; 29 CFR 1915.154

Legal Deadline: None.

Abstract: This regulatory action will revise the existing shipyard standard covering personal protective equipment. The revision will develop, in part, a performance-oriented standard, address current gaps in coverage, recognize new technology, and eliminate outmoded or redundant provisions. It will consolidate 29 CFR 1915 standards and applicable 29 CFR 1910 standards into one set of provisions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	03/00/89	

Small Entity: No

Additional Information: 1. Applicable Part 1910 provisions under consideration: 29 CFR 1910.132 through .137.

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA74

1490. COMPRESSED AIR (PART 1926)

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.803

Legal Deadline: None.

Abstract: OSHA published a "Request for Comments and Information" on April 22, 1985, on the subject of working in compressed air and decompression (50 FR 15756). Based on the information obtained, OSHA has determined that immediate action will not be taken. The Agency intends to continue data collection, and to reevaluate the decision in light of additional input, staff resources, and Agency priorities within 12 to 18 months.

Timetable:

Action	Date	FR Cite
Request for Comments and Information	04/22/85	50 FR 15756
Comment Period Closed	07/22/85	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Room N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA76

1491. 1,3-BUTADIENE

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1000, Table Z-1

Legal Deadline: None.

Abstract: On October 10, 1985, EPA referred 1,3-butadiene (BD) to OSHA for possible regulatory action under section 9(a) of the Toxic Substance Control Act. On April 11, 1986, OSHA responded to the EPA referral indicating that the Agency has preliminarily concluded that BD poses risk to the occupationally exposed population at the current OSHA permissible exposure limit and that the risk can be reduced or prevented through the promulgation of a revised standard. OSHA intends to initiate rulemaking to revise the standard for BD pursuant to section 6(b) of the Occupational Safety and Health Act.

Timetable:

Action	Date	FR Cite
EPA Referral	10/10/85	50 FR 41393
Request for Comments	12/27/85	50 FR 52952
Response to EPA Referral	04/11/86	51 FR 12526
ANPRM	10/01/86	51 FR 35003
ANPRM Comment Period End	12/30/86	
NPRM	09/00/88	

Small Entity: Undetermined

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AA83

1492. GLYCOL ETHERS: 2-METHOXYETHANOL, 2-ETHOXYETHANOL AND THEIR ACETATES

Significance: Regulatory Program

Legal Authority: 29 USC 655; 29 USC 657

CFR Citation: 29 CFR 1910.1000

Legal Deadline: None.

Abstract: On May 20, 1986, the Environmental Protection Agency (EPA) issued a report to OSHA, under Section 9(a) of the Toxic Substances Control

Act, stating that EPA has reasonable basis to conclude that the risk of injury to worker health from exposure to four glycol ethers during their manufacture, processing and use is unreasonable, and that this risk may be prevented or reduced to a significant extent by OSHA regulatory action. EPA gave OSHA 180 days in which to respond to its report. OSHA published its response on December 11, 1986, stating that OSHA had preliminarily concluded that occupational exposures to the subject glycol ethers at the current OSHA permissible exposure limits may present significant risks to the health of workers. OSHA announced that it would begin rulemaking proceedings for these chemicals.

Timetable:

Action	Date	FR Cite
ANPRM	04/02/87	52 FR 10586
ANPRM Comment Period End	07/31/87	
NPRM	10/00/88	

Small Entity: Undetermined

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AA84

1493. EXPLOSIVE AND OTHER DANGEROUS ATMOSPHERES (PART 1915)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 33 USC 941

CFR Citation: 29 CFR 1915.11; 29 CFR 1915.12; 29 CFR 1915.13; 29 CFR 1915.14; 29 CFR 1915.15; 29 CFR 1915.16

Legal Deadline: None.

Abstract: This regulatory action will revise the existing shipyard standard covering explosive and other dangerous atmospheres. This revision will develop, in part, a performance-oriented standard, address any gaps in coverage, recognize new technology, and eliminate outmoded or redundant standards.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	03/00/89	

Small Entity: No

Affected Sectors: 373 Ship and Boat Building and Repairing

Government Levels Affected: State, Federal

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8063**

RIN: 1218-AA91

1494. GEAR CERTIFICATION (PART 1919)

Legal Authority: 29 USC 655; 29 USC 941

CFR Citation: 29 CFR 1919, (Revision)

Legal Deadline: None.

Abstract: In its May 7, 1987, Federal Register notice the Agency requested information to assist in the possible revision of 29 CFR Part 1919. Part 1919, entitled "Gear Certification," implements requirements located in each of OSHA's maritime standards which cover work carried out within the Federal maritime jurisdiction. Changes in the design and composition of cargo handling gear which have evolved since these rules were last amended (1969) provided questions as to the efficacy of the current rules. Additionally, the Agency sought comments that would suggest ways in which the administrative function of the accreditation program could be improved. Comment period ended: August 5, 1987.

Timetable:

Action	Date	FR Cite
Request for Information	05/07/87	52 FR 17302
Comment Period Closed	08/05/87	

Next Action Undetermined

Small Entity: Undetermined

Additional Information: The Agency has determined, based on input to its "Request for Comments and Information," that minor revision to Gear Certification (Part 1919) is necessary.

Affected Sectors: 37 Transportation Equipment; 44 Water Transportation

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA97

1495. METHYLENE CHLORIDE

Significance: Regulatory Program

Legal Authority: 29 USC 655; 29 USC 657

CFR Citation: 29 CFR 1910.1000

Legal Deadline: None.

Abstract: In July 1985, OSHA was petitioned by the United Automobile, Aerospace and Agricultural Implement Workers of America (UAW) to issue a hazard alert; issue an emergency temporary standard; and to begin work on a new permanent standard for methylene chloride (DCM). This request was based on information obtained from the Environmental Protection Agency and the National Toxicology Program indicating that DCM is an animal carcinogen and may have the potential to cause cancer in humans. In November 1986, OSHA notified the UAW that its petition had been granted, in part, and denied, in part. Specifically, OSHA has issued a set of guidelines for controlling occupational exposure to DCM and has decided to proceed with rulemaking to develop a new permanent standard. OSHA denied that portion of the petition requesting the issuance of an emergency temporary standard.

Timetable:

Action	Date	FR Cite
ANPRM	11/24/86	51 FR 42257
ANPRM Comment Period End	02/23/87	51 FR 42257
NPRM	11/00/88	

Small Entity: Undetermined

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3718,

FPBldg., Washington, DC 20210, 202 523-7075

RIN: 1218-AA98

1496. ● HAZARD COMMUNICATION

Significance: Regulatory Program

Legal Authority: 29 USC 653; 29 USC 655; 29 USC 657; 33 USC 941; 40 USC 333; 5 USC 553

CFR Citation: 29 CFR 1910.1200; 29 CFR 1915.99; 29 CFR 1917.28; 29 CFR 1918.90; 29 CFR 1926.59; 29 CFR 1928.21

Legal Deadline: None.

Abstract: OSHA promulgated a final rule on August 24, 1987, that extended the protections of its Hazard Communication Standard (HCS) from the manufacturing sector to all other workplaces where employees are exposed to hazardous chemicals. The HCS requires covered employers to establish hazard communication programs for their employees, including labels on containers, material safety data sheets, and training programs. As the final rule was published pursuant to a court order without having published a NPRM, OSHA invited additional comment on the final rule for 60 days. The Agency is now proposing some modifications to the final rule to address issues of concern.

Timetable:

Action	Date	FR Cite
ANPRM	11/27/85	50 FR 48794
ANPRM Comment Period End	02/25/86	
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	10/00/88	
Final Action Effective	12/00/88	

Small Entity: Undetermined

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3718, FPBldg., Washington, DC 20210, 202 523-7075

RIN: 1218-AB02

1497. WALKING AND WORKING SURFACES (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.21; 29 CFR 1910.22; 29 CFR 1910.23; 29 CFR 1910.24; 29 CFR 1910.25; 29 CFR 1910.26; 29 CFR 1910.27; 29 CFR 1910.28; 29 CFR 1910.29; 29 CFR 1910.30; 29 CFR 1910.31; 29 CFR 1910.32

Legal Deadline: None.

Abstract: Existing standards for walking and working surfaces need to be revised because they are out of date and restrict technological innovation. The proposed revision is performance-oriented and permits flexibility for compliance.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	
Final Action	10/00/89	

Small Entity: Undetermined

Additional Information: The agenda RIN 1218-AB04 is an aggregate of RIN 1218-AA46 (Scaffolds and Similar Work Surfaces (Part 1910)) and RIN 1218-AA50 (Ladders and Similar Climbing Devices (Part 1910)).

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3605, FPBldg., Washington, DC 20210, 202 523-8061

RIN: 1218-AB04

1498. BLOODBORNE INFECTIOUS DISEASES

Significance: Regulatory Program

Legal Authority: 29 USC 655 et seq

CFR Citation: 29 CFR Not yet determined

Legal Deadline: None.

Abstract: Many health-care workers are exposed to blood and body fluids from patients who have active bloodborne infections or are carriers of these infections. Such exposure presents a potential risk of disease for the health-care workers. One such disease, hepatitis B, has been shown to present a substantially increased risk for health-care workers. Data received by OSHA indicate that of the approximately 250,000 cases of hepatitis B diagnosed in the U.S. each year, approximately 5.5 percent, or 15,000 cases, are among health-care workers. It has been estimated that 222-265 health-care workers die each year as a result of hepatitis B and associated complications. About half of the nation's five million health-care workers are at increased risk from exposure to bloodborne infectious diseases. The highest risks are experienced by emergency room workers, dialysis unit workers, operating room personnel, intensive care unit workers and blood bank employees. OSHA's personal protective equipment standard, 29 CFR 1910.132(a), provisions for general housekeeping, 29 CFR 1910(a)(1) and waste disposal, 29 CFR 1910. 141(a)(4)(ii)) along with Section 5(a)(i) of the Act (Cont'd)

Timetable:

Action	Date	FR Cite
ANPRM	11/27/87	52 FR 45438
ANPRM Comment Period End	01/26/88	52 FR 45438

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT (CONT'D): requiring employers to provide employment and a place of employment free of recognized hazards ..., will be used to reduce some, but not all of the hazards of bloodborne diseases. In 1983, the Agency issued voluntary guidelines for reducing the occupational risk of hepatitis B infection. In September 1986, OSHA was petitioned by the American Federation of State, County and Municipal Employees and other unions for the issuance of an emergency temporary standard to protect workers from occupational exposure to bloodborne infectious diseases, such as hepatitis B and acquired immune deficiency syndrome (AIDS).

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3718, FPBldg., Washington, Dc 20210, 209 523-7075

RIN: 1218-AB15

1499. CADMIUM

Significance: Regulatory Program

Legal Authority: 29 USC 655 et seq

CFR Citation: 29 CFR 1910, Table Z-2

Legal Deadline: None.

Abstract: On June 18, 1986, the International Chemical Workers Union

and the Public Citizen Health Research Group petitioned OSHA to issue an emergency temporary standard reducing the permissible exposure limit for cadmium to one microgram of cadmium per cubic meter of air. On June 25, 1987 the union and HR 6 filed a petition with the Court of Appeals requesting the Court to order OSHA to promulgate an ETS. In its July 1, 1987, response to the petitioners, OSHA stated that issuance of an emergency standard was not warranted, but that exposure to cadmium at levels permitted under the current standard represented a significant risk to worker health which would be addressed through section 6(b) rulemaking procedures. OSHA is in the process of developing a proposed standard.

Timetable:

Action	Date	FR Cite
Response to Petitioners	07/01/87	
NPRM	06/00/88	
Final Action	06/00/89	

Small Entity: Undetermined

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AB16

1500. PERMISSIBLE EXPOSURE LIMIT UPDATE

Significance: Regulatory Program

Legal Authority: 29 USC 655 et seq

CFR Citation: 29 CFR 1910.1000, Tables Z-1 to Z-3

Legal Deadline: None.

Abstract: In 1972, OSHA promulgated permissible exposure limits (PELs) for a number of toxic substances, pursuant to authority granted by section 6(a) of the Act, which allowed OSHA (for a limited period) to adopt existing Federal standards or industry consensus standards as enforceable OSHA standards. Accordingly, the lists of toxic substances now codified at 29 CFR 1910.1000, Tables Z-1 and Z-3, were Federal standards adopted under the Walsh-Healey Public Contracts Act, which, in turn, were adopted from the American Conference of Governmental Industrial Hygienists (ACGIH) Threshold Limit Values (TLVs) for 1968. The substances listed at 29 CFR 1910.1000, Table Z-2, were adopted from American National Standards Institute standards. Industrial experience, new developments in control technology, and scientific data acquired since 1968 have led the ACGIH to make changes in its TLVs over the years. Many of the TLVs have been lowered, and limits for additional chemicals have been established. During this period, OSHA has promulgated revised standards for toxic substances on a substance-by-substance basis. This process, however, has not kept up with (Cont'd)

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	10/00/88	

Small Entity: Yes

Additional Information: ABSTRACT (CONT'D): the number of changes made by ACGIH. OSHA believes that 29 CFR 1910.1000, Tables Z-1, Z-2 and Z-3 should be updated, as appropriate, to conform with current scientific and technical knowledge. OSHA intends to initiate rulemaking to accomplish this update.

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AB17

1501. HAZARDOUS MATERIALS (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910, Subpart H

Legal Deadline: None.

Abstract: Standards in 29 CFR Part 1910, Subpart H, which address the storage, handling and use of hazardous materials, such as compressed gases, acetylene, hydrogen, oxygen, liquified petroleum gases, and flammable and combustible liquids, will be revised. This regulatory action will provide a new approach to the revision of Subpart H and will occur in three phases in an expanded timeframe. The three phases will be (1) Process Hazards Management, (2) Flammable and Compressed Gases, and, (3) Hazardous Liquids. The first phase of the proposed action is intended to better protect employees from unexpected releases of significant quantities od dangerous substances. The remaining phases are intended to simplify, clarify and consolidate standards on hazardous materials and assist employers and employees in general industry to better understand and better focus on the hazards inherent in the use, handling, and storage of such materials.

Timetable:

Action	Date	FR Cite
ANPRM	01/23/81	46 FR 7692
ANPRM Comment Period End	02/01/82	46 FR 38108
NPRM	01/00/89	
Final Action	01/00/90	

Small Entity: Undetermined

Additional Information: This action merges two previous actions, "Hazardous Materials-- Flammable and Compressed Gases (Part 1910)" and "Hazardous Materials--Flammable and Combustible Liquids (Part 1910)" and will also include storage and handling of toxic materials.

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AB20

1502. ● SHIPYARD EMPLOYMENT: PHASE II (PART 1915)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 33 USC 941

CFR Citation: 29 CFR 1915.32; 29 CFR 1915.33; 29 CFR 1915.34; 29 CFR 1915.35; 29 CFR 1915.36

Legal Deadline: None.

Abstract: This regulatory action will complete the consolidation and updating of Parts 1915 and 1910 by providing shipyard employees with coverage under one comprehensive OSHA standard. This revision will involve the promulgation of 16 maritime subparts and their 1910 counterparts. Its completion will relieve shipyard owners from the burden of having to comply with two sets of rules that are complex,

prescriptive, confusing and, in some cases, conflicting. OSHA will establish an Advisory Committee to assist the agency in reviewing and revising these subparts. Experts from government, industry, unions and the states will be asked to work with OSHA on this project. A previously identified project, Surface Preparation and Preservation (RIN: 1218-AA96), will be included in this project.

Timetable:

Action	Date	FR Cite
NPRM	08/00/89	
Final Action	08/00/90	

Small Entity: No

Government Levels Affected: State, Federal

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AB22

DEPARTMENT OF LABOR (DOL)

Occupational Safety and Health Administration (OSHA)

Final Rule Stage

1503. OCCUPATIONAL EXPOSURES TO TOXIC SUBSTANCES IN LABORATORIES

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1450

Legal Deadline: None.

Abstract: Existing OSHA standards are designed to protect employees who are engaged in work involving exposure to only a few toxic chemicals during relatively standardized, continuous or repetitive processes. In contrast, laboratory workers are exposed to a multitude of toxic substances under frequently changing or unpredictable conditions. During this rulemaking, OSHA will examine whether prudent work practices and protective equipment, chosen for the specific facility and task, are more effective, feasible and economical for laboratory work than adhering to OSHA's current substance-specific standards. Accordingly, OSHA has proposed a special performance-oriented work practices standard that, if promulgated, would apply to laboratory workers and would contain provisions specifically designed for laboratory conditions.

Timetable:

Action	Date	FR Cite
ANPRM	04/14/81	46 FR 21785
ANPRM Comment Period End	07/15/81	
NPRM	07/24/86	51 FR 26660
NPRM Comment Period End	10/22/86	51 FR 26660
Public Hearings	03/24/87	52 FR 1212
Final Action	07/00/88	

Small Entity: Yes

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AA00

1504. ETHYLENE DIBROMIDE (EDB)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1048

Legal Deadline: None.

Abstract: Recent scientific studies have reported that ethylene dibromide causes cancer when administered orally, by inhalation and by skin application in laboratory animals. In addition, other studies have shown the chemical to be a mutagen, teratogen and testicular toxin in experimental animals. On the basis of these reports, OSHA has determined that its current permissible exposure limit of 20 ppm does not provide exposed workers adequate protection against cancer and other adverse health effects. A proposed standard for ethylene dibromide was published 10/07/83 (43 FR 45956). Public hearings were held in February 1984. OSHA is currently in the process of decisionmaking on the provisions to be included in the final standard.

Timetable:

Action	Date	FR Cite
ANPRM	12/18/81	46 FR 61671
ANPRM Comment Period End	05/31/82	
NPRM	10/07/83	48 FR 45956
NPRM Comment Period End	11/21/83	48 FR 45956
Public HearingHeld	02/08/84	
Final Action	12/00/88	

Small Entity: Yes

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AA06

1505. ACCESS TO EMPLOYEE EXPOSURE AND MEDICAL RECORDS

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 29 USC 657

CFR Citation: 29 CFR 1910.20

Legal Deadline: None.

Abstract: The existing record access rule was promulgated in May 1980. The rule requires employers to preserve and maintain exposure and medical records pertinent to employee exposure to toxic substances, and to ensure access to these records by employees, designated employee representatives and OSHA. As a result of numerous requests and suggestions for changes to the standard, OSHA published a proposal to revise the standard in 1982. OSHA intends to publish soon a final rule that resolves many of the issues raised in the 1982 proposal. This regulation will be similar to the regulation promulgated in 1980 with certain exceptions relating to: (1) first-aid records and medical records of short-term employees; (2) the microfilm storage of employee X-rays; (3) employer trade secrets; (4) employee exposure record requirements for other records; and (5) unconsented access to employee exposure records by union representatives.

Timetable:

Action	Date	FR Cite
NPRM	07/13/82	47 FR 30420
NPRM Comment Period End	09/14/82	
Public Hearing Held	10/05/82	
Final Action	05/00/88	

Small Entity: Undetermined

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AA15

1506. CONCRETE AND MASONRY CONSTRUCTION (PART 1926)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.700; 29 CFR 1926.701; 29 CFR 1926.702

Legal Deadline: None.

Abstract: One of the greatest hazards associated with concrete and masonry structures in the construction industry is the collapse or failure of the entire structure or its forms and shoring. The catastrophic failures of recent years indicate that revision of the existing standard applicable to such construction operations is necessary. The current concrete standard contains outdated referenced standards, gaps in coverage, redundant provisions, and provisions which need clarification. The referenced standards are being updated and placed in the body of the standard. New standards are being added to cover precast concrete erection and masonry wall construction. The provisions that were identified as being redundant are being removed and the ambiguous provisions are being clarified. In addition, the record will be reopened to allow information and evidence obtained from the investigation of a recent major accident to be included in the record pertaining to lift-slab operations. Revised lift-slab rules will then be proposed.

Timetable:

Action	Date	FR Cite
ANPRM	02/09/82	47 FR 5910
ANPRM Comment Period End	04/10/82	
NPRM	09/16/85	50 FR 37543
Comment Period Extended 30 Daysto 12/16/85	10/21/85	50 FR 42571
NPRM Comment Period End	11/15/85	50 FR 37543
Public Hearing Scheduled	04/08/86	51 FR 11945
Public Hearing Rescheduled and Held June 17-18, 1986	05/09/86	51 FR 17203
Final Action on all but Lift-Slab Rules	06/00/88	
Reproposal Lift-Slab Rules	12/00/88	
Final Action on Lift-Slab Rules	06/00/89	

Small Entity: Undetermined

Additional Information: 1. 29 CFR 1926, Subpart Q currently entitled: "Concrete, Concrete Forms, and Shoring.

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA20

1507. ELECTRICAL SAFETY-RELATED WORK PRACTICES (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.331; 29 CFR 1910.332; 29 CFR 1910.333; 29 CFR 1910.334; 29 CFR 1910.335; 29 CFR 1910.399; 29 CFR 1910.26(c)(3)(iii); 29 CFR 1910.67(b)(4); 29 CFR 1910.68(b)(4); 29 CFR 1910.68(c)(5)(iv)(c); 29 CFR 1910.94(a)(2)(iii); 29 CFR 1910.103(b)(3)(iii)(e); 29 CFR 1910.1910.106(h)(7)(iii)(a); 29 CFR 1910.110, Table H-28; 29 CFR 1910.178(c)(2); ...

Legal Deadline: None.

Abstract: Standards are currently under review for the second part (Subpart S of Part 1910) of OSHA's electrical standard which would establish a performance-oriented standard for electrical safety- related work practices to complement the existing electrical installation standards. The proposed standard includes requirements for work performed on or near exposed energized and deenergized parts of electrical equipment and includes requirements for both the safe use of the electrical equipment as well as the use of personal protection devices.

Timetable:

Action	Date	FR Cite
NPRM	11/30/87	52 FR 45530
NPRM Comment Period End	02/29/88	52 FR 45530
Final Action	02/00/89	

Small Entity: Undetermined

Affected Sectors: All

Government Levels Affected: Local, State, Federal

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA32

1508. POWERED PLATFORMS FOR EXTERIOR BUILDING MAINTENANCE (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.66

Legal Deadline: None.

Abstract: The present standard, which requires positive engagement of a powered platform with a building face to provide stabilization, may need to be revised because many variance designs have been submitted which do not provide positive engagement of the platform, yet claim equal stability. The agency believes there may be merit to this claim. The proposal provides flexibility in compliance through performance-oriented provisions as alternatives to positive engagement. It would also expand the scope of the current standard to include requirements covering additional suspension equipment, fall protection, and employee training.

Timetable:

Action	Date	FR Cite
ANPRM	02/11/83	48 FR 6368
ANPRM Comment Period End	03/14/83	48 FR 6368
NPRM	01/22/85	50 FR 2890

Action	Date	FR Cite
NPRM Comment Period End	03/25/85	50 FR 2890
Reopening of NPRM Comment Period to 8/1/85	07/02/85	50 FR 27307
Informal Public Hearing	02/20/86	
Final Action	07/00/88	

Small Entity: No

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA33

1509. EXCAVATIONS (PART 1926)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.650; 29 CFR 1926.651; 29 CFR 1926.652; 29 CFR 1926.653

Legal Deadline: None.

Abstract: This rule prescribes the minimum measures to be taken to protect employees from injury during excavation work. A revision of the existing rule is being considered because trench and excavation sidewall failures that have resulted in death and injury to workers continue in significant numbers. Claims that the standards are ambiguous and too restrictive, especially with respect to the type of soil involved, have also been made.

Timetable:

Action	Date	FR Cite
NPRM	04/15/87	52 FR 12288
NPRM Comment Period End	10/14/87	52 FR 22799
Final Action	12/00/88	

Small Entity: No

Additional Information: 1. 29 CFR 1926.650 through .653 currently entitled: "Excavations, Trenching, and Shoring.

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA36

1510. FALL PROTECTION (PART 1926)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.104; 29 CFR 1926.105; 29 CFR 1926.500; 29 CFR 1926.501; 29 CFR 1926.502; 29 CFR 1926.107(b); 29 CFR 1926.250(b)(2); 29 CFR 1926.651(t) and (w); 29 CFR 1926.700(b)(1); 29 CFR 1926.951(b)(4)(i); 29 CFR 1926.107(c); 29 CFR 1926.107(f)

Legal Deadline: None.

Abstract: The existing standard has been proposed for revision because it is poorly formatted, contains unnecessary and restrictive provisions, and does not properly address the fall protection needs of certain areas and operations. The proposal raises several significant issues including (1) when fall protection systems must be installed, (2) whether work surface inspections are necessary to insure adequate structural integrity before commencing work, and (3) whether body belt systems or body harness systems are appropriate for use as fall protection. (Subpart M revised)

Timetable:

Action	Date	FR Cite
NPRM	11/25/86	51 FR 42680
NPRM Comment Period End	08/14/87	52 FR 20616
Final Action	11/00/88	

Small Entity: No

Additional Information: This agenda entry is part of Regulatory Program RIN 1218-AB05; Elevated Surfaces (Part 1926).

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA37

1511. UNDERGROUND CONSTRUCTION (TUNNELS AND SHAFTS)(PART 1926)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.800

Legal Deadline: None.

Abstract: The existing standards are being revised to update the treatment of hazards of construction in underground locations such as tunnels, shafts, chambers, passageways and covered excavations. In some cases, the existing standards are too restrictive. In addition, existing language is being rewritten to clarify the requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/05/83	48 FR 35774
NPRM Comment Period extended to 02/17/84	12/19/83	48 FR 56087
Public Hearing Held	03/13/84	
Limited Reopening of Comment Period Until 10/18/85	08/19/85	50 FR 33357
Final Action	09/00/88	

Small Entity: No

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA38

1512. SCAFFOLDS (PART 1926)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.451; 29 CFR 1926.452; 29 CFR 1910.28; 29 CFR 1910.29; 29 CFR 1926.752(k)

Legal Deadline: None.

Abstract: The existing standard has been proposed for revision because it is poorly formatted, contains unnecessary and restrictive provisions, and omits necessary specific coverage for certain types of scaffolds. The proposal raises several significant issues including: (1) the use of crossbraces as guardrails, (2) the use of fall protection during scaffold erection and dismantling operations, and (3) the role of engineers in scaffold design. (Subpart L, revised)

Timetable:

Action	Date	FR Cite
NPRM	11/25/86	51 FR 42680
NPRM Comment Period End	08/14/87	52 FR 20616
Final Action	11/00/88	

Small Entity: Undetermined

Additional Information: This agenda entry is part of Regulatory Program RIN

1218-AB05; Elevated Surfaces (Part 1926).

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA40

1513. CRANE OR DERRICK SUSPENDED PLATFORMS (PART 1926)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.550

Legal Deadline: None.

Abstract: The use of cranes and derricks to suspend personnel in platforms is a hazardous operation that is not currently covered by OSHA Construction Standards. OSHA has issued administrative instructions on this practice, but this alternative to rulemaking has not been successful. This final rule has been developed to reduce the number of accidents, many of which involve multiple fatalities, that result from equipment inadequacies and failures or improper work practices. Data to determine the potential costs and benefits from this rulemaking are currently being evaluated.

Timetable:

Action	Date	FR Cite
NPRM	02/17/84	49 FR 6280
NPRM Comment Period End	08/10/84	49 FR 25248
Public Hearing Held	09/18/84	
Final Action	04/00/88	

Small Entity: No

Affected Sectors: 15 Building Construction-General Contractors and Operative Builders; 16 Heavy Construction Other Than Building Construction-Contractors; 17 Construction-Special Trade Contractors

Government Levels Affected: State, Federal

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Barry White, Director, Department of Labor, Occupational Safety and Health Administration, Room N3605, 200 Constitution Ave. NW, Washington, DC 20210, 202 523-8061

RIN: 1218-AA45

1514. STAIRWAYS AND LADDERS (PART 1926)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 40 USC 333

CFR Citation: 29 CFR 1926.450; 29 CFR 1926.452; 29 CFR 1926.501; 29 CFR 1926.502; 29 CFR 1926.1050; 29 CFR 1926.1051

Legal Deadline: None.

Abstract: The existing standard has been proposed for revision because it contains references to non-government voluntary regulations by topic. The proposal raises several significant issues including: (1) what is the appropriate height limit where the use of ladders as a means of access should be required, and (2) what are appropriate field tests for determining ladder strength. (New Subpart X)

Timetable:

Action	Date	FR Cite
NPRM	11/25/86	51 FR 42680
NPRM Comment Period End	08/14/87	52 FR 20616
Final Action	11/00/88	

Small Entity: No

Additional Information: This new Subpart X is a revision of the ladder and stairway portions of existing Subparts L (ladders and scaffolds) and M (Floor and Wall Openings and Stairways). The remaining portions of Subparts L and M are being revised as Subparts L (Scaffolds) and M (Fall Protection). (RIN 1218-AA37 - Fall Protection; RIN 1218-AA40 - Scaffolds.) This agenda entry is part of Regulatory Program RIN 1218-AB05; Elevated Surfaces (Part 1926).

Affected Sectors: Multiple

Government Levels Affected: State, Federal

Agency Contact: Barry White, Director, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3605, FPBldg., Washington, DC 20210, 202 523-8061

RIN: 1218-AA57

1515. HAZARDOUS WASTE OPERATIONS AND EMERGENCY RESPONSE (PART 1910)

Significance: Regulatory Program

Legal Authority: PL 99-499 Section 126 (as amended); 29 USC 655; 29 USC 657; 5 USC 552(a); 5 USC 533

CFR Citation: 29 CFR 1910.120 (Subpart H)

Legal Deadline: Statutory, October 16, 1987.

Abstract: Public Law 99-499 requires the Secretary of Labor to promulgate a final standard for Hazardous Operations and Emergency Response by October 17, 1987. The law requires the proposed rule to address eleven areas: site analysis, training, medical surveillance, protective equipment, engineering controls, maximum exposure limits, informational programs, handling and labeling, new technology programs, decontamination procedures, and emergency response. The agency has developed a Preliminary Regulatory Impact Analysis which is available in the docket. The analysis estimates that the benefits are significant and that annualized costs are $71 million for training, $17 million for medical surveillance, $12 million for decontamination, $11 million for protection suits and $37 million for other requirements. OSHA held public hearings in Washington, D.C. and Seattle, Washington to enhance public comment and participation in this rulemaking. On December 22, 1987 Congress amended SARA to require the Secretary of Labor to develop a training certification program at least as comprehensive as the EPA's Model Program for (CONT'D)

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/19/86	51 FR 45654
NPRM	08/10/87	52 FR 29620
NPRM Comment Period End	10/05/87	52 FR 29620
Public Hearings held in Washington, DC, and Seattle, Washington	10/13/87	52 FR 37973
Final Action	07/00/88	

Small Entity: Undetermined

Additional Information: INFORMATION REGARDING ITEM #6: Because Public Law 99-499 requires

DOL—OSHA

Final Rule Stage

the use of trained workers, there may be some impact or subcontractors who will either need to hire trained employees, than existing employees, or not participate in the cleanup of hazardous wastes. ABSTRACT (CONT'D): Asbestos Abatement in Schools. OSHA will be developing this certification program as a separate rulemaking.

Affected Sectors: All

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AB13

1516. LEAD (RECONSIDERATION OF THE FEASIBILITY OF COMPLIANCE IN NINE INDUSTRY SECTORS)

Significance: Regulatory Program

Legal Authority: 29 USC 655 et seq

CFR Citation: 29 CFR 1910.1025

Legal Deadline: Judicial, October 1, 1987.

Abstract: On December 11, 1981 (46 FR 60758), OSHA published a Revised Statement of Reasons concerning the feasibility of compliance with paragraph (e)(1) of the standard for occupational exposure to lead, which had been promulgated in 1978. In this revised statement, OSHA stated that it could not reach a conclusion regarding feasibility, on the basis of the existing rulemaking record, for eight specific industry sectors: lead chromate pigments, lead chemicals, nonferrous foundries, brass and bronze ingot production, secondary copper smelting leaded steel, shipbuilding and ship repair, stevedoring, and battery breaking separate from secondary smelting, and that in addition, it wished to reexamine the applicability of the lead standard to the stevedoring industry. OSHA requested that the record (which was under review by the U.S. Court of Appeals for the District of Columbia Circuit) be remanded for supplementary administrative proceedings. The Court granted OSHA's December 1981 request on March 31, 1987, and remanded the record to OSHA for further administrative proceedings to determine the feasibility of section (e)(1) for the nine industry sectors OSHA had (Cont'd)

Timetable:

Action	Date	FR Cite
Reopening of Lead Rulemaking Records	08/03/87	52 FR 28727
End of Comment Period	09/16/87	
Public Hearings	09/29/87	
Final Action	07/00/88	

Small Entity: Yes

Additional Information: ABSTRACT (CONT'D): listed. The Court further ordered OSHA to return the record on or before October 1, 1987. On June 17, 1987, OSHA filed with the Court a motion requesting a 90-day extension to January 1, 1988. On July 31, 1987 the Court granted OSHA's motion. OSHA published in the Federal Register on August 3, 1987, a notice of a limited reopening of the rulemaking record (limited to the issue of feasibility) and specified September 2, 1987 for the receipt of comments from the public and September 15, 1987 for public hearings. Thereafter, at the request of industry and labor, OSHA deferred the relevant dates for the rulemaking until September 16 and 29, 1987, respectively.OSHA requested, and was granted by the Court, an extension for final action until July 15, 1988.

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AB18

1517. ● ASBESTOS SHORT TERM EXPOSURE LIMIT

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.1001; 29 CFR 1926.58

Legal Deadline: None.

Abstract: In June 1986, OSHA promulgated revised standards governing exposure to asbestos in general industry and construction. OSHA reduced the 8-hour Time Weighted Average (TWA) Permissible Exposure Limit (PEL) to 0.2 f/cc, but did not issue a short term exposure limit (STEL). OSHA's principal reason for not issuing an excursion limit was that the rulemaking record failed to show a dose-rate effect. Subsequently, in July 1986, the Court of Appeals for the District of Columbia, in reviewing the EtO standard, held that OSHA may not base its determination to not issue a STEL on the lack of a "dose-rate effect" and that the "OSH Act compels the Agency to adopt a STEL if the record shows that it would further reduce a significant health risk and is feasible to implement." To conform to this judicial decision OSHA plans to amend the Asbestos standards by the issuance of an appropriate excursion limit for all workplaces affected by the revised Asbestos standards.

Timetable:

Action	Date	FR Cite
NPRM	04/01/84	49 FR 14116
Final Action	06/20/86	51 FR 22612
Final Action Effective	07/21/86	51 FR 22612

Final Decision 06/00/88

Small Entity: No

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AB21

DEPARTMENT OF LABOR (DOL)

Occupational Safety and Health Administration (OSHA)

Completed Actions

1518. ETHYLENE OXIDE

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 29 USC 657

CFR Citation: 29 CFR 1910.1047

Legal Deadline: Judicial, March 1988. In a July 21, 1987, decision the U.S. Court of Appeals for the District of Columbia Circuit ordered OSHA to adhere to the schedule set out in its response to petitioners' contempt motion and issue its final decision on the EtO STEL issue no later than March 1988.

Abstract: On July 25, 1986, in Public Citizen HRG v. Tyson, Docket No. 84-1252, the United States Court of Appeals for the District of Columbia upheld most of the final standard on EtO, including the 1 ppm TWA. However, the Court remanded the standard to the Agency for further proceedings on whether a short term exposure limit is necessary to further reduce the significant risk that exists with a 1 ppm TWA alone. In accordance with the Court's order, OSHA intends to reopen the EtO rulemaking record to review the issue of the STEL. This will be accomplished by publication of a notice of proposed rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	01/21/88	53 FR 1724
NPRM Comment Period End	02/22/88	53 FR 1724
Final Action	04/06/88	53 FR 11414
Final Action Effective	06/06/88	

Small Entity: Undetermined

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Avenue, NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AA03

1519. GRAIN HANDLING FACILITIES (PARTS 1910 AND 1917)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 33 USC 941

CFR Citation: 29 CFR 1910; 29 CFR 1917

Legal Deadline: None.

Abstract: Hazards associated with fires and explosions in grain handling facilities have existed for many years. These hazards continue to exist, and pose a risk of harm to employees working in these facilities. Based on an extensive rulemaking record resulting from a proposed standard for grain handling facilities, OSHA is developing a final rule to mitigate the hazards associated with these facilities. OSHA is carefully considering the record to assure that the scope, application and other provisions of the standard appropriately address the hazards.

Timetable:

Action	Date	FR Cite
ANPRM	02/15/80	45 FR 10732
ANPRM Comment Period End	03/24/80	
NPRM	01/06/84	49 FR 996
NPRM Comment Period End	06/08/84	49 FR 6923
Public Hearings held through 07/12/84	06/12/84	49 FR 6923
Final Action	12/31/87	52 FR 49592
Final Action Effective	03/30/88	52 FR 49592

Small Entity: Yes

Agency Contact: Barry White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, Rm N3605, FPBldg, 200 Constitution Ave., NW, Washington, DC 20210, **202 523-8061**

RIN: 1218-AA22

1520. SAFETY TESTING/CERTIFICATION (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655; 29 USC 657

CFR Citation: 29 CFR 1907, (Revocation); 29 CFR 1910, (Revision)

Legal Deadline: None. On June 5, 1987, MET Electrical Testing Company sued the Department of Labor with respect to this rulemaking. The agency failed to meet its March 30, 1985 deadline established pursuant to settlement agreement with MET Electrical Testing Company, Inc. The suit is currently pending.

Abstract: This rulemaking would establish mandatory procedures for recognizing those organizations competent to fulfill testing requirements contained in many OSHA safety standards. It would also amend a number of existing OSHA standards by deleting references to two product testing groups, UL and FM, that are included in these standards which were originally adopted as national consensus standards under Section 6(a) of the Act. OSHA's unimplemented regulation, Accreditation of Testing Laboratories, 29 CFR Part 1907, would be superseded as a result of these changes.

Timetable:

Action	Date	FR Cite
ANPRM	01/04/83	48 FR 270
ANPRM Comment Period End	03/15/83	48 FR 7204
NPRM	03/06/84	49 FR 8326
NPRM Comment Period End	06/21/84	49 FR 19336
Informal Public Hearing	09/25/84	49 FR 28739
Limited Reopening of Record	11/30/84	49 FR 47049
Final Action	04/12/88	53 FR 12102
Final Action Effective	06/13/88	

Small Entity: No

Additional Information: 1. Settlement agreement: MET Electrical Testing Company, Inc. v. Raymond J. Donovan, Secretary of Labor: Civil No. Y-82-1133, in the U.S. District Court for the District of Maryland. 2. ANPR Title: "Accreditation of Testing Laboratories" 3. NPRM Title: "Safety Testing or Certification of Certain Workplace Equipment and Materials (formerly entitled Accreditation of Testing Laboratories)."

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, Washington, D.C. 20210, **202 523-8061**

RIN: 1218-AA42

1521. PRESENCE SENSING DEVICE INITIATION OF MECHANICAL POWER PRESSES (PART 1910)

Significance: Regulatory Program

Legal Authority: 29 USC 655(b)

CFR Citation: 29 CFR 1910.211, (Revision); 29 CFR 1910.217, (Revision)

Legal Deadline: None.

Abstract: This regulatory action will remove an existing provision which prohibits presence sensing device initiation of mechanical power presses, and will add provisions which will enable the presence sensing device initiation to be done safely. Presence sensing device initiation has been identified as presenting potential increases in safety and productivity with an ergonomic advantage of less

worker fatigue. A final regulatory impact analysis has been completed. It is estimated that the discounted savings over the first 10 years the standard will be in effect will be approximately $535 million.

Timetable:

Action	Date	FR Cite
NPRM	03/29/85	50 FR 12700
NPRM Comment Period End	06/27/85	50 FR 12700
Final Action	03/14/88	53 FR 8322
Final Action Effective	06/13/88	

Small Entity: No

Additional Information: A preproposal draft standard was circulated for public comment.

Affected Sectors: Multiple

Agency Contact: Mr. Barry J. White, Director, Safety Standards, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA54

1522. FORMALDEHYDE

Significance: Regulatory Program

Legal Authority: 29 USC 655(b); 29 USC 657

CFR Citation: 29 CFR 1910.1000; 29 CFR 1910.1048; 29 CFR 1910.19

Legal Deadline: None. There is currently no applicable legal deadline. However, OSHA has submitted documents to the U.S. Court of Appeals for the District of Columbia Circuit indicating its intention to complete this regulatory action in November 1987.

Abstract: Studies indicate adverse health effects in humans and animals exposed to airborne formaldehyde at concentrations permitted by OSHA's present standard. In humans, formaldehyde causes reversible sensory irritation of the eyes, nose, and throat, asthma and dermal irritation sensitization. Chronic studies in animals suggest that formaldehyde may also pose a carcinogenic risk in humans. This information indicates that the present OSHA standard for formaldehyde may need revision. On December 10, 1985, OSHA published a proposed standard. Public hearings were held in May 1985. OSHA is currently in the process of decisionmaking on the provisions to be included in the final standard.

Timetable:

Action	Date	FR Cite
ANPRM	04/17/85	50 FR 15179
ANPRM Comment Period End	08/15/85	50 FR 15179
NPRM	12/10/85	50 FR 50412
NPRM Comment Period End	03/10/86	50 FR 50412
Public Hearings	05/05/86	51 FR 75842
Final Action	12/04/87	52 FR 46168
Final Action Effective	02/02/88	52 FR 46168

Small Entity: Yes

Agency Contact: Charles E. Adkins, Director, Health Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3718, FPBldg., Washington, DC 20210, **202 523-7075**

RIN: 1218-AA82

1523. SURFACE PREPARATION AND PRESERVATION (PART 1915)

Legal Authority: 29 USC 655(b); 33 USC 941

CFR Citation: 29 CFR 1915.32; 29 CFR 1915.33; 29 CFR 1915.34; 29 CFR 1915.35; 29 CFR 1915.36

Legal Deadline: None.

Abstract: This regulatory action will revise the existing shipyard standard covering surface preparation and preservation in enclosed confined and other spaces. The revision will develop, in part, a performance-oriented standard, address current gaps in coverage, recognize new technology, and eliminate outmoded or redundant provisions. It will consolidate 29 CFR 1915 standards and applicable 29 CFR 1910 standards into one set of provisions.

Timetable:

Action	Date	FR Cite
Integrated into 1218-AB22	03/01/88	

Small Entity: No

Additional Information: Applicable Part 1910 provisions under consideration: 29 CFR 1910.94; 29 CFR 1910.106 - .107.

Government Levels Affected: State, Federal

Agency Contact: Barry J. White, Director, Safety Standards Programs, Department of Labor, Occupational Safety and Health Administration, 200 Constitution Ave., NW, Rm N3605, FPBldg., Washington, DC 20210, **202 523-8061**

RIN: 1218-AA96

[FR Doc. 88-6195 Filed 04-22-88; 8:45 am]

BILLING CODE 4510-23-T

federal register

Monday
April 25, 1988

Part XIII

Department of State

Semiannual Regulatory Agenda

DEPARTMENT OF STATE (STATE)

DEPARTMENT OF STATE

22 CFR Ch. I

[Docket No. SD - 213]

Unified Agenda of Federal Regulations

AGENCY: Department of State.

ACTION: Semiannual publication of regulatory agenda.

SUMMARY: As required by Executive Order 12291 and the Regulatory Flexibility Act of 1980 (Pub. L. No. 96-354), the April 1988 agenda of regulations of the Department of State is set forth below. This agenda was prepared under the guidelines of OMB Bulletin 88-1, dated October 7, 1987. The purpose of the agenda is to provide information to the public on the Department's regulatory plans.

FOR FURTHER INFORMATION CONTACT: James H. Thessin, Assistant Legal Adviser for Management, Department of State, Room 4427A, 2201 C Street, NW., Washington, DC 20520, telephone (202) 647-2350.

Dated: February 23, 1988.

Ronald I. Spiers,

Under Secretary for Management.

DEPARTMENT OF STATE (STATE)

Prerule Stage

1524. ESTABLISHMENT OF REGISTRY IN STATE DEPARTMENT FOR INFORMATION ABOUT EXECUTION OF INTERNATIONAL WILLS

Legal Authority: Eventual U.S. ratification of 1973 Convention; providing a Uniform Law on the Form of an International Will; will provide basis for establishing Registry

CFR Citation: 22 CFR 92.81(3), amendment to

Legal Deadline: None.

Abstract: By resolution of the international diplomatic conference that adopted the final text of the Convention (see 3, above), there was a recommendation that States establish an internal system to permit the optional registration of information to facilitate the discovery of international wills. The President transmitted the Convention to the Senate on July 2, 1986 with the recommendation that the Senate give its advice and consent to U.S. ratification of the Convention, and information about the intention to establish the Registry in the Department of State (Senate Treaty Doc. 99-29).

Timetable:

Action	Date	FR Cite
Hearing of Senate Foreign Relations Committee on the Convention	00/00/00	

Small Entity: Not Applicable

Agency Contact: Carmen A. DiPlacido, Director, Office of Citizens Consular Services, Department of State, Bureau of Consular Affairs, Washington, DC 20520, **202 647-3666**

RIN: 1400-AA09

1525. FISHERMEN'S PROTECTIVE ACT PROCEDURES UNDER SECTION 7

Legal Authority: 22 USC 1977

CFR Citation: 22 CFR 33, (Revision)

Legal Deadline: None.

Abstract: This regulation clarifies procedures for the administration of the Fishermen's Guaranty Fund and claims evaluation, under Section 7 of the Fishermen's Protective Act, 22 USC 1971 et seq.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: Peter H. Flournoy, Attorney-Adviser, Department of State, Office of the Legal Adviser, Washington, DC 20520, **202 647-2282**

RIN: 1400-AA10

1526. REGULATIONS IMPLEMENTING THE PROGRAM FRAUD CIVIL REMEDIES ACT

Legal Authority: PL 99-509, Sec 6104; 31 USC 3801 to 3812

CFR Citation: Not yet determined

Legal Deadline: Statutory, April 21, 1987.

Abstract: Regulations implement the Program Fraud Civil Remedies Act of 1986, which establishes an administrative remedy for fraudulent claims or statements submitted to agencies. Anyone who, with knowledge or reason to know, submits a false, fictitious or fraudulent claim or statement to an agency is liable for a $5,000 penalty and an assessment of double damages.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Jean Bailly, Attorney-Adviser, Department of State, L/M, Room 4427A, 2201 C Street, NW, Washington, DC 20520, **202 647-4446**

RIN: 1400-AA13

1527. SOUTH AFRICA AND FAIR LABOR STANDARDS

Legal Authority: 22 USC 5034; 22 USC 5035; 22 USC 5111; 22 USC 5113

CFR Citation: 22 CFR 60 to 65

Legal Deadline: None.

Abstract: Executive Order 12532 of September 9, 1985 required U.S. firms operating in South Africa to take good faith measures with respect to certain fair labor standards. A final rule was promulgated for this purpose after receiving public comments. The requirements of this Executive Order were later codified in the Comprehensive Anti-Apartheid Act of October 2, 1986, and amendments to the regulations were promulgated as a final rule on October 22, 1986. The first annual review of the labor practices of U.S. firms was published in September, 1987. The Department of State has reviewed the regulations since the report was completed and has revised the questionnaire; it is updating the regulations. The Department will again review the regulations and questionnaire after the second report is issued during the summer of 1988.

STATE

Prerule Stage

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Yes

Government Levels Affected: Local, State, Federal

Agency Contact: Robert Bruce, Executive Director, South Africa Fair Labor Standards Program, Department of State, AF/S, 2201 C Street, NW., Washington, DC 20520, **202 647-9866**

RIN: 1400-AA19

1528. ● AUTOMOBILE LIABILITY INSURANCE REPORTING REQUIREMENTS UNDER THE FOREIGN MISSIONS ACT

Significance: Regulatory Program

Legal Authority: 22 USC 4301 et seq; 22 USC 254a

CFR Citation: 22 CFR 151

Legal Deadline: None.

Abstract: The Foreign Missions Act Amendments of 1983 amended the Diplomatic Relations Act of 1978 and the Foreign Missions Act to enforce more effectively a requirement that persons connected with foreign missions carry liability insurance against risks arising from the operation in the U.S. of automobiles, vessels or aircraft by persons entitled to diplomatic or consular immunity. The Department issues and enforces pertinent regulations with the aim of ensuring that the objectives of this program are achieved. The regulations are designed to carry out the obligations of the U.S. to foreign diplomatic and consular missions, to induce concessions for U.S. diplomatic and consular missions abroad, to protect the U.S. public against uninsured foreign drivers, and to combat international terrorism. The expected potential benefits to society will greatly outweigh potential costs. We continue our analysis and discussions to ensure that regulatory mechanisms chosen maximize net benefits and minimize net costs. We seek to set priorities for our regulatory goals and objectives to maximize aggregate net benefits to society. In that connection, the liability insurance regulations have first priority.

Timetable:

Action	Date	FR Cite
Completion of requisite study and Congressional Review	07/01/88	
Determination of milestones for future action	10/01/88	

Small Entity: No

Agency Contact: John Condayan, Acting Director, Office of Foreign Missions, Department of State, Room 2105, Washington, DC 20520, **202 647-3416**

RIN: 1400-AA24

DEPARTMENT OF STATE (STATE)

Proposed Rule Stage

1529. FOREIGN MISSIONS ACT REGULATIONS

Significance: Regulatory Program

Legal Authority: 22 USC 4301 et seq; 22 USC 254(e)

CFR Citation: 22 CFR 151

Legal Deadline: None.

Abstract: The Foreign Missions Act creates certain authorities for the Secretary of State relating to the regulation of foreign missions, diplomatic, consular, and international organizations. Exercise of those authorities could involve restricting or controlling the access of such missions to American vendors of goods and services. Exercise of other authorities in the Foreign Missions Act could affect the location of premises of foreign missions. Exercise of authority in the Diplomatic Relations Act, 22 USC 254(a) et seq., as amended by Title VI of P.L. 98-164, will have an impact on the acquisition of liability insurance coverage for the operation of motor vehicles, vessels, and aircraft by personnel of foreign missions, and could in certain situations, subject foreign missions to surcharges or fees. The regulations under consideration would provide procedures for exercise of these authorities. These regulations are at the stage of preliminary consideration. No timetable has been established other than that established in Title VI of P.L. 98-164.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: John Condayan, Acting Director, Office of Foreign Missions, Department of State, Room 2105, 2201 C Street, NW, Washington, DC 20520, **202 647-3416**

RIN: 1400-AA04

1530. IMPLEMENTATION OF 1980 HAGUE CONVENTION ON THE CIVIL ASPECTS OF INTERNATIONAL CHILD ABDUCTION

Significance: Regulatory Program

Legal Authority: None, until ratification of treaty.

CFR Citation: 22 CFR Not yet determined

Legal Deadline: None.

Abstract: The 1980 Hague Convention provides for the prompt return of children habitually resident in one contracting State who have been wrongfully abducted to another, including wrongful retention by a non-custodial parent. When the United States ratifies the Convention and Congress enacts the federal legislation, the Bureau of Consular Affairs will be tasked by executive order to serve as U.S. Central Authority (CA) under the Convention. Thus it will receive applications for the return of children wrongfully abducted to or retained in the United States. In conjunction with cooperating authorities in the U.S. State where the child is believed to be located, the CA's task will include seeking to locate the child, facilitating the initiation of a court action to require the child's return, arranging for the provision of information about the child's circumstances in the country of its habitual residence, and arranging for the child's return transportation if return is ordered. The President transmitted the convention for advice and consent to ratification by the Senate on October 30, 1985 (Senate

STATE — **Proposed Rule Stage**

Treaty Doc. 99-11). The Senate gave its advice and consent on October 9, 1986.

Timetable:

Action	Date	FR Cite
Senate Advice and Consent to ratification	10/09/86	

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: Detailed legal analysis of Convention, submitted to Senate Foreign Relations Committee Chairman Lugar (January 1986), was published with Convention text and other documents in the Federal Register of March 26, 1986 (pages 10494 to 10516). Legislation to facilitate implementation of the Convention has been introduced in the Senate (S.1347) and the House (H.R.2673).

Agency Contact: Carmen A. DiPlacido, Dir., Office of Citizens Consular Services, Department of State, Bureau of Consular Affairs, Washington, DC 20520, **202 647-3666**

RIN: 1400-AA05

1531. BANKING SERVICES - PROCEDURES FOR RESTRICTING

Legal Authority: 22 USC 4301 et seq

CFR Citation: 22 CFR 152

Legal Deadline: None.

Abstract: The rule will set out the procedures that the Department of State will follow whenever the banking services of particular foreign missions are restricted pursuant to the Foreign Missions Act, 22 USC 4301 et seq.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Not Applicable

Government Levels Affected: State, Federal

Agency Contact: John Condayan, Acting Director, Office of Foreign Missions, Department of State, Room 2105, 2201 C Street, NW, Washington, DC 20520, **202 647-3416**

RIN: 1400-AA07

1532. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH UNIVERSITIES, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS

Legal Authority: 22 USC 2658

CFR Citation: 22 CFR 136, (new)

Legal Deadline: None.

Abstract: The Department of State will participate in the promulgation of a common regulation that establishes uniform administrative requirements for grants and cooperative agreements to universities, hospitals, and other nonprofit organizations. This effort will revise the current Office of Management and Budget (OMB) Circular A-110 (same title) for the purpose of restoring commonality between A-110 and OMB Circular A-102, "Uniform Administrative Requirements for Grants to State and Local Governments." Under the revised Circular A-102, and as directed by President Reagan on March 12, 1987, all affected agencies have proposed simultaneously common regulations that adopt government-wide terms and conditions. This procedure will be used to implement the revised Circular A-110. No other alternatives are being considered. The rule will be intended to promote consistency and uniformity among the participating agencies.

Timetable:

Action	Date	FR Cite
Notice requesting comments on OMB Circular A-110 review	06/24/87	52 FR 23729
Begin Review	06/24/87	52 FR 23729
NPRM	11/00/88	

Small Entity: Undetermined

Agency Contact: John J. Conway, Procurement Executive, Department of State, Room 227, SA-6, Washington, DC 20520, **703 875-7047**

RIN: 1400-AA20

DEPARTMENT OF STATE (STATE) — **Final Rule Stage**

1533. DEPARTMENT OF STATE ACQUISITION REGULATION (DOSAR)

Legal Authority: 5 USC 301; 22 USC 2658; 40 USC 486(c)

CFR Citation: 48 CFR 601 to 653, (New)

Legal Deadline: None.

Abstract: The Department of State is publishing the Department of State Acquisition Regulation (DOSAR) as part of the Federal Acquisition Regulations System, which consists of the Federal Acquisition Regulation (FAR) and agency acquisition regulations that implement or supplement the FAR. This action is necessary to provide regulatory guidelines not otherwise found in the FAR for Department of State acquisitions. There are no other alternatives for addressing the problem; the DOSAR must be established in accordance with FAR Subpart 1.3. By this action, the Department of State will establish a single regulation for its acquisition policies, procedures, contract clauses, solicitation procedures, and forms that govern its relationship with its contractors and prospective contractors.

Timetable:

Action	Date	FR Cite
NPRM	05/28/87	52 FR 19990
NPRM Comment Period End	06/29/87	52 FR 19990
Final Action	04/00/88	
Final Action Effective	04/00/88	
Begin Review	05/00/88	
End Review	00/00/00	

Small Entity: No

Agency Contact: John J. Conway, Procurement Executive, Department of State, Room 227, SA-6, Washington, DC 20520, **703 875-7047**

RIN: 1400-AA16

1534. GOVERNMENT-WIDE DEBARMENT AND SUSPENSION (NON-PROCUREMENT)

Legal Authority: 22 USC 2658

CFR Citation: 22 CFR 137, (new)

Legal Deadline: None.

Abstract: The Department of State is publishing this rule as an adoption of a common regulation establishing a uniform system of non-procurement debarment and suspension among many Federal agencies. This system is intended to curb fraud, waste, and

STATE **Final Rule Stage**

abuse in non-procurement activities using Federal assistance. Guidelines for the system were developed by a Task Force on Non - Procurement Suspension and Debarment. The task force was convened by the Office of Management and Budget (OMB), pursuant to its responsibilities established by President Reagan under Executive Order 12549, Debarment and Suspension (February 18, 1986). As a Federal agency, the Department of State must either adopt this common rule or promulgate a separate system that meets the requirements of Executive Order 12549.

Timetable:

Action	Date	FR Cite
Notice requesting comments on guidelines	02/21/86	51 FR 06372
Notice setting forth guidelines	05/29/87	52 FR 20360
NPRM	10/20/87	52 FR 39015
NPRM Comment Period End	12/21/87	52 FR 39015
Final Action	05/26/88	
Final Action Effective	05/26/88	

Small Entity: No

Agency Contact: John J. Conway, Procurement Executive, Department of State, Room 227, SA-6, Washington, DC 20520, **703 875-7047**

RIN: 1400-AA21

1535. ● INTERNATIONAL TRAFFIC IN ARMS REGULATIONS (ITAR)

Legal Authority: 22 USC 2778

CFR Citation: 22 CFR 120; 22 CFR 121.1; 22 CFR 122.4; 22 CFR 123; 22 CFR 124; 22 CFR 125.4; 22 CFR 126.6; 22 CFR 126.7; 22 CFR 127; 22 CFR 128; 22 CFR 130

Legal Deadline: Statutory, October 1, 1988. Statutory deadline applies only to one proposed revision; the remainder of the proposals are not subject to a legal deadline.

Abstract: The ITAR were first published in their current form in 1955 and have been periodically amended to reflect statutory enactments and to implement foreign policy. The last substantial revision occurred in December 1984; minor amendments have been effected since that date. The proposed revisions principally clarify and implement existing authorities and controls. For example, they make express the intent of the regulations to exempt general FOIA releases from licensing requirements; to license specified aspects of sales of registrants to foreign corporations; to govern the movement of military vessels outside the U.S.; to specify required clauses in procurement agreements; and to prescribe broader compliance and debarment authority. The amendments would also replace a licensing requirement for temporary imports with a notification requirements, thus easing regulatory controls on such transactions, expediting the process, and, overall, providing ample benefits and reducing costs.

Timetable:

Action	Date	FR Cite
Final Action	10/01/88	

Small Entity: No

Agency Contact: Joseph P. Smaldone/Thomas Orum, Chief Licensing Officer, Office of Munitions Control, Department of State, PM/RASA/MC, Room 800, Department of State Annex 6, Washington, DC 20520, **703 875-6644**

RIN: 1400-AA23

DEPARTMENT OF STATE (STATE) **Completed Actions**

1536. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

CFR Citation: 22 CFR 135, (new)

Completed:

Reason	Date	FR Cite
Final Action	03/11/88	53 FR 8034
Final Action Effective	10/01/88	

Small Entity: No

Agency Contact: John J. Conway 703 875-7047

RIN: 1400-AA22

[FR Doc. 88-5085 Filed 04-22-88; 8:45 am]

BILLING CODE 4710-08-T

federal register

Monday
April 25, 1988

Part XIV

Department of Transportation

Semiannual Regulatory Agenda

DEPARTMENT OF TRANSPORTATION (DOT)

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

14 CFR Chs. I and II

23 CFR Chs. I and II

33 CFR Chs. I and IV

41 CFR Ch. 12

46 CFR Chs. I-III

48 CFR Ch. 12

49 CFR Subtitle A, Chs. I-VI

[OST Docket No. 59; Notice 88-4]

Department Regulations Agenda; Semiannual Summary

AGENCY: Department of Transportation.

ACTION: Department regulations agenda.

SUMMARY: The Regulations Agenda is a semiannual summary of all current and projected rulemakings, reviews of existing regulations and completed actions of the Department. The agenda provides the public with information about the Department of Transportation's regulatory activity. It is expected that this information will enable the public to be more aware of, and allow it to more effectively participate in, the Department's regulatory activity.

ADDRESSES: The mailing address for the initiating offices of the Department which appear in the agenda is 400 Seventh Street, SW., Washington, DC 20590, except for the Federal Aviation Administration which is located at 800 Independence Avenue, SW., Washington, DC 20591; and the U.S. Coast Guard, which is located at 2100 Second Street, SW., Washington, DC 20593.

FOR FURTHER INFORMATION CONTACT:

General

For further information on the agenda in general, contact: Neil R. Eisner, Assistant General Counsel for Regulation and Enforcement, Department of Transportation, 400 Seventh Street, SW., Washington, DC 20590, 202-366-4723.

Specific

For further information about any particular item on the agenda, contact the individual listed in the column headed "Agency Contact" for that item.

SUPPLEMENTARY INFORMATION:

Table of Contents

Supplementary Information:
- Background
- Regulatory Flexibility Act
- Regulatory Impact Analysis
- Definitions
- Explanation of Information on the Agenda
- Mailing Lists for Regulatory Documents
- General Rulemaking Contact Persons
- Public Rulemaking Dockets
- Request for Comments
- Purpose
- Appendix A - Instructions for Obtaining Copies of Regulatory Documents
- Appendix B - General Rulemaking Contact Persons
- Appendix C - Public Rulemaking Dockets

Agenda

Background

Improvement of government regulations is a prime goal of the Reagan Administration. There should be no more regulations than necessary, and those that are issued should be simpler, more comprehensible, and less burdensome. Regulations should not be issued without appropriate involvement of the public; once issued, they should be periodically reviewed and revised, as needed, to assure that they continue to meet the needs for which they originally were designed.

To help the Department of Transportation ("Department") achieve these goals, and in accordance with Executive Order 12291 ("Federal Regulation"; 46 FR 13193; February 19, 1981) and the Department's Regulatory Policies and Procedures (44 FR 11034; February 26, 1979), the Department prepares a semiannual Regulations Agenda for publication in the **Federal Register.** The agenda summarizes all current and projected rulemaking, reviews of existing regulations and completed actions of the Department. These are matters on which action has begun or is projected during the succeeding twelve months or such longer period as may be anticipated or for which action has been completed since the last agenda.

The agendas are based on reports submitted by the initiating offices in January and July each year. After these reports are consolidated for, and reviewed by, the Department Regulations Council, the Department's Regulations Agenda is prepared and published in the **Federal Register.** The Department's last agenda was published in the **Federal Register** on October 26, 1987 (52 FR 40549). The next one is scheduled for publication in the **Federal Register** in October 1988.

Regulatory Flexibility Act

In 1980, Congress passed the Regulatory Flexibility Act (RFA), Pub. L. 96-354, which requires the designation of those regulations for which a Regulatory Flexibility Analysis will be prepared, i.e., those regulations that would have a significant economic impact on a substantial number of small entities. The heading "Small Entity" will indicate whether a Regulatory Flexibility Analysis is required by a "yes" or a "no." If a Regulatory Flexibility Analysis will be prepared for a particular rulemaking, that fact also will be noted under the heading "Analysis."

The RFA also requires that each year the Department publish a list of those regulations that have a significant economic impact on a substantial number of small entities and are to be reviewed under the Act during the succeeding twelve months. The agenda includes those regulations to be reviewed under the RFA or those for which review has been concluded since the last agenda. A "yes" or "no" will be found under the heading "small entity," for each such regulation. However, it should be noted that, after a preliminary assessment of the regulations listed for RFA review, it may be found that the regulations, in fact, do not have a significant economic impact on a substantial number of small entities and a full RFA review will be unnecessary.

Regulatory Impact Analysis

A preliminary and final Regulatory Impact Analysis is required for each proposed and final regulation, respectively; that

(1)Is likely to result in:

(a)An annual effect on the economy of $100 million or more;

DOT

(b)A major effect on the general economy in terms of costs, consumer prices, or production;

(c)A major increase in costs or prices for consumers; individual industries; Federal, State, or local government agencies; or geographic regions;

(d)Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets; or

(2)The Secretary or head of the initiating office determines requires such an analysis.

Definitions

The agenda covers all rules and regulations of the Department, including those that establish conditions for financial assistance. The following definitions are provided for ease in understanding the information in this document.

(1) *Initiating office* means an operating administration or other organizational element within the Department, the head of which is authorized by law or delegation to issue regulations or to formulate regulations for issuance by the Secretary.

(2) *Significant regulation* means a regulation that is not an emergency regulation and that in the judgment of the head of the initiating office, or the Secretary, or the Deputy Secretary

(a) Is a major regulation;

(b) Concerns a matter on which there is substantial public interest or controversy;

(c) Has a major impact on another operating administration or other parts of the Department or other Federal Agency;

(d) Has a substantial effect on State and local governments;

(e) Has a substantial impact on a major transportation safety problem;

(f) Initiates a substantial regulatory program or change in policy;

(g) Is substantially different from international requirements or standards; or

(h) Otherwise involves important Department policy.

(3) *Major regulation* means a significant regulation for which a Regulatory Impact Analysis is required to be prepared.

(4) *Emergency regulation* means (a) a regulation that, in the judgment of the head of the initiating office, circumstances require to be issued without notice and opportunity for public comment or made effective in less than 30 days after publication in the **Federal Register**; or (b) is governed by short-term statutory or judicial deadlines.

(5) *Nonsignificant regulation* means a regulation that, in the judgment of the head of the initiating office, is neither a significant nor an emergency regulation.

Explanation of Information on the Agenda

The format for this agenda is required by Office of Management and Budget Bulletin No. 86-16 (July 2, 1986).

First, the agenda is divided by initiating offices. Then, in accordance with the OMB Bulletin, for each initiating office the agenda is divided into four categories: (1) Prerule stage, (2) proposed rule stage, (3) final rule stage, and (4) completed actions. For each entry, the agenda provides the following information: (1) The "significance" of the action (i.e., whether it is significant because it is on the Regulatory Program or because of agency priority; or whether it is nonsignificant or routine and frequent); (2) a short descriptive title; (3) the legal basis for the action being taken or the regulation being reviewed; (4) the related regulatory citation in the Code of Federal Regulations; (5) an indication of any legal deadline; (6) an abstract of the review or the proposed or final regulation; (7) a timetable, including the earliest expected date for a decision on whether to issue the proposed or final regulation, or complete the review and determine the corrective action to be taken. (The action taken can be revocation or revision of the regulation, or it can be a determination that no regulatory action is necessary because the regulation is found to be achieving its goals and the goals and objectives of Executive Order 12291 and the Department's Regulatory Policies and Procedures.); (8) a statement as to whether the Regulatory Flexibility Act applies because of the rulemaking's effect on small entities; (9) if there is information that does not fit in the other categories, it will be included under a separate heading, entitled "Additional Information"; (10) a listing, where determined, of any analyses an initiating office will prepare or has prepared for the rulemaking document; e.g., a Regulatory Impact Analysis or Evaluation, an Environmental Impact Statement (EIS), a Regulatory Flexibility Analysis, or an Urban Impact Analysis. (It should be noted that, even though a Regulatory Impact Analysis is not required for some items on the agenda, the Department requires an economic analysis for all of its regulations. This economic analysis is contained in the Regulatory Evaluation if a Regulatory Impact Analysis is not prepared); (11) an agency contact office or official who can provide further information, including advice on how to obtain documents referenced in the agenda; and (12) a Regulation Identifier Number (RIN) assigned solely to identify an individual action in the agenda.

For nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements (such as the Federal Aviation Administration's Airspace Rules) to keep those requirements operationally current, only the general category of the regulations, the identity of a contact office or official, and an indication of the expected number of regulations are included; individual regulations are not listed.

If a regulatory docket number has already been established, it may be provided under the "Additional Information" heading. If a member of the public desires further information regarding a particular proposal or regulation, reference should be made to this docket number.

In the "Timetable" column, abbreviations are used to indicate the particular documents being considered for issuance by that date. ANPRM stands for Advance Notice of Proposed Rulemaking, SNPRM for Supplemental Notice of Proposed Rulemaking, NPRM for Notice of Proposed Rulemaking, and FR for Final Rule. Listing a future date in this column is not an indication that a proposed or a final rule will be issued on that date; it is the earliest date on which a decision is expected to be made on whether to issue the document listed. Submittal of any proposed or final rule to the Office of Management and Budget for review, under Executive Order 12291, must follow such a decision. For major rules, this review could take 60 days or more. If any document is issued, publication in the **Federal Register**

would follow within a few days. In addition, these dates are based on current schedules. Information received subsequent to the issuance of this agenda could result in a decision not to take regulatory action or in changes to proposed publication dates. For example, the need for further evaluation could result in a later publication date; evidence of a greater need for the regulation could result in an earlier publication date.

Finally, a dot (●) preceding an entry indicates that the entry appears in the agenda for the first time.

Mailing Lists for Regulatory Documents

To assist the public in obtaining regulatory documents issued within the Department of Transportation, an Appendix A has been included in this document. The appendix contains instructions on how to be placed on mailing lists for, or to obtain, copies of regulatory documents, including the Department's Semiannual Regulations Agenda, issued by the operating administrations of the Department and the Office of the Secretary. There is no charge for this service; however, because of the costs involved, the number of copies of a document forwarded to an individual requestor may be limited. Persons already on mailing lists for particular documents within the Department will remain on those lists and should not reapply.

By following the instructions specified in the appendix, a person can be placed on a mailing list for future copies of the Department's Regulations Agenda, which will be updated and published in the **Federal Register** every year during April and October. By using the agenda, individuals can determine which Notice or Advance Notice of Proposed Rulemaking, to be issued by elements of the Department, is of interest to them. Then, using the instructions in the appendix, such persons also can be placed on a mailing list to ensure that, after the document of interest is issued, a copy will be mailed to them for their review and comment. In this way, individuals will be relieved of the burden of having to review the **Federal Register**, perhaps on a daily basis. The Department expects that this process will ensure that those people placed on mailing lists will receive early notice so that their views on the document can be adequately prepared and presented within the established comment period.

General Rulemaking Contact Persons

To assist persons desiring to obtain general information concerning the rulemaking process within the Department's operating administrations, an Appendix B has been added to the agenda. This appendix sets forth the addresses and the telephone numbers of the persons who can respond quickly to requests for general rulemaking information. Please note, however, that questions related to particular rulemaking actions should still be referred to the contact person listed with the particular rulemaking on the agenda.

Public Rulemaking Dockets

To facilitate the inspection of docket files and the submission of comments by the public, an Appendix C sets forth the addresses and working hours for the Rules Docket for each operating administration.

Request for Comments

Agenda

Our agenda is intended primarily for the use of the public. Since its inception, we have made modifications and refinements that we believe provide the public with more helpful information as well as make the agenda easier to use. We would also like you, the public, to make suggestions or comments on how the agenda could be further improved. For example, do you find the information presented in an easily understandable manner? Do you find it easy to follow a regulation's development from agenda to agenda? Do you find that the format for setting out the information enables you to use the agenda easily? Do you find that the presentation of the information in the agenda is clearly explained in the preamble to the agenda? Your responses to these questions or any other comments or suggestions you may have should be sent to Neil R. Eisner, whose address appears above.

Reviews

In an effort to comply further with the spirit of Executive Order 12291 and the Regulatory Flexibility Act, we are also seeking suggestions on existing regulations that should be included in our review of existing regulations; that is, which existing regulations issued by an operating administration of the Department or the Office of the Secretary do you believe need to be reviewed to determine whether they should be revised or revoked? The Department is particularly interested in obtaining information on requirements that have a "significant economic impact on small entities" and therefore, must be reviewed under the Regulatory Flexibility Act. If you have any suggested regulations, please send them, along with your explanation of why they should be reviewed, to the concerned operating administration or the Office of the Secretary, at the appropriate address noted in the "Addresses" paragraph above.

In accordance with the Regulatory Flexibility Act, comments are specifically invited on regulations that are targeted for review under the RFA. Those comments should be addressed to the "contact" person of the operating administration involved, at the appropriate address noted in the "Addresses" paragraph above.

Purpose

The Department is publishing this Regulations Agenda in the **Federal Register** to share with interested members of the public the Department's preliminary expectations regarding its future regulatory actions. This should enable the public to be more aware of the Department's regulatory activity. Knowledge of the nature and scope of this activity, as well as the specific proposals and reviews being considered, should result in more effective public participation in the Department's regulatory activity. For example, awareness of the dates when notices may be issued seeking public comment should allow appropriate planning and more efficient use of the comment period. By providing the expected date for a decision on whether to issue a final rule, the Department expects that more appropriate planning by those concerned with the regulation will also be possible. This publication in the **Federal Register** does not impose any binding obligation on the Department, or any of the offices within the Department, with regard to any specific item on the agenda. Regulatory action in addition to the items listed is not precluded. If further information is desired on any of the items listed in the agenda, the public is encouraged to contact the individual listed for the particular item. Additional information concerning the agenda, in general, or the Department's Regulatory Policies and Procedures may be obtained from Neil R. Eisner, whose address and telephone number appear above.

DOT

Issued in Washington, DC on March 16, 1988.

Jim Burnley,

Secretary of Transportation.

Appendix A - Instructions for Obtaining Copies of Regulatory Documents

Some Administrations within the Department differ in procedures, or as to inclusion on a mailing list. For the offices listed below, persons desiring to obtain a copy of any regulatory document to be issued, that is listed in this agenda, should communicate, either by telephone or by letter, with the contact person listed with the regulation, at the following addresses:

United States Coast Guard (USCG)

(Name of contact person), United States Coast Guard, 2100 Second Street, SW., Washington, DC 20593.

Federal Highway Administration (FHWA)

(Name of contact person), Federal Highway Administration, 400 7th Street, SW., Washington, DC 20590.

Federal Railroad Administration (FRA)

(Name of contact person), Federal Railroad Administration, 400 7th Street, SW., Washington, DC 20590.

National Highway Traffic Safety Administration (NHTSA)

(Name of contact person), National Highway Traffic Safety Administration, 400 7th Street, SW., Washington, DC 20590.

Urban Mass Transportation Administration (UMTA)

(Name of contact person), Urban Mass Transit Administration, 400 7th Street, SW., Washington, DC 20590.

Saint Lawrence Seaway Development Corporation (SLSDC)

(Name of contact person), Saint Lawrence Seaway Development Corporation, 400 7th Street, SW., Room 5424, Washington, DC 20590.

Research and Special Programs Administration (RSPA)

David A. Watson, Training Unit, DHM-51, OHMT/RSPA, 400 7th Street, SW., Washington, DC 20590.

Maritime Administration (MARAD)

James Saari, Secretary, Maritime Administration, 400 Seventh Street, SW., [Room 7300B], Washington, DC 20590, (202) 366-5746.

Federal Aviation Administration (FAA)

The FAA has a mailing list system for Notices and Advance Notices of Proposed Rulemaking (NPRMs and ANPRMs). Persons interested in obtaining future copies of all of those documents to be issued by the FAA or only of those concerning certain parts of the Federal Aviation Regulations should request a copy of Advisory Circular No. 11-2, which describes the application procedure, by calling 202-267-3479 or by writing to: Federal Aviation Administration, Office of Public Affairs. Attention: Public Information Center, APA-200, 800 Independence Avenue, SW., Washington, DC 20591.

Office of the Secretary (OST)

Persons desiring to receive future copies of the Department's Regulations Agenda should submit their request to: Assistant General Counsel for Regulation and Enforcement, C-50, Office of the General Counsel, Department of Transportation, Washington, DC 20590, (202) 366-4723.

Persons who have an interest in specific regulatory documents to be issued by the Office of the Secretary should forward requests for copies of those documents to the same address. These requests should fully identify the document desired. Persons interested in a rulemaking document on an aviation matter (of the kind formerly handled by the CAB) will be placed on a mailing list for all OST aviation-related rulemakings if they so request.

Appendix B - General Rulemaking Contact Persons

The following is a list of persons who can be contacted within the Department for general information concerning the rulemaking process within the various operating administrations.

USCG - Bruce Novak, Marine Safety Council, USCG Headquarters Building, Room 2110, 2100 Second Street, SW., Washington, DC 20593. Telephone: 202/267-1477.

FAA - John H. Cassady, Office of Chief Counsel, Regulations and Enforcement Division, 800 Independence Ave., SW., Room 915A, Washington, DC 20591. Telephone: 202/267-3073.

FHWA - Michael J. Laska, Office of the Chief Counsel, 400 7th Street, SW., Room 4223, Washington, DC 20590. Telephone: 202/366-1383.

FRA - Mike Haley, Office of Chief Counsel, 400 7th Street, SW., Room 8201, Washington, DC 20590. Telephone: 202/366-0767.

NHTSA - Steve Kratzke, Office of Chief Counsel, 400 7th Street, SW., Room 5219, Washington, DC 20590. Telephone: 202/366-2992.

UMTA - Linda Hart, Office of Chief Counsel, 400 7th Street, SW., Room 9316, Washington, DC 20590. Telephone: 202/366-4011.

SLSDC - Fredrick A. Bush, General Counsel's Office, 400 7th Street, SW., Room 5424, Washington, DC 20590. Telephone: 202/366-0101.

RSPA - Mary Crouter, Office of Chief Counsel, 400 7th Street, SW., Room 8420, Washington, DC 20590. Telephone: 202/366-4367.

MARAD - James Saari, Secretary, Maritime Administration, 400 7th Street, SW., Room 7300B, Washington, DC 20590. Telephone: 202/366-5746.

OST - Neil Eisner, Office of Regulation and Enforcement, 400 7th Street, SW., Room 10424, Washington, DC 20590. Telephone: 202/366-4723.

Appendix C - Public Rulemaking Dockets

The following is a list of Rule Docket locations for the various operating administrations where the public may review regulatory dockets and hand-deliver comments on advance notices and notices of proposed rulemaking:

USCG - Marine Safety Council, 2100 2nd Street, SW., Room 2110, Washington, DC 20593. Working Hours: 7:30-4:00 (Monday-Friday).

FAA - Rules Docket, Office of Chief Counsel, Regulations and Enforcement Division, 800 Independence Ave., SW., Room 915G, Washington, DC 20591. Working Hours: 8:30-5:00.

FHWA - Docket Room, 400 7th Street, SW., Room 4205, (Federal Motor Carrier Safety Regulations in Room 3404), Washington, DC 20590. Working Hours: 7:45-4:15.

FRA - Docket Clerk, 400 7th Street, SW., Room 8201, Washington, DC 20590. Working Hours: 8:30-5:00.

NHTSA - Docket Room, 400 7th Street, SW., Room 5108, Washington, DC 20590. Working Hours: 8:00-4:00.

DOT

UMTA - Docket Clerk, 400 7th Street, SW., Room 9223, Washington, DC 20590. Working Hours: 8:30-5:00.

SLSDC - 400 7th Street, SW., Room 5424, Washington, DC 20590. Working Hours: 8:15-4:45.

RSPA - Docket Branch, 400 7th Street, SW., Room 8426, Washington, DC 20590. Working Hours: 8:30-5:00.

MARAD - Docket Clerk, 400 7th Street, SW., Room 7300, Washington, DC 20590. Working Hours: 9:00-5:30.

OST - Docket Clerk, 400 7th Street, SW., Room 4107, Washington, DC 20590. Working Hours: 9:00-5:30.

Office of the Secretary—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1537	+ Review of Department-Wide Drug Regulations	2105-AB24
1538	+ Consumer Protection for Default by Scheduled Air Carriers	2105-AA98
1539	+ Escrow/Bond Protection for Airline Tickets	2105-AB26
1540	Air Carrier Cargo Tariff Publications	2105-AA31
1541	Overseas Military Personnel Air-Charter Tariffs	2105-AA67
1542	Unfair and Deceptive Practices by Airline Ticket Agents	2105-AA70
1543	Direct Flights	2105-AA73
1544	Cargo Rate Changes on 30 Days' Notice	2105-AA99
1545	Comprehensive Review of CAB Consumer Rules	2105-AB03
1546	Price Advertising	2105-AB25

+ Designates significant regulation.

Office of the Secretary—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1547	+ Electronic Filing of Tariffs	2105-AB00
154	+ Nondiscrimination on the Basis of Handicap (Air Travel)	2105-AA18
1549	+ Liberalization of Air-Carrier Charter Rules	2105-AA41
1550	+ Smoking Aboard Aircraft; Notice to Passengers	2105-AA72
1551	+ Certification of Speed-Limit Enforcement	2105-AB22
1552	Nondiscrimination in Federally-Assisted Programs of the Department of Transportation -- State Transportation Agencies' EEO Affirmative Action Programs	2105-AA06
1553	Nondiscrimination on the Basis of Handicap (Directly Conducted Programs)	2105-AA29
1554	Diversion of Flights Within a Metropolitan Area	2105-AA78
1555	Baggage Liability Notices in International Air Transportation	2105-AA84
1556	Simplified Airline Counter-Sign Notices	2105-AA88
1557	Names of Air Carriers and Foreign Air Carriers	2105-AB18
1558	Counting UMTA Reduced-Fare Program Costs Toward 504 Cost Cap	2105-AB29

+ Designates significant regulation.

Office of the Secretary—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1559	+ Commercial Space Transportation: Liability Requirements for Commercial Space Launch Activities	2105-AA26
1560	+ Minority Business Enterprise Program (Financial Assistance Programs)	2105-AA04
1561	+ Public Availability of Information	2105-AA05
1562	+ Nondiscrimination on the Basis of Handicap (Commuter Rail Programs)	2105-AB23
1563	Title VI Civil Rights Regulation	2105-AA02
1564	Minority Business Enterprise Program (Direct Contracting)	2105-AA03
1565	Consolidation of Transportation Grants to U.S. Territories	2105-AA08
1566	Nondiscrimination on the Basis of Age in DOT Financial Assistance Programs	2105-AA09
1567	Airline Time and Mileage Guides	2105-AA39
1568	Direct Air Carrier Responsibility for Returning Stranded Charter Passengers	2105-AA40
1569	Zones for Airline Mail Rates	2105-AA44
1570	Air Travelers: Age Discrimination	2105-AA45
1571	Policy Statement on Airline Preemption	2105-AA46

DOT

Office of the Secretary—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
1572	Insurance for On-Demand Air-Taxi Operators and Canadian Air Taxis	2105-AA47
1573	Effect of Expiration of a Bilateral on Foreign Air-Carrier Authority	2105-AA68
1574	Implementation of Statute Requiring Interest on Subsidy Claims	2105-AA77
1575	Simplified Aviation Exemption Procedures	2105-AA82
1576	Update the Department of Transportation Acquisition Regulations to Implement the Competition in Contracting Act as Set Forth in the Federal Acquisition Regulations -- Proposed Rules	2105-AB15
1577	Warranty Regulations for Major System Acquisitions of the United States Coast Guard -- Proposed Rule	2105-AB16
1578	Exemption From Prior-Approval Requirements for Certain Transactions	2105-AB20
1579	Collection of Claims Owed the United States	2105-AB33
1580	Debarment and Suspension (Nonprocurement)	2105-AB34

+ Designates significant regulation.

Office of the Secretary—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1581	+ Commercial Space Transportation: Licensing Regulations	2105-AA25
1582	+ Program Fraud Civil Remedies	2105-AB30
1583	+ Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	2105-AB31
1584	Minority Business Enterprise Program (Financial Assistance Programs); Counting Credit for Suppliers and Other Service Providers	2105-AA20
1585	Recovery of Debts to the United States by Salary Offset	2105-AB32

+ Designates significant regulation.

U.S. Coast Guard—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1586	+ California Offshore Routing System (83-032)	2115-AB29
1587	+ Imposition of User Fees for Certain Coast Guard Services; Documentation and Licensing (CGD 87-020)	2115-AC74
1588	+ Subdivision and Damage Stability of Dry Cargo Vessels (CGD 87-094)	2115-AC87
1589	Casualty Reporting Requirements for Recreational Boats (82-015)	2115-AA82
1590	Inspected Fish Processing and Fish Tender Vessels (86-026)	2115-AC27
1591	SOLAS 74/83 Emergency Drinking Water and Food Approval Requirements (85-202)	2115-AC48
1592	SOLAS 74/83 Revision of Hydraulic Release Device Approval Requirements (85-206)	2115-AC52
1593	SOLAS 74/83 Revision of Davit and Winch Approval Requirements (85-207)	2115-AC53
1594	SOLAS 74/83 Radar Reflector Approval Requirements (85-209)	2115-AC54
1595	SOLAS 74/83 Revision of Lifebuoy Approval Requirements (85-210)	2115-AC55

+ Designates significant regulation.

U.S. Coast Guard—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1596	+ Revisions of the Regulations on Outer Continental Shelf Activities (84-098)	2115-AB74
1597	+ Mandatory Alcohol and Drug Testing Following Serious Marine Incidents Involving Commercial Vessels (CGD 86-080)	2115-AC62
1598	+ Tankerman Requirements (CGD 79-116)	2115-AA03
1599	+ User Fees for Coast Guard Services (84-026)	2115-AB73
1600	+ Programs for Chemical Drug Testing of Commercial Vessel Personnel (CGD 86-067)	2115-AC45
1601	+ Regulations for Self-Elevating Offshore Service and Support Vessels (CGD 86-074)	2115-AC63
1602	Fixed Fire-Extinguishing Systems on Uninspected Vessels (74-284)	2115-AA08
1603	Miscellaneous Changes to 46 CFR 56 (77-140)	2115-AA17

DOT

U.S. Coast Guard—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
1604	Crane Operator Qualifications and Standards for Offshore Crane Design, Inspection, Testing, and Operation (79-059)	2115-AA34
1605	Inflatable Liferaft Stability (80-113)	2115-AA50
1606	Maneuvering Performance Regulations (80-136)	2115-AA53
1607	Servicing Inflatable Liferafts (81-010)	2115-AA57
1608	Personal Flotation Devices (81-023)	2115-AA58
1609	General Revision of 46 CFR 151, Barges Carrying Certain Bulk Dangerous Cargoes (81-082)	2115-AA70
1610	Offshore Supply Vessel Regulations (82-004)	2115-AA77
1611	General Revisions of Pollution-Prevention Regulations for Tankers (82-030)	2115-AA88
1612	Aids to Navigation on Outer Continental Shelf (82-054)	2115-AA92
1613	Safety Standards for Self-Propelled Vessels Carrying Bulk Liquefied Gases (82-058)	2115-AA95
1614	Nautical Schools: Implementing the Maritime Educational Training Act of 1980 (82-092)	2115-AB21
1615	Reassessment of Coast Guard Fire Protection Regulations to Incorporate SOLAS 1974 (83-026)	2115-AB36
1616	Reassessment of Coast Guard Marine Engineering Regulations -- Incorporation of SOLAS 74 Amendments (83-043)	2115-AB41
1617	Oil-Water Interface Detectors (CGD 84-052)	2115-AB66
1618	Licensing of Pilots-Manning of Vessels (84-060)	2115-AB67
1619	Marine Portable Tanks (84-043)	2115-AB69
1620	Personal Flotation Device Components (84-068)	2115-AB70
1621	Lifesaving Equipment--Implementation of 1983 Amendments to SOLAS 1974 (84-069)	2115-AB72
1622	Mobile Offshore Drilling Unit Regulations Revision (83-071a)	2115-AB88
1623	Safety Rules for Ships Carrying Hazardous Liquids (84-085)	2115-AB92
1624	Training in the Use of Automatic Radar Plotting Aids (ARPA) (85-089)	2115-AB99
1625	Certification of Seamen (84-088)	2115-AC02
1626	Inland Waterway Navigation Regulations; All Waters Tributary to the Gulf of Mexico (85-096)	2115-AC03
1627	Fire Detection and Alarm Systems (85-051)	2115-AC13
1628	Revisions to the Electrical Engineering Regulations (85-063)	2115-AC20
1629	Subchapter "T" Title 46, General Updates and Revisions (85-080)	2115-AC22
1630	46 CFR Subchapter 1. Editorial Revisions and Corrections (86-033)	2115-AC28
1631	Hazardous Materials Pollution Prevention (CGD 86-034)	2115-AC29
1632	Updating Approval Requirements for Breathing Apparatus (86-036)	2115-AC30
1633	Revised Approval Specifications for Noncombustibles and Prohibition of Asbestos for Commercial Vessels (86-035)	2115-AC32
1634	Uninspected Fish-Processing Vessels (86-025)	2115-AC34
1635	Cargo Lists and Tables Update (CGD 88-100)	2115-AC35
1636	Load Lines (86-013)	2115-AC37
1637	Navigation Bridge Visibility (CGD 85-099)	2115-AC42
1638	Fire Extinguishers (Portable and Semi-Portable) - Revising Approval Specifications and Updating Carriage Requirements (86-072)	2115-AC43
1639	SOLAS 74/83 Life Jacket Approval Requirements Revision (85-200)	2115-AC46
1640	SOLAS 74/83 Lifeboat and Rescue Boat Approval Requirements (85-201)	2115-AC47
1641	SOLAS 74/83 Revision of Pyrotechnic Distress Signal Approval Requirements (85-203)	2115-AC49
1642	SOLAS 74/83 Revision of Disembarkation Ladder Approval Requirements (85-204)	2115-AC50
1643	SOLAS 74/83 Revision to Inflatable Liferaft Approval (85-205)	2115-AC51
1644	SOLAS 74/83 Revision of Life Jacket Light Approval Requirements (85-211)	2115-AC56
1645	Advance Notice of Arrival (CGD 86-055)	2115-AC58
1646	Measurement of Vessels (87-015 b)	2115-AC67
1647	Posting Requirements on Inspected Vessels (87-031)	2115-AC68
1648	Port Access Routes; Approach to Freeport, Texas (CGD 87-038)	2115-AC78
1649	Port Access Routes; Approach to Mobile, Alabama (CGD 86-008)	2115-AC81
1650	Regattas and Marine Parades (CGD 87-087)	2115-AC84
1651	Oil Discharge Monitoring and Control System (CGD 87-057)	2115-AC85
1652	Alternative Provisions for Reinspections of Offshore Supply Vessels in Foreign Ports (CGD 82-004a)	2115-AC86

+ Designates significant regulation.

U.S. Coast Guard—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1653	+ Intervals for Drydocking and Tailshaft Examination on Inspected Vessels (84-024)	2115-AB58
1654	+ Joint U.S.-Canada Vessel Traffic Management Regulations for the Pacific Region (79-131)	2115-AA39
1655	+ Licensing of Maritime Personnel (CGD 81 - 059)	2115-AA64
1656	+ Safety Rules for Vessels Engaged in Chemical Waste Incineration at Sea (84-025)	2115-AB60

DOT

U.S. Coast Guard—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
1657	Hopper Dredge Working Freeboard - Load Line and Stability Requirements (76-080)	2115-AA11
1658	Defect Notification and First-Purchaser Information (77-115)	2115-AA16
1659	Hybrid Personal Flotation Devices: Establishment of Approval Requirements (78-174)	2115-AA29
1660	Launching Devices for Liferafts (79-168)	2115-AA45
1661	Vital System Automation (CGD 81-030)	2115-AA59
1662	General Bridge Permit Regulations (81-057)	2115-AA61
1663	Handheld Flashlights (82-042)	2115-AA91
1664	Safety/Security Zone Regulations	2115-AA97
1665	Anchorage Area Regulations	2115-AA98
1666	Documentation of Vessels; Controlling Interest (82-105)	2115-AB27
1667	Carriage and Use of Liquefied or Nonliquefied Flammable Gas as Cooking Fuels on Vessels Carrying Passengers for Hire (83-013)	2115-AB35
1668	Hazardous Materials Used as Ship's Stores Onboard Vessels (84-044)	2115-AB65
1669	Licensing of Officers and Operators for Mobile Offshore Drilling Units (81-59a)	2115-AB91
1670	MARPOL Pollution Prevention Regulations (85-026)	2115-AC11
1671	Carriage and Operational Requirements for Inflatable Life Jackets (78-174b)	2115-AC16
1672	Intervals for Internal Examination and Hydrostatic Testing of Pressure Vessel Type Cargo Tanks (85-061)	2115-AC18
1673	Self-Inspection of Fixed OCS Facilities (CGD 84-098(a))	2115-AC40
1674	Offshore Evacuation Procedures (84-098(b))	2115-AC41
1675	Emergency Position Indicating Radio Beacons for Uninspected Fishing, Fish Processing, and Fish Tending Vessels (87-016)	2115-AC69
1676	Delegation of Authority to Measure Vessels (87-015a)	2115-AC70
1677	Incorporations by Reference, Voluntary Industry Standards (CGD 87-046)	2115-AC72
1678	Electrical System Standard (CGD 87-009)	2115-AC73
1679	Assistance Towing Licenses (CGD 87-017)	2115-AC82
1680	Delegation of Authority to Area Commanders When Functioning as Maritime Defense Zone Commanders (CGD 87-065)	2115-AC88

+ Designates significant regulation.

U.S. Coast Guard—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1681	+ Operating a Vessel While Intoxicated (84-099)	2115-AC23
1682	+ Vessel Bridge-to-Bridge Radiotelephone Communications on the Great Lakes (84-040)	2115-AB89
1683	Liquefied Natural Gas Waterfront Facility (78-038)	2115-AA22
1684	Delegation of Authority to United States Classification Societies (85-019)	2115-AC10
1685	U.S. Aid to Navigation Systems (86-031)	2115-AC33
1686	Immersion Suits (84-069a)	2115-AC66
1687	Security Measures: Placarding (CGD 87-044)	2115-AC75
1688	York Spit Channel, Chesapeake Bay, Navigation (CGD 86-066)	2115-AC76
1689	Inland Waterway Navigation Rules - San Joaquin and Sacramento River Deep Water Ship Channels (CGD 86-078)	2115-AC77
1690	Port Access Routes; Approach to Tampa Bay, Florida (CGD 85-097)	2115-AC79

+ Designates significant regulation.

Federal Aviation Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1691	+ Powered Ultralights: Airman Certification Requirements	2120-AB69
1692	+ Ultralight Aircraft Registration and Marking	2120-AC09
1693	+ Airplane Cabin-Fire Protection	2120-AB22
1694	+ Flight Attendant Flight-Time Limitations and Rest Requirements	2120-AB97
1695	+ Part 129 Security Program for Foreign Air Carriers	2120-AC42
1696	+ Flight Plan Filing Requirements; National Airspace Review Recommendation	2120-AC56
1697	Review of Medical Standards and Certification Procedures	2120-AA70
1698	Review: Part 21--Certification Procedures for Products and Parts	2120-AB09

DOT

Federal Aviation Administration—Prerule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
1699	Review of Parts 61, 141, 143 - Pilot, Pilot School and Ground Instructor Rules	2120-AB12
1700	Review: Part 121 -- Certification and Operations: Domestic, Flag and Supplemental Air Carriers and Commercial Operators of Large Aircraft	2120-AB27
1701	Review: Part 135 -- Air Taxi Operators and Commercial Operators	2120-AB28
1702	Review Part 75 for Retention or Revocation	2120-AC55
1703	Accelerated Ground Training - Flight Engineers' Skill Requirements	2120-AA79
1704	Instrument Flight Rule Requirements	2120-AA82
1705	Amendment of Sections 91.171, 91.172, and Appendices E and F of Part 43	2120-AA98
1706	Fatigue Evaluation, Bird Impact, and Lightning Protection for Propellers of Composite Construction	2120-AB05
1707	Standards for Approval for High Altitude Operation of Subsonic Airplanes	2120-AB18
1708	Primary Category Aircraft; Powered Ultralight; Falsification of Applications, Reports, or Records	2120-AB53
1709	Aircraft Registration; Recording of Aircraft Titles and Security Documents	2120-AC17
1710	Temporary Flight Restrictions	2120-AC40
1711	Alternate Airport Weather Minimum	2120-AC41
1712	Global Positioning System Use in Terminal Control Areas	2120-AC54
1713	National Airspace Review Recommendation - Operations in the Vicinity of an Airport	2120-AC57
1714	Proposed Revision of Part 93, Subpart O	2120-AC65

+ Designates significant regulation.

Federal Aviation Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1715	+ Review and Revision of Repair Station Requirements	2120-AC38
1716	+ Metropolitan Washington Airports Policy	2120-AA89
1717	+ Amend Part 23 to Include Requirements for Crash-Resistant Fuel Systems	2120-AA57
1718	+ Proposed Department of Energy Prohibited Areas	2120-AB39
1719	+ Elimination of Airport Delays	2120-AB42
1720	+ Proposed Revision of Noise Certification of Turbojet and Large Transport Category Aircraft	2120-AB88
1721	+ Fire Protection Requirements for Cargo and Baggage Compartments - Parts 121 and 135	2120-AC04
1722	+ SST Stage 3 Compliance	2120-AC22
1723	+ Flight Attendant Requirements During Deplaning and Boarding	2120-AC32
1724	+ Control of Drug and Alcohol Use for Personnel Engaged in Commercial and General Aviation Activities	2120-AC33
1725	+ Type and Number of Passenger Emergency Exits Required in Transport Category Airplanes	2120-AC43
1726	+ Improved Access to Type III and Type IV Emergency Exits	2120-AC46
1727	+ Pilots Convicted of Driving While Intoxicated (DWI)/Under Influence (DUI)	2120-AC51
1728	+ Design Standards for Fuel-Tank Access Panels	2120-AC58
1729	+ Access To Secured Areas on Airports	2120-AC69
1730	Part 91, Subpart B, Review for Simplification	2120-AA07
1731	Part 77 Review, Objects Affecting Navigable Airspace	2120-AA09
1732	Rotorcraft Regulatory Review Program Notice No. 4	2120-AA29
1733	Implementation of SAFER Propulsion System Recommendations	2120-AA49
1734	Miscellaneous Amendments	2120-AA50
1735	Aircraft Simulator Use in Airman Training and Certification	2120-AA83
1736	National Airspace Review (NAR): Terminal Airspace Task Group Recommendations	2120-AB02
1737	Transport Category Rotorcraft Performance	2120-AB36
1738	Miscellaneous Operational Amendments	2120-AB45
1739	Part 157 Review	2120-AB74
1740	Part 101 Review Program	2120-AB75
1741	Engine Fuel and Induction Systems	2120-AB76
1742	Amend Section 43.17 to Allow for Maintenance of U.S. Aeronautical Products in Canada in Compliance with the U.S.-Canadian Bilateral Airworthiness Agreement	2120-AB89
1743	Revised One-Engine-Inoperative Ratings for Rotorcraft	2120-AB90
1744	Turbine Burst Protection for Transport Category Helicopters	2120-AB91
1745	Antiblocking Device	2120-AB92
1746	Controlled Air Space Designations in International Air Space	2120-AB93
1747	Airspace Reclassification	2120-AB95
1748	Transponder Requirements in Coastal Air Defense Identification Zones (ADIZ)	2120-AB99
1749	Changes Requiring a New Type Certificate	2120-AC05
1750	Passenger-Carrying and Cargo Air Operations for Compensation or Hire	2120-AC08

DOT

Federal Aviation Administration—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
1751	Part 23 Airworthiness Review, Notice No. 5 (Equipment, Systems, and Installation)	2120-AC14
1752	Part 23 Airworthiness Review, Notice No. 2	2120-AC15
1753	Noise and Emission Standards for Aircraft Powered by Advanced Turboprop (Propfan) Engines	2120-AC20
1754	Rotorcraft Certification Requirements; Coordination with European Airworthiness Authorities Steering Committee (AASC)	2120-AC27
1755	Part 99: Air Defense Identification Zones and Miscellaneous Editorial Revision	2120-AC37
1756	Improved Structural Requirements for Pressurized Cabins and Compartments in Transport Category Airplanes	2120-AC44
1757	Miscellaneous Changes to Emergency Evacuation Demonstration Procedures, Exit Handle Illumination, and PA Handsets	2120-AC45
1758	Non-Federal Air Traffic Control Towers	2120-AC59
1759	Fuel Venting and Exhaust-Emission Requirements for Turbine-Engine Powered Airplanes	2120-AC62
1760	Shoulder Harness for Each Seat in Part 27 and 29 Rotorcraft	2120-AC67
1761	Crash-Resistant Fuel Systems	2120-AC68

+ Designates significant regulation.

Federal Aviation Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1762	+ Low-Altitude Windshear Equipment Requirements for Takeoffs/Landings of Transport Category Airplanes	2120-AA01
1763	+ Improved Seat-Safety Standards	2120-AA88
1764	+ Revision of Foreign Repair Station Rules	2120-AC50
1765	+ Certification of Recreational Pilots and Annual Flight Review	2120-AA54
1766	+ Rotorcraft Structural Fatigue Including Tolerance to Flaws	2120-AA84
1767	+ Occupant Restraint in Normal and Transport Category Rotorcraft	2120-AB35
1768	+ Proposed Revision to Noise Certification Standards for Propeller-Driven Small Airplanes	2120-AB47
1769	+ Proposed Limits on the Growth of Noise from Certain Airplanes and Airplane Types	2120-AB50
1770	+ Independent Power Source for Public Address System in Transport Category Airplanes	2120-AB77
1771	+ Part 23 Airworthiness Review -- Notice No. 1 (Crashworthiness)	2120-AC16
1772	+ Location of Passenger Emergency Exits in Transport-Category Airplanes	2120-AC29
1773	+ Installation of Traffic Control Avoidance System in Domestic Transport Category Airplanes	2120-AC34
1774	+ Terminal Control Area Classification and Pilot/Equipment Requirements	2120-AC35
1775	+ Commuter Category Airplanes: Cockpit Voice Recorder (CVR) and Flight Data Recorder (FDR) Requirements	2120-AC48
1776	+ Transponder with Automatic Altitude Reporting Capability Requirement	2120-AC66
1777	+ Special Flight Rules in the Vicinity of the Grand Canyon National Park	2120-AC70
1778	Revision of Part 91	2120-AA13
1779	Inoperative Instruments or Equipment	2120-AA19
1780	Rotorcraft Regulatory Review Program Amendment No. 3	2120-AA28
1781	Transport Category Airplane Airworthiness Standards	2120-AA47
1782	Amend Part 23 to Include Empennage Fatigue Requirements	2120-AA58
1783	Noise Standards: Aircraft Type and Airworthiness Certification	2120-AA74
1784	Nighttime VFR Weather Minimums	2120-AB04
1785	Airworthiness Standards: Aircraft Engines, Electrical and/or Electronic Engine Control Systems	2120-AB06
1786	Standards for Approval of a Reduced V1 Methodology for Takeoff on Wet and Contaminated Runways	2120-AB17
1787	Low-Fuel-Quantity Alerting System	2120-AB46
1788	Helicopter Instrument Flight	2120-AB87
1789	Terminal Control Area (TCA) San Diego (Modification)	2120-AB98
1790	Flight Plan and Transponder-On Requirements in Air Defense Identification Zones (ADIZ)	2120-AC00
1791	Part 150 - Airport Noise-Compatibility Planning	2120-AC19
1792	Mandatory Reporting for Emergency Evacuation Systems and Components	2120-AC49
1793	Realignment of Restricted Areas in the Eglin AFB Area	2120-AC63
1794	Part 95 Instrument Flight Rules	2120-AA63
1795	Airworthiness Directives	2120-AA64
1796	Standard Instrument Approach Procedures	2120-AA65
1797	Airspace Actions	2120-AA66

+ Designates significant regulation.

DOT

Federal Aviation Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1798	+ Airport Certification: Revision and Reorganization	2120-AA10
1799	+ Civil Helicopter Noise Certification	2120-AB33
1800	+ Terminal Control Areas at 10,000 Feet Mean Sea level (MSL); Mode C Transponders above 10,000 feet MSL	2120-AC52
1801	Cessna Finance Petition	2120-AA15
1802	Standards for Approval of an Automatic Takeoff Thrust Control System	2120-AA46
1803	Aircraft Identification and Retention of Fuel System Modification Records	2120-AC11
1804	Improve Safety and Effectiveness of Islip Airport Radar Service Area (ARSA)	2120-AC47
1805	Part 31 -- Airworthiness Standards: Manned Free Balloons	2120-AC60
1806	Part 63 -- Certification: Flight Crewmembers Other Than Pilots	2120-AC61

+ Designates significant regulation.

Federal Highway Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1807	+ Minimum Levels of Financial Responsibility for Motor Carriers: Self-Insurance	2125-AB65
1808	Review and Preemption of State Motor-Carrier Safety Regulations	2125-AC11
1809	National Standards For Traffic Control Devices; Revision of Part VI of the Manual On Uniform Traffic Control Devices	2125-AB83
1810	Federal Motor Carrier Safety Regulations; Paperwork Burdens	2125-AC04

+ Designates significant regulation.

Federal Highway Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1811	+ Controlled Substances	2125-AA79
1812	+ Truck Size and Weight; Specialized Equipment; Boat Transporters	2125-AB55
1813	+ Truck Size and Weight; Reasonable Access	2125-AB70
1814	+ Blood Alcohol Concentration Standard for Commercial Vehicle Operators	2125-AB79
1815	+ Truck Size and Weight; Special Permits	2125-AB80
1816	+ Air Quality Procedures for Use in Federal-Aid Highway and Federally Funded Transit Programs	2125-AB10
1817	+ Minimum Requirements for Private Motor Carriers of Passengers and Drivers of Private Motor Vehicles of Passengers	2125-AB62
1818	+ Uniform Relocation Act Amendments of 1987; General	2125-AB85
1819	+ Driver's Record of Duty Status; Onboard Recording Devices	2125-AB95
1820	+ Certification of Speed Limit Enforcement	2125-AC00
1821	Review: General Materials Requirements	2125-AA19
1822	Contract Procedures	2125-AA18
1823	Compliance with Motor Carrier Noise Standards	2125-AA27
1824	Pavement Policy	2125-AA88
1825	State Highway Agency Construction Contracts; Equal Opportunity Compliance Review; Program Requirements	2125-AB08
1826	Equal Employment Opportunity on Federal and Federal-Aid Construction Contracts (Including Supportive Services)	2125-AB15
1827	Federal-Aid Programs Approval and Project Authorization	2125-AB18
1828	Administration of Contracts	2125-AB30
1829	Labor and Employment	2125-AB37
1830	Manual on Uniform Traffic Control Devices; Restructure	2125-AB57
1831	Right-of-Way	2125-AB58
1832	Property Management, Disposals and Airspace	2125-AB60
1833	National Standards For Traffic Control Devices; Revision of Uniform Traffic Control Devices; Passing and No-Passing Zone Standards	2125-AB84
1834	Qualification of Drivers; Diabetes	2125-AB91
1835	Advance Construction of Federal-Aid Projects	2125-AC07
1836	State Fiscal Procedures and Reports; Rescission of Regulation	2125-AC08
1837	Construction Engineering Costs	2125-AC09
1838	Truck Size and Weight; National Network; Iowa and South Carolina	2125-AC10

DOT

Federal Highway Administration—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
1839	Manual on Uniform Traffic Control Devices	2125-AA37

+ Designates significant regulation.

Federal Highway Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1840	+ Federal Motor Carrier Safety Regulations: General	2125-AA34
1841	+ Splash/Spray Suppressant Devices on Truck Tractors, Semitrailers and Trailers	2125-AA84
1842	+ Truck Size and Weight; Tandem Truck Safety Act	2125-AB28
1843	+ Inspection, Repair, and Maintenance	2125-AB34
1844	+ Parts and Accessories Necessary for Safe Operation; General	2125-AB45
1845	+ Safety Fitness Determination	2125-AB46
1846	+ Truck Size and Weight; Specialized Equipment; Maxi-Cube	2125-AB48
1847	+ Employee Safety and Health Standards	2125-AB50
1848	+ Driving a Motor Vehicle	2125-AB51
1849	+ Qualification of Drivers; Hazardous Materials Drivers	2125-AB64
1850	+ Semitrailer-Semitrailer; B-Train	2125-AB66
1851	+ Commercial Driver Test and Licensing Standards	2125-AB68
1852	Railroad Grade Crossings	2125-AA36
1853	Acceleration of Projects	2125-AA87
1854	Erosion and Sediment Control on Highway Construction Projects	2125-AB05
1855	Railroad-Highway Projects	2125-AB25
1856	Structural Supports for Highway Signs, Luminaries and Traffic Signals	2125-AB56
1857	Reimbursement for Railroad Work	2125-AB59
1858	National Bridge Inspection Standards; Frequency of Inspection and Inventory	2125-AB71
1859	Cargo Preference	2125-AB73
1860	Minimum Levels of Financial Responsibility for Motor Carriers; Environmental Restoration	2125-AB77
1861	Construction and Maintenance; Contract Procedures; Standardized Contract Clauses	2125-AB87
1862	State Education and Training Program	2125-AB92
1863	Truck Size and Weight; Exception to Bridge Formula	2125-AC03

+ Designates significant regulation.

Federal Highway Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1864	+ Truck Size and Weight; Grandfather Semitrailer Lengths	2125-AB26
1865	+ Hours of Service	2125-AB39
1866	+ Truck Size and Weight; Automobile Transporters	2125-AB42
1867	+ Accommodation of Utilities; Longitudinal Utility Use of Freeway Right-of-Way	2125-AB76
1868	+ Uniform Relocation Act Amendments of 1987; Specific Payments	2125-AB96
1869	Transfer of Federal-Aid Highway Funds	2125-AA64
1870	Highway Beautification: Outdoor Advertising; Technical Amendment	2125-AB32
1871	Labor and Employment; Convict Labor and Materials	2125-AB82
1872	Construction and Maintenance; Contract Procedures	2125-AB88
1873	Truck Size and Weight; National Network	2125-AB98
1874	Physical Construction Authorization	2125-AC01
1875	Rules of Practice and Rulemaking Procedures for Motor Carriers; Technical Amendments	2125-AC02

+ Designates significant regulation.

DOT

National Highway Traffic Safety Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1876	+ Side-Impact Protection, Head/Neck Protection, and Occupant Ejection Mitigation	2127-AB85
1877	+ Uniform Tire-Quality Grading	2127-AA52
1878	+ Daytime Running Lights	2127-AB92
1879	+ Passenger Automobile Average Fuel Economy Standard	2127-AC33
1880	Review: Schoolbus Seating Systems	2127-AA65
1881	Review: Seating Systems	2127-AA69
1882	Review: Lamps, Reflective Devices, and Associated Equipment	2127-AB76
1883	Review: Impact Protection for the Driver from the Steering Control System	2127-AB78
1884	Review Roof Crush Resistance	2127-AC20
1885	Flammability of School Bus Interior Materials	2127-AA44
1886	Consumer Information - Wet Stopping Distance	2127-AA56
1887	Occupant Protection In Interior Impact	2127-AB16
1888	Federal Motor Vehicle Safety Standard No. 301 - Fuel-System Integrity	2127-AB43
1889	Occupant Crash Protection: Dynamic-Testing Petition	2127-AC00
1890	Non-Pneumatic Tires for Passenger Cars	2127-AC18
1891	Bumper Standard	2127-AC29
1892	Bumper Standard	2127-AC30
1893	Consumer Information - Uniform Tire-Quality Grading Standards	2127-AC31

+ Designates significant regulation.

National Highway Traffic Safety Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1894	+ Crashworthiness Ratings	2127-AA03
1895	+ Commercial Vehicle Conspicuity	2127-AA12
1896	+ Truck Rear Underride Protection	2127-AA43
1897	+ Pedestrian Protection	2127-AA45
1898	+ Anthropomorphic Test Dummies: Side-Impact Thorax Protection	2127-AA48
1899	+ Uniform Tire Quality Grading Standards - Treadwear Amendments	2127-AB21
1900	+ Side-Impact Protection: Thorax Protection	2127-AB86
1901	+ Heavy Duty Vehicle Brake Systems (Formerly Truck and Trailer Brake Systems)	2127-AA00
1902	+ Vehicle Classification	2127-AA57
1903	+ Voluntary Tire Registration	2127-AB18
1904	+ Heavy Trailer Stability	2127-AB42
1905	+ Occupant Crash Protection	2127-AB91
1906	+ Head Restraints	2127-AC06
1907	+ Federal Motor Vehicle Safety Standard (FMVSS) No. 208, Occupant Crash Protection - Chest Injury Criteria	2127-AC34
1908	Passenger-Car Brake Systems	2127-AA13
1909	Rearview Mirror Systems: Heavy Vehicles	2127-AA21
1910	Rearview Mirror Systems: Light Vehicles	2127-AA23
1911	Air-Brake Systems	2127-AA27
1912	Procedures for Considering Environmental Impacts	2127-AB79
1913	Voluntary Vehicle Identification Standard (Theft Prevention Standard)	2127-AB93
1914	Anthropomorphic Test Dummies Representing Children	2127-AB94
1915	Glazing Materials	2127-AB98
1916	Anthropomorphic Test Dummies Representing Children	2127-AC09
1917	Anthropomorphic Test Dummies Representing Children	2127-AC10
1918	Supplemental FMVSS No. 208 Injury Criteria - Facial Lacerations, Neck Injury, Knee Shear, Tibia and Ankle Injuries	2127-AC12
1919	Mandatory Use of the Part 572(E) Dummy in FMVSS 208 Compliance Testing	2127-AC13
1920	Federal Motor Vehicle Safety Standards No. 205, Glazing Materials	2127-AC14
1921	Federal Motor-Vehicle Safety Standard No. 221, Schoolbus Body Joint Strength	2127-AC19
1922	Gear Lock; Theft Protection	2127-AC24
1923	Insurer Reporting Requirements	2127-AC32
1924	Federal Motor Vehicle Safety Standard (FMVSS) No. 208, Occupant Crash Protection	2127-AC36
1925	Federal Motor Vehicle Safety Standard (FMVSS) No. 205, Glazing Materials	2127-AC38

+ Designates significant regulation.

DOT

National Highway Traffic Safety Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1926	+ Splash and Spray Suppression Devices	2127-AA97
1927	+ Post-1986 Passenger Car Fuel-Economy Standards	2127-AB75
1928	+ Federal Motor Vehicle Safety Standard No. 222; Schoolbus Seating and Crash Protection	2127-AB84
1929	Seating Reference Point/Motor Vehicle Driver's Eye Range	2127-AA46
1930	Rearview Mirrors	2127-AA88
1931	Seat-Belt-Assembly Anchorages	2127-AA95
1932	Air-Brake Systems	2127-AB12
1933	Occupant Crash Protection	2127-AB71
1934	Lighting Simplification--Potential Amendments to Simplify FMVSS 108 Lamps, Reflective Devices, and Associated Equipment	2127-AB87
1935	Child Restraint Systems -- Built-In Child Restraints	2127-AB97
1936	New Pneumatic Tires for Passenger Cars	2127-AC16
1937	Standard No. 108, Lamps, Reflective Devices, and Associated Equipment	2127-AC22
1938	Power-Operated Window Systems	2127-AC25
1939	Motor-Vehicle Brake Fluids	2127-AC26

+ Designates significant regulation.

National Highway Traffic Safety Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1940	+ 1990-1991 Model Year Light-Truck Fuel-Economy Standards	2127-AC05
1941	+ Petitions for Exemption From the Vehicle Theft-Prevention Standard	2127-AB81
1942	+ Occupant Crash Protection: Light-Truck Safety-Belt Dynamic Testing	2127-AC01
1943	Steering Control Rearward Displacement	2127-AA32
1944	Motorcycle Helmets	2127-AA40
1945	Consumer Information--Stopping Distance	2127-AA50
1946	Hydraulic and Air Brake Systems	2127-AA92
1947	Federal Motor-Vehicle Safety Standard No. 208 - Occupant Crash Protection	2127-AC11
1948	Standard No. 112, Headlamp Concealment Devices	2127-AC21
1949	Federal Motor Vehicle Safety Standards (FMVSS) Nos. 201, Occupant Protection in Interior Impact and 204, Steering Control Rearward Displacement	2127-AC35
1950	Federal Motor Vehicle Safety Standard (FMVSS) No. 301, Fuel System Integrity	2127-AC37
1951	Federal Motor Vehicle Safety Standard (FMVSS) No. 213, Child Restraint System	2127-AC40
1952	Federal Motor Vehicle Safety Standard (FMVSS) No. 218, Motorcycle Helmets	2127-AC41

+ Designates significant regulation.

Federal Railroad Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1953	+ Review of Radio Communication	2130-AA34
1954	Review: Regulatory Flexibility Act Reviews	2130-AA10
1955	Review of Locomotive Cab Safety	2130-AA32
1956	Review: Special Safety Inquiry; Power Brake Regulations	2130-AA40
1957	Safety Standards for Cabooses	2130-AA01
1958	Amendments to Regulations Implementing Section 905 of the 4R Act	2130-AA04
1959	Rules of Practice	2130-AA07
1960	Special Safety Inquiry; Rail-Highway Grade Crossing Safety	2130-AA27

+ Designates significant regulation.

DOT

Federal Railroad Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1961	+ Informal Safety Inquiry and Rulemaking; Control of Alcohol and Drug Use in Railroad Operations	2130-AA43

+ Designates significant regulation.

Urban Mass Transportation Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1962	+ Control of Drug Use in Federally Funded Mass Transportation Operations	2132-AA33
1963	+ Implementation of Section 19 of the Urban Mass Transportation Act of 1964 as Amended -- Nondiscrimination	2132-AA01
1964	+ "Buy America" Requirements of the Surface Transportation Assistance Act of 1982	2132-AA15
1965	+ Major Capital Investment Projects	2132-AA22
1966	+ Charter Service Amendment	2132-AA32
1967	School Bus Operations	2132-AA09
1968	Air Quality Procedures for Use in Federal-Aid Highway and Federally Funded Transit Programs	2132-AA19
1969	Capital Leases	2132-AA28
1970	Rolling Stock Purchase Audits	2132-AA29
1971	Bus Testing Guidelines	2132-AA30

+ Designates significant regulation.

Urban Mass Transportation Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
1972	Innovative Techniques and Methods	2132-AA05
1973	Technology Introduction	2132-AA07
1974	Project Management Oversight	2132-AA31

Urban Mass Transportation Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
1975	+ Environmental Impact and Related Procedures	2132-AA03
1976	+ Extension of Safety Requirements to all Federally Assisted Buses	2132-AA24
1977	+ Maintenance of Equipment and Facilities	2132-AA26
1978	Miscellaneous Amendments - Organization, Functions, and Procedures	2132-AA06
1979	Section 15 Reporting Requirements for Section 9 Apportionment Grants; Penalty Procedures for Noncompliance	2132-AA23

+ Designates significant regulation.

Research and Special Programs Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
1980	+ Registration of Shippers and Carriers of Hazardous Materials	2137-AB43
1981	+ OST-FAA Information Rules: Standardized Regulatory Flexibility Requirements	2137-AB16
1982	+ Highway Routing Standards for Certain Types and Quantities of Hazardous Materials	2137-AB42
1983	Review of Commuter Air Traffic and Market Data Reporting	2137-AB18
1984	Revision of Operating Procedures for Motor Vehicles	2137-AA07
1985	Consolidation and Revision of Requirements for the Carriage of Explosives by Vessel	2137-AA10
1986	Specification Packages of Type B and Fissile Radioactive Materials	2137-AA29

DOT

Research and Special Programs Administration—Prerule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
1987	Quality Assurance for Radioactive Materials Shippers	2137-AA30
1988	DOT Specification 51 Portable Tanks	2137-AA36
1989	Airline Revenue/Nonrevenue, First Class/Coach Passengers: Revised Definitions	2137-AB00
1990	Subsidized Commuter Carriers and Foreign Air Carriers: Records and Retention Periods	2137-AB04
1991	Gas Detection and Monitoring in Compressor Station Buildings	2137-AB49

+ Designates significant regulation.

Research and Special Programs Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
1992	+ Alignment of Airline Uniform System of Accounts and Reports with Generally Accepted Accounting Principles	2137-AA99
1993	+ Confidentiality of Parts 241 and 298 Airline Reports	2137-AB05
1994	+ Training for Hazardous Materials Transportation	2137-AB26
1995	+ Recodification of Explosive Regulations	2137-AA93
1996	+ Gas Gathering Line Definition	2137-AB15
1997	+ Proposals for Pipeline Safety	2137-AB27
1998	+ Hazardous Materials in Intrastate Commerce	2137-AB37
1999	+ Pipeline Operator Qualifications	2137-AB38
2000	+ Operation and Maintenance Procedures for Gas Pipelines	2137-AB44
2001	+ Pressure Testing Petroleum Product Pipelines	2137-AB46
2002	+ Hazardous Liquid Pipeline Damage-Prevention Program	2137-AB47
2003	+ Maps and Records of Pipeline Location and Characteristics; Notification of State Agencies	2137-AB48
2004	Private Carriers Licensed to Use Radioactive Materials	2137-AA28
2005	Specification 8W and 8WA Welded Steel Cylinders	2137-AA63
2006	Consolidation of Specifications for High-Pressure Seamless Cylinders and Rewrite of 49 CFR 173.34	2137-AA92
2007	Collection of Financial Information from the Commuter Air Carrier Industry	2137-AA98
2008	Deletion of Standards Affecting Iron and Copper Pipe and Other Materials	2137-AB24
2009	Enforcement of Motor Carrier Financial Responsibility Requirements	2137-AB35
2010	Standards for Construction of Fireworks and Novelties; Approval for Transportation	2137-AB36
2011	Detection and Repair of Cracks, Pits, Corrosion, Lining Flaws, Thermal Detection Flaws, and Other Defects of Tank Car Tanks	2137-AB40
2012	Fumigation	2137-AB41
2013	Conforming Gas and Liquid Pipeline Welding Standards: Final Phase	2137-AB45
2014	Determining the Extent of Corrosion on Exposed Gas Pipelines	2137-AB50
2015	DOT 3AL Aluminum Cylinders; Safety Problems	2137-AB51

+ Designates significant regulation.

Research and Special Programs Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2016	+ Performance-Oriented Packaging Standards	2137-AA01
2017	+ Collection of Service Segment Data and Charter Data from Foreign Air Carriers	2137-AA97
2018	+ Collection of Service Segment Data and Charter Data from U.S. Air Carriers	2137-AB01
2019	+ Reporting Unsafe Conditions on Gas and Hazardous Liquid Pipelines and at Liquefied Natural Gas Facilities	2137-AB23
2020	+ Requirements for Cargo Tanks	2137-AA42
2021	+ Data Collection and Reporting: Hazardous Materials Incident Reports	2137-AA51
2022	Definition of a Flammable Solid	2137-AA05
2023	Use of Interested Inspectors for Cylinder Inspections	2137-AA08
2024	Oxidizing Materials Definition, Criteria and Proposed Regulations	2137-AA11
2025	Odorization of LP Gas	2137-AA25
2026	Transportation of Hazardous Materials; Miscellaneous Amendments	2137-AA44
2027	Modifications to DOT Specification 21PF-1 Overpacks	2137-AA72
2028	Limitation Aboard Aircraft	2137-AA85
2029	Emergency Response Communication Standards	2137-AA88
2030	Hazardous Materials: Uranium Hexafluoride	2137-AB10

DOT

Research and Special Programs Administration—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2031	Exception from Pressure Testing Non-Welded Tie-In Joints	2137-AB19
2032	Confirmation or Revision of Maximum Allowable Operating Pressure; Alternate Method	2137-AB20
2033	Molten Sulfur	2137-AB31
2034	State Designations of Alternative Routes for Radioactive Materials Transportation	2137-AB32
2035	Notification to RSPA of Route Plans for Radioactive Materials Transportation	2137-AB33
2036	Rear Bumpers on Cargo Tank Trucks	2137-AB34
2037	Shippers: Use of Tank-Car Tanks with Localized Thin Spots	2137-AB39

+ Designates significant regulation.

Research and Special Programs Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2038	+ State Pipeline Safety Inspector Standards	2137-AB28
2039	Revision of the IM Tank Table	2137-AA64
2040	Rewrite and Recodification of Section 173.34	2137-AA73
2041	Pipeline Safety Standards and Procedures; Miscellaneous Amendments	2137-AB22

+ Designates significant regulation.

Maritime Administration—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2042	+ Participation by Vessels Built With Construction-Differential Subsidy in the Carriage of Oil from Alaska in the Domestic Trade	2133-AA62
2043	Statistical Data for Use In Operating-Differential Subsidy (ODS) Application Hearings	2133-AA16
2044	Regulations and Minimum Standards for State, Territorial, or Regional Maritime Academies and Colleges	2133-AA57

+ Designates significant regulation.

Maritime Administration—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2045	+ Cargo Preference, U.S.-Flag Vessels: Determination of Fair and Reasonable Rates for Bulk Vessels	2133-AA43
2046	+ Operating-Differential Subsidy for Bulk Cargo Vessels Engaged in Worldwide Services; Exclusion of Commercial Cargoes Reserved for U.S.-Flag Carriers	2133-AA66
2047	+ Cargo Preference -- Implementation of P.L. 99-198	2133-AA55
2048	Rules of Practice and Procedures for Hearing in ODS Applications	2133-AA20
2049	Requirements for Conducting Vessel Subsidy Condition Surveys and for Accomplishing Subsidized Vessel Maintenance and Repairs	2133-AA64
2050	Capital Construction Fund -- Federal Tax Amendments	2133-AA65
2051	General Procedures for Determining Operating Differential Subsidy for Liner Vessels	2133-AA67
2052	Operating-Differential Subsidy for Bulk Cargo Vessels Engaged in Worldwide Service	2133-AA68
2053	Cargo Preference -- U.S.-Flag Vessels; Department of Defense Sponsored and Generated Oceanborne Cargoes	2133-AA69

+ Designates significant regulation.

DOT

Maritime Administration—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2054	+ Approval of Marine Hull Underwriters	2133-AA50
2055	+ Cargo Preference, U.S.-Flag Vessels: Evaluation of Bids for Subsidized Liner Vessels	2133-AA52
2056	Suspension of ODS Agreements for All or Portion of the Vessels Included Therein	2133-AA17
2057	Marine Protection and Indemnity Insurance Instructions Under General Agency and Berth Agency Agreements	2133-AA51

+ Designates significant regulation.

Maritime Administration—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2058	+ Cargo Preference U.S.-Flag Vessels; Determination of Fair and Reasonable Rates for Liner Vessels	2133-AA02
2059	Review: War Risk Insurance	2133-AA54

+ Designates significant regulation.

DEPARTMENT OF TRANSPORTATION (DOT) — Prerule Stage

Office of the Secretary (OST)

1537. + REVIEW OF DEPARTMENT-WIDE DRUG REGULATIONS

Significance: Agency Priority

Legal Authority: Not yet determined

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: The Department will review existing regulations to determine whether changes are necessary for each of the Modal Administrations' drug regulations. The Department seeks to address the use of drugs through its regulatory authority. The review will encompass each Model Administration's program. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Analysis: Regulatory Evaluation

Agency Contact: Samuel E. Whitehorn, Attorney, Office of the General Counsel, Department of Transportation, Office of the Secretary, Regulations and Enforcement, 400 7th St., SW, Washington, DC 20590, **202 366-9307**

RIN: 2105-AB24

1538. + CONSUMER PROTECTION FOR DEFAULT BY SCHEDULED AIR CARRIERS

Significance: Regulatory Program

Legal Authority: 49 USC 1371; 49 USC 1372; 49 USC 1381

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: Transamerica petitioned the CAB to investigate ways to protect consumers against service defaults by scheduled air carriers in domestic, overseas, and foreign air transportation. Transamerica suggested that the Board condition the award of operating authority to perform direct carrier scheduled service on air carriers developing a default protection plan. For foreign air travel, it suggested that the obligation be limited to outbound flights. The petitioner argued that prompt action is necessary in order to ensure continued public confidence in scheduled air service and to protect passengers from unnecessary financial hardship. DOT is considering what action should be taken on the petition.

Timetable:

Action	Date	FR Cite
Petition filed in Docket 42368	07/25/84	

Next Action Undetermined

Small Entity: No

Agency Contact: Tim Kelly, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2220**

RIN: 2105-AA98

1539. + ESCROW/BOND PROTECTION FOR AIRLINE TICKETS

Significance: Agency Priority

Legal Authority: 49 USC 1371; 49 USC 1372; 49 USC 1381

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: This petition, filed by Mr. Theodore Harris, addresses the problem of airline passengers whose airline goes bankrupt after they bought their ticket but before they use it. The petitioner asks that airlines be required to protect such "unearned revenue" by escrowing it or by posting a bond in an amount equal to 150% of average unearned revenue. Exemptions could be granted to airlines which file evidence of ticket insurance plans or which enter into agreements with other airlines to accept the tickets of bankrupt carriers. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Petition for rulemaking (Dkt 44304)	08/27/86	

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Evaluation

Agency Contact: Tim Kelly, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2220**

RIN: 2105-AB26

1540. AIR CARRIER CARGO TARIFF PUBLICATIONS

Significance: Nonsignificant

Legal Authority: 49 USC 1324; 49 USC 1373; 49 USC 1482

CFR Citation: 14 CFR 221.171; 14 CFR 221.173

Legal Deadline: None.

Abstract: This petition proposes to amend the requirement that air carriers post cargo tariffs at stations, offices, and locations other than their principal office. The petitioners proposed to allow carriers to maintain a memorandum tariff at each location and have a toll-free number for shippers to obtain access to complete tariff information. Petitioners alleged that such a change would substantially reduce the cost and time burden of maintaining and continually updating voluminous files of current and past tariffs at each location. Further action on the proposal will depend on developments in rulemaking docket 43343, Electronic Filing of Tariffs, RIN 2105-AB00.

Timetable:

Action	Date	FR Cite
Petition Filed in Docket 42660	11/27/84	

Next Action Undetermined

Small Entity: No

Additional Information: Petition under consideration.

Agency Contact: Lawrence Myers, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9183**

RIN: 2105-AA31

1541. OVERSEAS MILITARY PERSONNEL AIR-CHARTER TARIFFS

Significance: Nonsignificant

Legal Authority: 49 USC 1373; 49 USC 1386

CFR Citation: 14 CFR 372

Legal Deadline: None.

Abstract: The reference to tariffs in the rule governing Overseas Military Personnel Charters (OMPC) has become obsolete, at least with respect to domestic air transportation. The CAB was considering whether to eliminate the tariff requirement for all OMPC's and replace it with consumer-protection requirements similar to those in its Public Charter rule in Part 380. This proposal is still being considered by DOT.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Tim Kelly, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2220**

RIN: 2105-AA67

1542. UNFAIR AND DECEPTIVE PRACTICES BY AIRLINE TICKET AGENTS

Significance: Nonsignificant

Legal Authority: 49 USC 1378; 49 USC 1381

CFR Citation: 14 CFR 399

Legal Deadline: None.

Abstract: Enforcement policies currently make reference to tariffs. DOT is considering whether to limit these provisions to foreign air transportation or to eliminate them entirely.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Tim Kelly, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2220**

RIN: 2105-AA70

1543. DIRECT FLIGHTS

Significance: Nonsignificant

Legal Authority: 49 USC 1381

CFR Citation: 14 CFR 399

Legal Deadline: None.

Abstract: Donald L. Pevsner petitioned the CAB to institute a rulemaking proceeding to ban use of the term "direct flight" because it is deceptive, and to declare use of the term to be a prima facie violation of section 411 of the Federal Aviation Act of 1958. The Department is now considering what action to take in response to the petition.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Petition under consideration. It has been filed in Docket 41217.

Agency Contact: Tim Kelly, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2220**

RIN: 2105-AA73

1544. CARGO RATE CHANGES ON 30 DAYS' NOTICE

Significance: Nonsignificant

Legal Authority: 49 USC 1373

CFR Citation: 14 CFR 221.160

Legal Deadline: None.

Abstract: This rule would amend regulations to allow cargo tariffs which are within the zones established under 14 CFR 399.41 to be filed on 30 days' notice. There are two alternatives: either maintain the status quo (60 days' notice) or change cargo tariff filing regulations to 30 days' notice to be consistent with passenger tariff-filing requirements. Standardization of the regulatory tariff-filing requirements for both cargo and passenger tariffs would benefit the industry.

DOT—OST

Prerule Stage

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Analysis: Regulatory Evaluation

Agency Contact: **Tom Moore**, Chief, Tariffs Division, Department of Transportation, Office of the Secretary, 400 7th Street, SW, Washington, DC 20590, **202 366-2414**

RIN: 2105-AA99

1545. COMPREHENSIVE REVIEW OF CAB CONSUMER RULES

Significance: Nonsignificant

Legal Authority: 49 USC 1301 et seq Federal Aviation Act of 1958, as amended

CFR Citation: 14 CFR 201.6; 14 CFR 203; 14 CFR 205; 14 CFR 221, Subpart N; 14 CFR 249; 14 CFR 250; 14 CFR 252; 14 CFR 253; 14 CFR 254; 14 CFR 296.6 and 297.30; 14 CFR 298.30; 14 CFR 379; 14 CFR 380; 14 CFR 382; 14 CFR 399, Subpart G

Legal Deadline: None.

Abstract: The Civil Aeronautics Board was an independent agency; its rules have now been transferred to DOT, a cabinet department. This review will identify any CAB rules which are not consistent with Department or Administration regulatory criteria, such as those that impose an unnecessarily high cost or those with paperwork burdens that can be reduced or which involve a level of benefits or costs which are either higher or lower than necessary. The review will examine all alternatives, from strengthening a given rule to eliminating it. Nonregulatory approaches, including the supplying of information by the Government, or regulation by another level of government, will be also considered. The benefits and costs will be known only after these alternatives have been developed.

Timetable:

Action	Date	FR Cite
Begin Review	02/25/85	

Next Action Undetermined

Small Entity: Yes

Additional Information: The committee conducting this review will examine all CAB consumer rules. Rulemaking proceedings on individual regulations may follow, depending on the committee's findings and recommendations.

Agency Contact: **William C. Boyd**, Senior Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Room 10309, Washington, DC 20590, **202 366-5433**

RIN: 2105-AB03

1546. PRICE ADVERTISING

Significance: Nonsignificant

Legal Authority: 49 USC 1371; 49 USC 1381

CFR Citation: 14 CFR 380.30(e); 14 CFR 399.84

Legal Deadline: None.

Abstract: The DOT rules cited above state that any price stated for air transportation, a tour or a tour component must be the entire price for that transportation, tour or component. In this petition, Mr. Donald Pevsner complains that some tour operators advertise prices which do not include additional features which must be purchased and which cost extra. He asks that the rules be amended to state that such additional features may only be priced separately if they may be purchased separately, i.e., if they are optional rather than mandatory.

Timetable:

Action	Date	FR Cite
Petition for rulemaking (Dkt 43147)	05/22/85	

Next Action Undetermined

Small Entity: No

Agency Contact: **Tim Kelly**, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2220**

RIN: 2105-AB25

DEPARTMENT OF TRANSPORTATION (DOT)
Office of the Secretary (OST)

Proposed Rule Stage

1547. + ELECTRONIC FILING OF TARIFFS

Significance: Regulatory Program

Legal Authority: 49 USC 1373

CFR Citation: 14 CFR 221

Legal Deadline: None.

Abstract: DOT will examine whether conversion from a paper document system to a computerized system of filing and monitoring air carrier tariffs can reduce paper flow, speed up processing, and allow the industry to utilize computer and telecommunications technology to communicate with DOT. The alternative is to maintain the current paper tariffs system. Potential savings to the industry may be greater than to the Government, since airlines already utilize automated fare and rate systems. In addition, airlines may be able to implement changes faster, thus responding more quickly to market conditions, and may be less burdened with the cost of producing and transmitting paper documents. The Department may reduce paper flow, experience savings in processing time and staffing, and improve the accuracy and control of tariff data. In order to assure that users' needs are taken into consideration and that the private sector is involved to the maximum extent in the design, implementation, and operation of such a system, the Department established an Advisory Committee to make continuing recommendations on technical, operational, and policy objectives of the electronic tariff system.

Timetable:

Action	Date	FR Cite
ANPRM	08/19/85	50 FR 33452
ANPRM Comment Period End	11/18/85	
Federal Register Notice establishing Advisory Committee	11/24/86	51 FR 42327

Next Action Undetermined

Small Entity: Undetermined

Additional Information: As a consequence of discussions with the Committee the Department is planning

to experiment with existing data base and electronic mail systems, to determine whether any such systems can fulfill Departmental requirements for an electronic tariff system.

Analysis: Regulatory Flexibility Analysis; Regulatory Evaluation

Agency Contact: Thomas Moore, Chief, Tariffs Division Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2414**

RIN: 2105-AB00

1548. + NONDISCRIMINATION ON THE BASIS OF HANDICAP (AIR TRAVEL)

Significance: Agency Priority

Legal Authority: 29 USC 794; Section 404(a) of the Federal Aviation Act of 1958, as amended

CFR Citation: 49 CFR 27; 14 CFR 382

Legal Deadline: Statutory, January 30, 1987.

Abstract: The Civil Aeronautics Board (CAB) had a regulation providing protection of the rights of handicapped air travellers. Based on recent Congressional action, DOT began enforcing this regulation on January 1, 1985. The Supreme Court's decision in U.S. Department of Transportation v. Paralyzed Veterans of America held that Section 504 of the Rehabilitation Act of 1973 does not apply to nonsubsidized air carriers. This decision left the existing regulation intact. The Air Carrier Access Act of 1986 directed DOT to publish new regulations prohibiting disability-based discrimination in air travel. The Department will use comments received in response to its August 1986 information notice on issues affecting blind passengers as part of the record for this rulemaking. The Department convened an advisory committee to pursue the rulemaking through a negotiated process. The negotiations have concluded and an NPRM is being drafted, based on the material developed in the committee.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	
Final Action	07/30/88	

Small Entity: No

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9306**

RIN: 2105-AA18

1549. + LIBERALIZATION OF AIR-CARRIER CHARTER RULES

Significance: Agency Priority

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1372; 49 USC 1381; 49 USC 1386

CFR Citation: 14 CFR 207; 14 CFR 208; 14 CFR 212; 14 CFR 298; 14 CFR 380

Legal Deadline: None.

Abstract: The CAB proposed new charter rules for direct and indirect air carriers. The proposed rules retain the financial protections of existing rules for direct air carriers while eliminating rules restricting the types of groups (such as "affinity" or "single-entity") to whom charters may be sold. The proposal would also retain a security instrument and depository system for indirect air carriers, along with contract rules for public protection. The proposal also highlights depository bank and travel agent responsibilities in handling passenger funds. The proposal replaces one made earlier. DOT is considering what action should be taken. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	02/19/82	47 FR 7443
NPRM Comment Period End	04/20/82	
SNPRM Comment Period End 06/13/83	04/12/83	48 FR 15639

Next Action Undetermined

Small Entity: Yes

Additional Information: Docket 40336. Original NPRM was EDR-439/SPDR 86; SNPRM of 04/12/83 was EDR-456/SPDR-88.

Analysis: Regulatory Evaluation

Agency Contact: Tim Kelly, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2220**

RIN: 2105-AA41

1550. + SMOKING ABOARD AIRCRAFT; NOTICE TO PASSENGERS

Significance: Agency Priority

Legal Authority: 49 USC 1324; 49 USC 1374; 49 USC 1377; 49 USC 1381; 49 USC 1386

CFR Citation: 14 CFR 252; 14 CFR 253

Legal Deadline: None.

Abstract: This rule would inform passengers of their right to a seat in a nonsmoking section of an aircraft by one of two proposed alternatives. The first would require airlines to include a prescribed notice on or with their tickets. The second would include smoking in the list of subjects incorporated by reference in the contract of carriage, which would inform passengers that additional information may be obtained from the place of ticketing. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	11/19/82	47 FR 52190
NPRM Comment Period End	12/20/82	

Next Action Undetermined

Small Entity: Yes

Additional Information: EDR-449, Docket 41009.

Analysis: Regulatory Evaluation

Agency Contact: Tim Kelly, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2220**

RIN: 2105-AA72

1551. + CERTIFICATION OF SPEED-LIMIT ENFORCEMENT

Significance: Agency Priority

Legal Authority: 23 USC 141; 23 USC 154; 23 USC 118; 23 USC 315

CFR Citation: 23 CFR 659; 49 CFR 1.50; 49 CFR 1.48

Legal Deadline: None.

Abstract: The Department will review the existing 55 MPH procedural regulations to determine if they can be made more efficient and to update the regulation where necessary. Provisions addressing the effect of future compliance (for a State found not to be in compliance in a given fiscal year) on

the reinstatement of funds withheld will also be revised. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	03/11/88	53 FR 7943
NPRM Comment Period End	04/11/88	

Small Entity: No

Government Levels Affected: State

Agency Contact: Sam Whitehorn, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9307**

RIN: 2105-AB22

1552. NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS OF THE DEPARTMENT OF TRANSPORTATION -- STATE TRANSPORTATION AGENCIES' EEO AFFIRMATIVE ACTION PROGRAMS

Significance: Nonsignificant

Legal Authority: Federal-Aid Highway Act of 1968, as amended, Sec 22(a); RR Revitalization & Regulatory Reform Act of 1976, Sec 905; 49 USC 1615 Urban Mass Transportation Act of 1964, as amended; 29 USC 794 Rehabilitation Act of 1973, Sec 504

CFR Citation: 49 CFR 1.48(c); 49 CFR 2.49(u); 49 CFR 1.51(a)

Legal Deadline: None.

Abstract: The proposed regulation would set forth requirements and procedures for all State Departments of Transportation (DOTs) equal employment opportunity compliance programs. It would also consolidate FHWA, FRA, and UMTA responsibilities in this area. This proposed regulation is significant because it would affect the equal opportunity employment programs of all State transportation agencies. It is needed because OST, FHWA, FRA, and UMTA each have responsibility for implementing the equal employment opportunity programs of State DOTs. This proposed rule would assure full coordination among these departmental elements, reduce the burden on the recipients, simplify reporting requirements, and eliminate duplication of effort.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Dorsey Thomas, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4754**

RIN: 2105-AA06

1553. NONDISCRIMINATION ON THE BASIS OF HANDICAP (DIRECTLY CONDUCTED PROGRAMS)

Significance: Nonsignificant

Legal Authority: 29 USC 794

CFR Citation: 49 CFR 28

Legal Deadline: None.

Abstract: This regulation would implement the 1978 amendments to section 504 of the Rehabilitation Act of 1973 which made its prohibition of discrimination on the ground of handicap applicable to the directly conducted programs of Federal agencies as well as to their financial assistance programs. The rule would apply to DOT facilities, personnel practices, and regulatory programs. It would be based on a model rule developed by the Department of Justice. The rule would also apply to DOT activities and functions transferred from the Civil Aeronautics Board after that agency's "sunset." A CAB NPRM that was being developed on this subject will be subsumed in this project. A draft NPRM is now being reviewed by the Department of Justice.

Timetable:

Action	Date	FR Cite
NPRM	04/15/88	

Small Entity: Undetermined

Agency Contact: Robert Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9306**

RIN: 2105-AA29

1554. DIVERSION OF FLIGHTS WITHIN A METROPOLITAN AREA

Significance: Nonsignificant

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1305; 49 USC 1324; 49 USC 1371; 49 USC 1375; 49 USC 1377 to 1379; 49 USC 1381; 49 USC 1382; 49 USC 1386; 49 USC 1461; 49 USC 1481; 49 USC 1482; 49 USC 1502; 49 USC 1504; ...

CFR Citation: 14 CFR 253; 14 CFR 399

Legal Deadline: None.

Abstract: The CAB proposed to amend its rules requiring notice of contract terms for domestic travel to require that actual notice be given passengers of terms absolving carriers from any responsibility to transport a passenger to the destination named on the ticket, or to reimburse the passenger for expenses in reaching the airport noted on the ticket when a flight is diverted to another airport in the same metropolitan area. Alternatively, the Board proposed to declare it to be an unfair and deceptive practice to divert a passenger without arranging and paying for alternate transportation to the destination airport named on the passenger's ticket. The Board considered a final rule but did not decide what action to take. DOT is now considering what action to take.

Timetable:

Action	Date	FR Cite
NPRM	09/23/83	48 FR 43343
NPRM Comment Period End	11/07/83	
Reply Comment Period	11/28/83	

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: PL 96-354; 5 USC 601. Docket 41683, EDR 468/PSDR-81.

Analysis: Regulatory Evaluation

Agency Contact: Tim Kelly, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2220**

RIN: 2105-AA78

1555. BAGGAGE LIABILITY NOTICES IN INTERNATIONAL AIR TRANSPORTATION

Significance: Nonsignificant

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1371; 49 USC 1372; 49 USC 1373; 49 USC 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481; 49 USC 1482

CFR Citation: 14 CFR 221

Legal Deadline: None.

Abstract: In response to a petition by Mr. Howard Boros, the CAB proposed to amend the baggage liability notices provided to passengers in foreign air travel. The NPRM proposed to eliminate the disclaimer of liability for fragile and perishable items because that notice is false and misleading.

Timetable:

Action	Date	FR Cite
NPRM	12/18/84	49 FR 49111
NPRM Comment Period End	03/19/85	

Next Action Undetermined

Small Entity: No

Additional Information: Docket 41690; EDR-477.

Analysis: Regulatory Evaluation

Agency Contact: **Timothy Kelly**, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2220**

RIN: 2105-AA84

1556. SIMPLIFIED AIRLINE COUNTER-SIGN NOTICES

Significance: Nonsignificant

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481; 49 USC 1482

CFR Citation: 14 CFR 221; 14 CFR 250; 14 CFR 256

Legal Deadline: None.

Abstract: The American Association of Airport Executives, the Airport Operators Council International and the Air Transport Association of America petitioned the CAB to simplify its counter-sign requirements. Presently, airlines are required to display four different consumer protection notices on their ticket counters. The petitioners alleged that the current notices are hard to read and, therefore, do not provide much notice to passengers. They proposed replacing the four notices with one simplified counter sign. The CAB adopted an NPRM that proposed a number of alternatives, such as a long and/or short notice, where the notices would be required to be posted and whether a smoking notice should be included. DOT is now considering what action to take in response to the notice and comments filed.

Timetable:

Action	Date	FR Cite
NPRM	08/01/84	49 FR 30742
NPRM Comment Period End	09/17/84	
Reply Comment Period End	10/02/84	

Next Action Undetermined

Small Entity: Yes

Additional Information: Docket 41971; EDR-474

Analysis: Regulatory Evaluation

Agency Contact: **Tim Kelly**, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2220**

RIN: 2105-AA88

1557. NAMES OF AIR CARRIERS AND FOREIGN AIR CARRIERS

Significance: Nonsignificant

Legal Authority: 49 USC 1381; 49 USC 204(a); 49 USC 1371; 49 USC 1372; 49 USC 1386

CFR Citation: 14 CFR 215, (Revision)

Legal Deadline: None.

Abstract: The Department must now routinely decide issues of name similarity whenever an airline wishes to use a different name for its operations or a new applicant wishes to use a name for its proposed operations. The issue arises even where there is no evidence that use of a certain name will cause or has caused confusion with an existing name. The current rule is duplicative of other statutes. The issue can be decided privately without routine, active government intervention, or can be handled on a case-by-case basis. The proposed rule would 1) delete specific criteria for decisions on name cases, 2) emphasize ad hoc enforcement, and 3) change the rule to make it a form of registration. Removal of routine intervention would reduce delay in applications for name changes. It would not result in less protection for travelers when there is a real need for action.

Timetable:

Action	Date	FR Cite
NPRM	02/25/87	52 FR 5547
NPRM Comment Period End	04/27/87	52 FR 5547

Next Action Undetermined

Small Entity: No

Agency Contact: **Joseph Brooks**, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9349**

RIN: 2105-AB18

1558. COUNTING UMTA REDUCED-FARE PROGRAM COSTS TOWARD 504 COST CAP

Significance: Nonsignificant

Legal Authority: 29 USC 704; 49 USC 1612(d)

CFR Citation: 49 CFR 27

Legal Deadline: None.

Abstract: The Department is considering whether or not to eliminate a provision in its rule concerning mass transit services for disabled persons, which permits incremental expenditures by recipients for the off-peak, reduced-fare program for elderly and handicapped passengers on mainline mass transit services to be counted in the calculation of the three-percent limit on required expenditures.

Timetable:

Action	Date	FR Cite
NPRM	04/04/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 04/04/88

Agency Contact: **Robert Ashby**, Deputy Ass't General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 7th St SW, Washington, DC 20590, **202 366-9306**

RIN: 2105-AB29

DEPARTMENT OF TRANSPORTATION (DOT)

Final Rule Stage

Office of the Secretary (OST)

1559. + COMMERCIAL SPACE TRANSPORTATION: LIABILITY REQUIREMENTS FOR COMMERCIAL SPACE LAUNCH ACTIVITIES

Significance: Regulatory Program

Legal Authority: PL 98-575, Sec 15(c) to 16 Commercial Space Launch Act

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: Persons authorized to conduct commercial launch activities by a license issued by OCST are required to have in effect at least that amount of third-party liability insurance prescribed by DOT for the licensed activity. In addition, launch firms must secure an amount of insurance, or offer other assurance, that will be adequate to protect the Government when its property or personnel are directly involved in the conduct of commercial launch activities. Rulemaking sets out the criteria OCST will consider in setting the appropriate amount of third-party liability and other insurance firms subject to its authority must carry.

Timetable:

Action	Date	FR Cite
ANPRM	05/07/85	50 FR 19280
ANPRM Comment Period End	07/08/85	50 FR 19280
Interim Final Rule	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Gerald Musarra, Department of Transportation, Office of the Secretary, Commercial Space Transportation, 400 Seventh Street, SW, Washington, DC 20590, 202 366-9305

RIN: 2105-AA26

1560. + MINORITY BUSINESS ENTERPRISE PROGRAM (FINANCIAL ASSISTANCE PROGRAMS)

Significance: Agency Priority

Legal Authority: 42 USC 2000d Civil Rights Act of 1964, Title VI; 49 USC 1730; 45 USC 906; 49 USC 1615; PL 97-424, Sec 105(f); PL 100-17, Sec 106(c)

CFR Citation: 49 CFR 23

Legal Deadline: None.

Abstract: The Department is reviewing its regulation establishing a minority business enterprise (MBE) program in its financial assistance programs (49 CFR Part 23). This regulation has been controversial, is of interest to most DOT grant recipients and contractors, and affects the operations of all DOT financial assistance programs. Section 106(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA) extended and modified the program as applied to FHWA and UMTA; similar legislation applied the same requirements to the FAA. The Department issued a final rule to make the STURAA changes in October 1987; a similar rule for FAA programs is pending. The Department intends subsequently to issue an NPRM that would propose further changes in the regulation.

Timetable:

Action	Date	FR Cite
Final Action	03/31/80	45 FR 21172
NPRM Interim amdt. to final rule, pending revision of entire rule	03/12/81	46 FR 16282
Final Action for interim amendment	04/27/81	46 FR 23457
Interim Final Rule	10/21/87	52 FR 39225
Final Rule	10/21/87	52 FR 39225
Final Action	04/00/88	

Small Entity: Yes

Analysis: Regulatory Flexibility Analysis; Regulatory Evaluation 04/27/81 (46 FR 23457)

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 366-9306

RIN: 2105-AA04

1561. + PUBLIC AVAILABILITY OF INFORMATION

Significance: Agency Priority

Legal Authority: 5 USC 552 Freedom of Information Act

CFR Citation: 49 CFR 7

Legal Deadline: Statutory, April 27, 1987. The Freedom of Information Act of 1986, Pub. L. 99-570, Title I, Subtitle Q, requires agencies to promulgate regulations implementing the Act's new fee schedule, and establish guidelines for fee waivers within 180 days after the date of enactment.

Abstract: This involves a revision of DOT's Freedom of Information Act regulations. Specific areas addressed include fees to be charged for search and reproduction costs and the establishment of more precise criteria to enable the Department to determine when a waiver of fees is in the public interest. It also addressed records relating to those functions of the Civil Aeronautics Board that were transferred to the Department. This rulemaking is significant because of substantial public interest. It is needed to comply with recent statutory changes, including OMB and Department of Justice guidance, and periodic revisions to keep current with policy changes.

Timetable:

Action	Date	FR Cite
NPRM	10/17/85	50 FR 42049
NPRM Comment Period End	12/16/85	
SNPRM/Interim Final Rule	01/16/87	52 FR 1992
Comment Period End	02/17/87	
SNPRM Request for comments	11/06/87	52 FR 42688
Final Action	04/00/88	

Small Entity: No

Additional Information: Further, the timeframe for a supplemental NPRM addressing PUB. L. 99-570 (fee schedule, fee waiver and law enforcement provisions) is in accordance with statutory requirements and cognizant of the recently published OMB guidelines (52 FR 10012).

Agency Contact: Rebecca H. Lima, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4542

RIN: 2105-AA05

1562. + NONDISCRIMINATION ON THE BASIS OF HANDICAP (COMMUTER RAIL PROGRAMS)

Significance: Agency Priority

Legal Authority: 29 USC 704; 49 USC 1612(d)

CFR Citation: 49 CFR 27, Subpart E

Legal Deadline: None.

Abstract: This notice asks comment on several alternatives for providing accessible commuter rail service, or a substitute for it, to disabled persons. The notice also requests information on the likely ridership and cost effects of the alternative approaches suggested in the notice. Comments have been received and are being reviewed. Studies have been received or are

expected to be received in the near future. Final actions being considered include a number of alternatives spelled out in the notice, including various regulatory steps and taking no further regulatory action.

Timetable:

Action	Date	FR Cite
NPRM	05/23/86	51 FR 19032
NPRM Comment Period End	09/22/86	
Final Action	06/30/88	

Small Entity: No

Government Levels Affected: State

Analysis: Regulatory Evaluation 06/30/88

Agency Contact: Robert C. Ashby, Deputy Assistant General Counsel for Regulation and Enforcement, Department of Transportation, Office of the Secretary, 400 7th St., SW, Washington, DC 20590, **202 366-9306**

RIN: 2105-AB23

1563. TITLE VI CIVIL RIGHTS REGULATION

Significance: Nonsignificant

Legal Authority: 42 USC 2000d-4

CFR Citation: 49 CFR 21

Legal Deadline: None.

Abstract: In 1981, the Department proposed a consolidation and expansion of its existing Title VI regulation (49 CFR Part 21). Few comments were received on this NPRM, and a final regulation was never published. The Department reviewed the existing regulation to determine if changes were needed. It was concluded that the Department can continue to enforce Title VI appropriately through the existing regulation. Consequently the Department does not anticipate further rulemaking action, and intends to withdraw the NPRM.

Timetable:

Action	Date	FR Cite
NPRM	01/19/81	46 FR 5588
NPRM Comment Period End	04/20/81	
To be withdrawn	12/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 01/19/81

Agency Contact: Dorsey Thomas, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4754**

RIN: 2105-AA02

1564. MINORITY BUSINESS ENTERPRISE PROGRAM (DIRECT CONTRACTING)

Significance: Nonsignificant

Legal Authority: EO 11625; EO 12138; 45 USC 803; PL 95-507

CFR Citation: 49 CFR 23

Legal Deadline: None.

Abstract: As part of the NPRM that proposed its minority business program rule (49 CFR Part 23), the Department proposed rules concerning minority business involvement in direct DOT procurement. However, because of the program established by Public Law 95-507, these proposed rules became unnecessary, and were never finalized. That program provides for subcontracting plans and goals in certain direct Federal contracts as well as for disadvantaged business set-asides under the Small Business Administration 8(a) program.

Timetable:

Action	Date	FR Cite
NPRM	05/17/79	44 FR 28928
NPRM Comment Period End	07/16/79	
Final Action concerning financial assistance programs	03/31/80	45 FR 21172
To be withdrawn	04/00/88	

Small Entity: No

Additional Information: The Department published a final rule concerning its financial assistance programs on March 31, 1980 (45 FR 21172). The Department has concluded that further rulemaking in the direct contracting field is unnecessary at this time, and intends to withdraw this proposed rule.

Analysis: Regulatory Evaluation 05/17/79

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9306**

RIN: 2105-AA03

1565. CONSOLIDATION OF TRANSPORTATION GRANTS TO U.S. TERRITORIES

Significance: Nonsignificant

Legal Authority: PL 95-134, Title V

CFR Citation: 49 CFR 29

Legal Deadline: None.

Abstract: Title V of Pub. L. 95-134 permits departments and agencies to consolidate grant programs, reduce reporting requirements, and waive local matching fund requirements. This proposal is being withdrawn because of problems concerning legal requirements with changing grant conditions.

Timetable:

Action	Date	FR Cite
NPRM	01/08/79	44 FR 1765
To be withdrawn	11/00/88	

Small Entity: No

Agency Contact: Jack Bennett, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9669**

RIN: 2105-AA08

1566. NONDISCRIMINATION ON THE BASIS OF AGE IN DOT FINANCIAL ASSISTANCE PROGRAMS

Significance: Nonsignificant

Legal Authority: PL 94-135, Title III

CFR Citation: 29 CFR 1691

Legal Deadline: None.

Abstract: This regulation would prohibit age discrimination by recipients of DOT financial assistance programs. Few comments were received on the NPRM. The Department intends to publish a final rule.

Timetable:

Action	Date	FR Cite
NPRM	10/22/79	44 FR 60946
Final Action	12/00/88	

Small Entity: No

Agency Contact: Joseph Austin, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-5992**

RIN: 2105-AA09

1567. AIRLINE TIME AND MILEAGE GUIDES

Significance: Nonsignificant

DOT—OST

Final Rule Stage

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1381; 49 USC 1386; 49 USC 1481; 49 USC 1482

CFR Citation: 14 CFR 221

Legal Deadline: None.

Abstract: The DOT currently prohibits fares or rates based upon units of time. This rule would remove these restrictions.

Timetable:

Action	Date	FR Cite
NPRM	10/27/82	47 FR 47599
NPRM Comment Period End	12/13/82	

Next Action Undetermined

Small Entity: No

Additional Information: EDR 448, Docket 41034. Formerly entitled: Tariffs; Removal of Requirements for Statements of Fares or Rates Based upon Units of Distance or Time.

Analysis: Regulatory Evaluation 00/00/00

Agency Contact: Thomas Moore, Chief, Tariffs Division, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2414**

RIN: 2105-AA39

1568. DIRECT AIR CARRIER RESPONSIBILITY FOR RETURNING STRANDED CHARTER PASSENGERS

Significance: Nonsignificant

Legal Authority: 49 USC 1324; 49 USC 1371

CFR Citation: 14 CFR 207; 14 CFR 208

Legal Deadline: None.

Abstract: This rule would make direct air carriers responsible for returning charter passengers stranded by strikes or other interruptions of their services by eliminating the force majeure clause from charter contracts. However, the Department is considering a comprehensive proposal (RIN 2105-AA41 in this agenda) to revise and simplify air charter rules. The Department's final action in this proceeding will be consistent with the comprehensive review of the charter rule.

Timetable:

Action	Date	FR Cite
NPRM	07/11/80	45 FR 46812
NPRM Comment Period End	09/25/80	
Reply Comment Period End	10/10/80	

Next Action Undetermined

Small Entity: No

Additional Information: EDR 405, Docket 37169.

Analysis: Regulatory Evaluation

Agency Contact: Tim Kelly, Transportation Industry Analyst, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2220**

RIN: 2105-AA40

1569. ZONES FOR AIRLINE MAIL RATES

Significance: Nonsignificant

Legal Authority: 49 USC 1302; 49 USC 1324; 49 USC 1376; 49 USC 1551(b)(1)(D)

CFR Citation: 14 CFR 233, (Proposed)

Legal Deadline: None.

Abstract: This proposed rule would end the current practice of prescribing fixed rates for the transportation of mail by air, and in its place establish zones for each category of mail. Each zone would be defined by maximum and minimum rates prescribed by DOT, and airlines would be free to contract with the Postal Service for the carriage of mail at any price within the zone. The rule is now moot with regard to domestic mail rates except in Alaska.

Timetable:

Action	Date	FR Cite
NPRM	09/07/79	44 FR 52246
NPRM Comment Period End	10/22/79	44 FR 52246
Comment Period End 02/17/81	12/19/80	45 FR 83510
SNPRM	12/19/80	45 FR 83510
Final Action	06/15/88	

Small Entity: No

Additional Information: Original NPRM of 09/07/79 was EDR-387/PDR 68, Docket 46497; the SNPRM of 12/19/80 was EDR-387C/PDR-68C.

Analysis: Regulatory Evaluation 06/15/88

Agency Contact: Lawrence Myers, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9183**

RIN: 2105-AA44

1570. AIR TRAVELERS: AGE DISCRIMINATION

Significance: Nonsignificant

Legal Authority: 42 USC 6102

CFR Citation: 14 CFR 376, (Proposed)

Legal Deadline: None.

Abstract: This rule will prohibit discrimination against air travelers on the basis of age and implement the Age Discrimination Act of 1975. A final rule was adopted by the CAB on April 10, 1980, and was forwarded to the Secretary of HHS for approval, as required by the Age Discrimination Act. The rule was approved by HHS on July 13, 1984, with changes. However, these changes have not been incorporated. DOT is considering combining this rulemaking with a broader DOT age discrimination rule on which work is now under way.

Timetable:

Action	Date	FR Cite
NPRM	09/26/79	44 FR 55383
Final Action adopted by the Board	04/10/80	
HHS approved Final Rule with changes	07/13/84	

Next Action Undetermined

Small Entity: No

Additional Information: SPDR-74, Docket 36639.

Agency Contact: Robert Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9306**

RIN: 2105-AA45

1571. POLICY STATEMENT ON AIRLINE PREEMPTION

Significance: Nonsignificant

Legal Authority: 49 USC 1305

CFR Citation: 14 CFR 399

Legal Deadline: None.

Abstract: This rule will set out Department policies for regulation of the rates, routes, and services of airlines that have interstate authority. The CAB concluded that under section 105 of the Federal Aviation Act of 1958 it, not the States, was responsible for economic regulation (or deregulation, as the case may be) of all the routes, rates, or services of any airline holding either (i) a certificate of public convenience

and necessity to provide interstate air transportation, or (ii) an exemption under section 416 of the Act from the requirement for such a certificate.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/15/79	44 FR 9948
Request for comments on Interim Rule (PSDR-56, Docket 34684)	02/15/79	44 FR 9953
Comment Period End	04/16/79	
Final Action	11/15/88	

Small Entity: Yes

Additional Information: PS-83, Docket 34684.

Agency Contact: Lawrence Myers, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9183**

RIN: 2105-AA46

1572. INSURANCE FOR ON-DEMAND AIR-TAXI OPERATORS AND CANADIAN AIR TAXIS

Significance: Nonsignificant

Legal Authority: PL 95-504; 49 USC 1371; 49 USC 1374; 49 USC 1386

CFR Citation: 14 CFR 205; 14 CFR 298

Legal Deadline: None.

Abstract: This rule would set the minimum per-person aircraft accident liability insurance limits for U.S. and Canadian on-demand air taxi operators at $150,000, instead of at $300,000 as it is for other air carriers. The NPRM further includes alternative proposals to set the per-person limit at $75,000 or $100,000 or to eliminate all minimum amounts, requiring a public notice instead. Other rules for insurance coverage for these carriers would be as in 14 CFR Part 205, including the prohibition on safety-related exclusions.

Timetable:

Action	Date	FR Cite
NPRM	02/04/80	45 FR 7566
NPRM Comment Period End	03/12/80	45 FR 7566
SNPRM	10/27/81	46 FR 52585
SNPRM	03/10/83	48 FR 10073

Next Action Undetermined

Small Entity: Yes

Additional Information: Docket 37531. Original NPRM (02/04/80) was EDR-395; the first SNPRM (10/27/81) was EDR-395B. The second SNPRM (03/10/83) was EDR-395C, and its comment period ended 05/17/83.

Analysis: Regulatory Evaluation

Agency Contact: John Hokanson, Chief, Regulatory Analysis Division, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-1035**

RIN: 2105-AA47

1573. EFFECT OF EXPIRATION OF A BILATERAL ON FOREIGN AIR-CARRIER AUTHORITY

Significance: Nonsignificant

Legal Authority: 49 USC 1159b; 49 USC 1324; 49 USC 1372; 49 USC 1386; 49 USC 1481; 49 USC 1502; 5 USC 558; 5 USC 559

CFR Citation: 14 CFR 377

Legal Deadline: None.

Abstract: In the past, the CAB had held that a foreign air carrier's permit or exemption authority continues after the underlying bilateral Service Agreement expired, by virtue of section 558(c) of the Administrative Procedure Act. Further review has determined the contemplated change is unwarranted.

Timetable:

Action	Date	FR Cite
NPRM	06/03/83	48 FR 24923
NPRM Comment Period End	08/02/83	
To be withdrawn	04/00/88	

Small Entity: No

Additional Information: SPDR-89 and SPDR-89A, Docket 41498.

Agency Contact: Richard M. Loughlin, Chief, Licensing Division, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Room 6412, Washington, DC 20590, **202 366-2388**

RIN: 2105-AA68

1574. IMPLEMENTATION OF STATUTE REQUIRING INTEREST ON SUBSIDY CLAIMS

Significance: Nonsignificant

Legal Authority: 49 USC 1324; 49 USC 1376; 49 USC 1389; PL 97-369

CFR Citation: 14 CFR 326, (Proposed)

Legal Deadline: None.

Abstract: Under section 322 of the FY 1983 Transportation Appropriations Act, interest may be paid on certain "hold-in" subsidy claims by certificated air carriers under sections 419 and 406 of the Act. This rule would set procedures for payment of that interest.

Timetable:

Action	Date	FR Cite
NPRM	12/21/83	48 FR 56599
NPRM Comment Period End	02/21/84	
Reply Comment Period End	03/02/84	
Final Action	11/00/88	

Small Entity: No

Additional Information: Docket 41855; PDR 87.

Agency Contact: Robert Ross, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9154**

RIN: 2105-AA77

1575. SIMPLIFIED AVIATION EXEMPTION PROCEDURES

Significance: Nonsignificant

Legal Authority: 49 USC 1371; 49 USC 1372; 49 USC 1386

CFR Citation: 14 CFR 302; 14 CFR 389; 14 CFR 399

Legal Deadline: None.

Abstract: The CAB proposed updating its rules applicable to exemption procedures to conform the rules to the changes brought about by the Airline Deregulation Act and the International Air Transportation Competition Act of 1979, and to modernize the evidentiary and service requirements. The Department is evaluating comments received.

Timetable:

Action	Date	FR Cite
NPRM	10/05/84	49 FR 39337
NPRM Comment Period End	12/04/84	
Final Action	06/01/88	

Small Entity: No

Additional Information: PDR-88/ODR-27/PSDR-83.

Agency Contact: Gwyneth Radloff, Department of Transportation, Office of

DOT—OST

Final Rule Stage

the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9305**

RIN: 2105-AA82

1576. UPDATE THE DEPARTMENT OF TRANSPORTATION ACQUISITION REGULATIONS TO IMPLEMENT THE COMPETITION IN CONTRACTING ACT AS SET FORTH IN THE FEDERAL ACQUISITION REGULATIONS -- PROPOSED RULES

Significance: Nonsignificant

Legal Authority: 40 USC 486(c); 10 USC 2301; 48 CFR 1.301; 49 CFR 1.59; PL 98-369, Title VII

CFR Citation: 48 CFR 1201, (Revision)

Legal Deadline: None.

Abstract: The Competition in Contracting Act (CICA) P.L. 98-369, effective April 1, 1985, makes major changes in the structure and control of the Federal acquisition process. These changes have been effected by the Federal Acquisition Regulation (FAR). The intent of the update of the Department's acquisition regulation is to implement the FAR coverage of CICA where required, and make other changes necessary to implement FAR changes through Federal Acquisition Circular #29.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/19/87	52 FR 44522
Comment Period End 01/19/88	11/19/87	52 FR 44522
Final Action	04/01/88	

Small Entity: Yes

Agency Contact: Roger C. Martino, Chief, Procurement Management Division, Department of Transportation, Office of the Secretary, Room 9100, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4271**

RIN: 2105-AB15

1577. WARRANTY REGULATIONS FOR MAJOR SYSTEM ACQUISITIONS OF THE UNITED STATES COAST GUARD -- PROPOSED RULE

Significance: Nonsignificant

Legal Authority: PL 98-473

CFR Citation: 48 CFR 1246

Legal Deadline: None.

Abstract: This rulemaking would establish the regulations for Coast Guard warranties that shall be included in all contracts with prime contractors for major system acquisitions.

Timetable:

Action	Date	FR Cite
NPRM	02/04/88	53 FR 3222
NPRM Comment Period End	03/21/88	53 FR 3222
Final Action	06/01/88	

Small Entity: Undetermined

Agency Contact: Roger Martino, Department of Transportation, Office of the Secretary, Room 9100, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4271**

RIN: 2105-AB16

1578. EXEMPTION FROM PRIOR-APPROVAL REQUIREMENTS FOR CERTAIN TRANSACTIONS

Significance: Nonsignificant

Legal Authority: 49 USC 1301; 49 USC 1302; 49 USC 1303; 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1378; 49 USC 1379; 49 USC 1382; 49 USC 1384; 49 USC 1386; 49 USC 1388; 49 USC 1551

CFR Citation: 14 CFR 303

Legal Deadline: None.

Abstract: The Department is reviewing current aviation-merger procedural regulations to reduce regulatory obstacles to air carrier acquisitions of other air carriers.

Timetable:

Action	Date	FR Cite
NPRM	05/02/86	51 FR 17490
NPRM Comment Period End	06/12/86	
Final Action	12/30/88	

Small Entity: No

Agency Contact: Donald Horn, Attorney, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2972**

RIN: 2105-AB20

1579. ● COLLECTION OF CLAIMS OWED THE UNITED STATES

Significance: Nonsignificant

Legal Authority: 31 USC 3701 to 3720A

CFR Citation: 49 CFR 89

Legal Deadline: None.

Abstract: This proposed rule would implement the Debt Collection Act of 1982. The rule would provide DOT with formal procedures for the collection of claims owed the United States arising from activities under the jurisdiction of the Department.

Timetable:

Action	Date	FR Cite
NPRM	02/12/88	53 FR 4180
Final Action	06/00/88	

Small Entity: No

Agency Contact: Paul B. Larsen C-10, Attorney Adviser, Department of Transportation, Office of the Secretary, DOT/Office of the General Counsel, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9167**

RIN: 2105-AB33

1580. ● DEBARMENT AND SUSPENSION (NONPROCUREMENT)

Significance: Nonsignificant

Legal Authority: 49 USC 322; EO 12549

CFR Citation: 49 CFR 29

Legal Deadline: None.

Abstract: EO 12549 provides that agencies shall participate in a system for debarment and suspension from programs and activities involving Federal financial aid and benefits. The Order directs agencies to issue implementing regulations that are consistent with OMB guidelines. This rulemaking is to establish DOT's requirements and procedures for suspension and debarment in financial-assistance programs, consistent with the Executive Order.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/20/87	52 FR 39056
Final Action	05/26/88	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Paul B. Larsen C-10, Attorney Adviser, Department of Transportation, Office of the Secretary, DOT/Office of the General Counsel, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9161**

RIN: 2105-AB34

DEPARTMENT OF TRANSPORTATION (DOT)

Office of the Secretary (OST)

Completed Actions

1581. + COMMERCIAL SPACE TRANSPORTATION: LICENSING REGULATIONS

Significance: Regulatory Program

Legal Authority: PL 98-575

CFR Citation: 14 CFR 400 to 415

Legal Deadline: None.

Abstract: These regulations constitute the procedural framework for reviewing and authorizing all proposals to conduct non-federal launch activities, including the launching of vehicles, operation of launch sites, and payload activities that are not licensed by other agencies. The Office also is publishing its general administrative procedures and a revised compilation of its information requirements. This final rule replaces all previous guidance, specifically the interim final rule, published February 26, 1986, and the Licensing Policy Statement, published February 25, 1985. These regulations are significant because they involve issues of substantial interest to the public and important DOT policies.

Timetable:

Action	Date	FR Cite
Notice of Policy and Request for Comments	02/25/85	
Comment Period on Notice 02/25/85 to	04/26/85	
Interim Final Rule	02/26/86	51 FR 6870
Comment on Interim Final Rule 02/26/86 to	04/28/86	
Final Action	04/04/88	53 FR 11004
Final Action Effective	04/04/88	

Small Entity: No

Agency Contact: Gerald Musarra, Department of Transportation, Office of the Secretary, Commercial Space Transportation, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9305**

RIN: 2105-AA25

1582. ● + PROGRAM FRAUD CIVIL REMEDIES

Significance: Agency Priority

Legal Authority: 31 USC 3801 to 3812

CFR Citation: 49 CFR 31

Legal Deadline: Statutory, April 19, 1987.

Abstract: This rule implements the Program Fraud Civil Remedies Act of 1986, which authorizes the Department of Transportation (and certain other Federal agencies) to impose through administrative adjudication civil penalties and assessments against certain persons making false claims or statements.

Timetable:

Action	Date	FR Cite
NPRM	10/02/87	52 FR 36968
NPRM Comment Period End	11/02/87	52 FR 36968
Final Action	01/14/88	53 FR 880
Final Action Effective	01/14/88	53 FR 880

Small Entity: Yes

Agency Contact: James R. Dann, Deputy Assistant General Counsel, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW., Washington, DC 20590, **202 366-9167**

RIN: 2105-AB30

1583. ● + UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

Significance: Agency Priority

Legal Authority: 49 USC 322(a)

CFR Citation: 49 CFR 18

Legal Deadline: Statutory, March 11, 1988. A Presidential memorandum dated March 12, 1987 requires this regulation to be issued by March 11, 1988.

Abstract: This rule finalizes a common rule establishing consistency and uniformity among Federal agencies in the administration of grants and cooperative agreements to State, local, and federally recognized Indian tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	06/09/87	52 FR 21844
NPRM Comment Period End	08/10/87	52 FR 21816
Final Action	03/11/88	53 FR 8084
Final Action Effective	10/01/88	

Small Entity: No

Additional Information: The rule is effective October 1, 1988 except for the $5,000 threshold for the definition of equipment in section 18.3, the $5,000 threshold for disposition of equipment in 18.32(e), and the $25,000 threshold for the use of small purchase procedures in section 18.36 (d)(1), which are effective March 12, 1988.

Agency Contact: Charles E. Ventura, Chief, Grants Management Division, Office of Acquisition & Grant Management, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4286**

RIN: 2105-AB31

1584. MINORITY BUSINESS ENTERPRISE PROGRAM (FINANCIAL ASSISTANCE PROGRAMS); COUNTING CREDIT FOR SUPPLIERS AND OTHER SERVICE PROVIDERS

Significance: Nonsignificant

Legal Authority: 42 USC 2000d; 49 USC 1730; 45 USC 906; 49 USC 1615; PL 97-424, Sec 105(f), Surface Transp. Assist. Act of 1982

CFR Citation: 49 CFR 27.47(e)(f)

Legal Deadline: None.

Abstract: The former DOT MBE rule provided that recipients and contractors may receive a maximum of 20 percent credit for the cost of goods purchased from MBE suppliers who do not manufacture the goods. The Department considered changes to correct unintended anomalies that may have resulted from this approach, and published an NPRM on this rule October 3, 1985. The Department took final action on this proposal as part of a final rule to implement Section 106 (c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987. The final rule permits 60 percent of the value of goods purchased from disadvantaged business enterprises (DBE) "resale dealers" to be counted toward DBE goals.

Timetable:

Action	Date	FR Cite
NPRM	10/03/85	50 FR 40422
Final Action	10/21/87	52 FR 39225
Final Action Effective	10/21/87	

Small Entity: No

Agency Contact: Robert C. Ashby, Department of Transportation, Office of the Secretary, 400 Seventh Street, SW, Washington, DC 20590, **202 366-9306**

RIN: 2105-AA20

DOT—OST

Completed Actions

1585. ● RECOVERY OF DEBTS TO THE UNITED STATES BY SALARY OFFSET

Significance: Nonsignificant

Legal Authority: 5 USC 5514

CFR Citation: 49 CFR 92

Legal Deadline: None.

Abstract: This rule implements the Debt Collection Act of 1982. The rule establishes procedures for offset of debts against the pay of current or former Federal employees who are indebted to the United States under a program administered by DOT.

Timetable:

Action	Date	FR Cite
Final Action	02/12/88	53 FR 4170
Final Action Effective	03/14/88	

Small Entity: No

Agency Contact: Paul B. Larsen C-10, Attorney Adviser, Department of Transportation, Office of the Secretary, DOT/Office of the General Counsel, 400 Seventh Street, SW, Washington, DC 20590, 202 366-9167

RIN: 2105-AB32

DEPARTMENT OF TRANSPORTATION (DOT)
U.S. Coast Guard (USCG)

Prerule Stage

1586. + CALIFORNIA OFFSHORE ROUTING SYSTEM (83-032)

Significance: Regulatory Program

Legal Authority: 33 USC 1223; 33 USC 1224

CFR Citation: 33 CFR 166; 33 CFR 167

Legal Deadline: None.

Abstract: Would implement the results of the Port Access Route Study mandated by the Ports and Waterways Safety Act. As a result of the study, the Coast Guard has preliminarily determined that potential conflicts between oil drilling and shipping require creation of a fairway system off the coast of California from the vicinity of San Francisco to Los Angeles/Long Beach and changes to the San Francisco and Santa Barbara channel traffic-separation schemes. No structures would be permitted in the fairway.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Results of the Port Access Study for California were published in the Federal Register on June 24, 1982 (47 FR 27430) and on October 14, 1982 (47 FR 46043), and on December 5, 1985 (50 FR 49861). This rulemaking will require coordination with the Minerals Management Service of the Department of the Interior.

Analysis: Regulatory Impact Analysis

Agency Contact: LTJG D. Reese, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0364

RIN: 2115-AB29

1587. + IMPOSITION OF USER FEES FOR CERTAIN COAST GUARD SERVICES; DOCUMENTATION AND LICENSING (CGD 87-020)

Significance: Agency Priority

Legal Authority: PL 99-509

CFR Citation: 46 CFR 169; 46 CFR 175

Legal Deadline: None.

Abstract: This proposal would enumerate selected Coast Guard services for which user fees would be charged, indicate how the charges are to be charged, indicate how the charges are to be made, and how they are to be paid. User fees are being considered for the following services to small passenger vessels and sailing school vessels: initial inspection for certification, inspection for certification, reinspection, drydock examination, licensing/certification, and documentation.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/88	

Small Entity: Yes

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: LCDR Thompson, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1483

RIN: 2115-AC74

1588. ● + SUBDIVISION AND DAMAGE STABILITY OF DRY CARGO VESSELS (CGD 87-094)

Significance: Agency Priority

Legal Authority: 46 USC 3301

CFR Citation: 46 CFR 174

Legal Deadline: None.

Abstract: This proposal would require dry cargo vessels to meet a minimum standard of subdivision and stability. This rulemaking is significant because of international implications.

Timetable:

Action	Date	FR Cite
ANPRM	04/06/88	53 FR 11440
ANPRM Comment Period End	01/03/89	

Small Entity: No

Analysis: Regulatory Evaluation 04/06/88

Agency Contact: Lt. R. Gilbert, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-2988

RIN: 2115-AC87

1589. CASUALTY REPORTING REQUIREMENTS FOR RECREATIONAL BOATS (82-015)

Significance: Nonsignificant

Legal Authority: 46 USC 1486

CFR Citation: 33 CFR 173; 33 CFR 174

Legal Deadline: None.

Abstract: Amend casualty and accident reporting requirements for operators of recreational boats involved in boating accidents, by raising the threshold for

DOT—USCG **Prerule Stage**

requiring an accident report from $200 to $500.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Docket No. CGD 82-015.

Agency Contact: Mr. C. Perry, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0979

RIN: 2115-AA82

1590. INSPECTED FISH PROCESSING AND FISH TENDER VESSELS (86-026)

Significance: Nonsignificant

Legal Authority: 46 USC Subtitle II; PL 98-364

CFR Citation: 46 CFR 105

Legal Deadline: None.

Abstract: This rulemaking project would implement the provisions of the Commercial Fishing Industry Vessel Act which requires development of regulations reflecting the specialized nature and economics of fish processing and fish tender vessel operations.

Timetable:

Action	Date	FR Cite
ANPRM	12/00/88	

Small Entity: Undetermined

Agency Contact: LCDR W. J. Morani, Jr., Department of Transportation, U.S. Coast Guard, 2100 Second St. SW, Washington, DC 20593-0001, 202 267-1181

RIN: 2115-AC27

1591. SOLAS 74/83 EMERGENCY DRINKING WATER AND FOOD APPROVAL REQUIREMENTS (85-202)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Establish U.S. Coast Guard approval requirements for emergency drinking water and food meeting the 1983 Amendments to the Safety of Life at Sea Convention.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Ms. Lissa Martinez, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC48

1592. SOLAS 74/83 REVISION OF HYDRAULIC RELEASE DEVICE APPROVAL REQUIREMENTS (85-206)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Establish U.S. Coast Guard approval requirements for hydraulic releases meeting the 1983 Amendments to the 1974 Safety of Life at Sea Convention.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Mr. Milton Daniels, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC52

1593. SOLAS 74/83 REVISION OF DAVIT AND WINCH APPROVAL REQUIREMENTS (85-207)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Establish U.S. Coast Guard approval requirements for davits and winches meeting the 1983 Amendments to the 1974 Safety of Life at Sea Convention.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Mr. Milton Daniels, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC53

1594. SOLAS 74/83 RADAR REFLECTOR APPROVAL REQUIREMENTS (85-209)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Establish U.S. Coast Guard approval requirements for radar reflectors meeting the 1983 Amendments to the 1974 Safety of Life at Sea Convention.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: LCDR W. Riley, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC54

1595. SOLAS 74/83 REVISION OF LIFEBUOY APPROVAL REQUIREMENTS (85-210)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Establish U.S. Coast Guard approval requirements for lifebuoys meeting the 1983 Amendments of the 1974 Safety of Life at Sea Convention.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: LTJG C. Deleo, Project Manager, Department of

DOT—USCG

Prerule Stage

Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC55

DEPARTMENT OF TRANSPORTATION (DOT)
U.S. Coast Guard (USCG)

Proposed Rule Stage

1596. + REVISIONS OF THE REGULATIONS ON OUTER CONTINENTAL SHELF ACTIVITIES (84-098)

Significance: Regulatory Program

Legal Authority: 43 USC 1331

CFR Citation: 33 CFR 140; 33 CFR 141; 33 CFR 142; 33 CFR 143; 33 CFR 144; 33 CFR 145; 33 CFR 146

Legal Deadline: None.

Abstract: Would modify 33 CFR Subchapter N by extending coverage of workplace safety rules and by modernizing material standards for fixed platforms.

Timetable:

Action	Date	FR Cite
ANPRM	03/07/85	50 FR 9290
Extension of Comment Period to 09/03/85	05/16/85	50 FR 20445
ANPRM Comment Period End	09/03/85	50 FR 20445

Next Action Undetermined

Small Entity: No

Additional Information: CGD 84-098(a) Self-inspection of Fixed OCS Facilities separated from CGD 84-098. CGD 84-098(b) Offshore Evacuation Procedures separated from CGD 84-098.

Analysis: Regulatory Evaluation 00/00/00

Agency Contact: LCDR S. Ciccalone, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-2307

RIN: 2115-AB74

1597. + MANDATORY ALCOHOL AND DRUG TESTING FOLLOWING SERIOUS MARINE INCIDENTS INVOLVING COMMERCIAL VESSELS (CGD 86-080)

Significance: Regulatory Program

Legal Authority: 33 USC 1231; 43 USC 1331; 46 USC 6101; 46 USC 6103

CFR Citation: 46 CFR 4

Legal Deadline: None.

Abstract: This notice proposes regulations which would: 1) require the owner, charterer, managing operator, agent, master, or person in charge of a commercial vessel (designated the "marine employer") to obtain blood, urine, and breath samples as appropriate from persons directly involved in certain serious marine incidents, within prescribed time limits; 2) define the serious marine incident criteria for which this requirement would be applicable; 3) require the marine employer to ship blood and urine samples to a laboratory designated by the Coast Guard for appropriate chemical analysis; and, 4) establish procedures regarding accountability for and processing of blood and urine samples from the time of sampling to the time of receipt of samples at the laboratory. The Coast Guard believes that these proposed regulations are necessary to better identify the extent of alcohol and drug involvement as primary or contributing causes of serious incidents, i.e., those which result in death, injury or significant property or environmental damage; to emphasize the seriousness with which the Federal Government views the problems of alcohol and drug use and abuse in the marine (cont.)

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: transportation field; to establish a stronger and more effective deterrent to alcohol and drug use aboard or in connection with commercial vessels; and to provide more reliable information upon which to base enforcement actions.

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: CDR David H. Blomberg, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-2215

RIN: 2115-AC62

1598. + TANKERMAN REQUIREMENTS (CGD 79-116)

Significance: Agency Priority

Legal Authority: 46 USC 3703; 46 USC 7317; 46 USC 8703; 46 USC 9101; 46 USC 9102

CFR Citation: 33 CFR 155; 46 CFR 12; 46 CFR 13; 46 CFR 30; 46 CFR 31; 46 CFR 35; 46 CFR 70; 46 CFR 90; 46 CFR 98; 46 CFR 105; 46 CFR 151; 46 CFR 153; 46 CFR 157

Legal Deadline: None.

Abstract: Rulemaking would redefine and establish more stringent qualifying criteria for individuals engaged in transporting and transferring various categories of oil and dangerous liquid cargoes. The Port and Tanker Safety Act of 1978 mandated the establishment of personnel qualification and manning standards for tank vessels. In addition, the International Convention on the Standards for Training, Certification, and Watchkeeping for Seafarers (STCW), 1978 has entered into effect and establishes international standards for tank vessel personnel qualifications. This project is significant because of its impact on the environment in a publicly sensitive area.

Timetable:

Action	Date	FR Cite
NPRM	12/18/80	45 FR 83268

Next Action Undetermined

Small Entity: Yes

Additional Information: Former title: Qualifications of the Person in Charge of Oil Transfer Operations: Tankerman Requirements (79-116).

Public meetings were held during January and February of 1981.

Agency Contact: Mr. C. Heizer, Project Manager, Department of Transportation, U.S. Coast Guard, 2100

DOT—USCG **Proposed Rule Stage**

Second Street, SW, Washington, DC 20593, **202 267-0226**

RIN: 2115-AA03

1599. + USER FEES FOR COAST GUARD SERVICES (84-026)

Significance: Agency Priority

Legal Authority: 31 USC 9701

CFR Citation: 33 CFR 27; 33 CFR 66; 33 CFR 74; 33 CFR 100

Legal Deadline: None.

Abstract: This proposal would impose fees for certain Coast Guard services in keeping with the Administration's policy of recovering costs of services provided by the Federal Government to identifiable beneficiaries to extent practicable. This rulemaking is significant because it is likely to be of substantial interest to the public.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Yes

Additional Information: Further action must await enabling legislation.

Agency Contact: Mr. J. Kursban, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-2420**

RIN: 2115-AB73

1600. + PROGRAMS FOR CHEMICAL DRUG TESTING OF COMMERCIAL VESSEL PERSONNEL (CGD 86-067)

Significance: Agency Priority

Legal Authority: 46 USC 2103; 46 USC 3306; 46 USC 7101; 46 USC 7503; 46 USC 7701; 49 CFR 1.46(b)

CFR Citation: 46 CFR 5; 46 CFR 16

Legal Deadline: None.

Abstract: The purpose of this proposal is to minimize the safety risks posed by the use of dangerous drugs by merchant vessel personnel. Options being considered include pre-employment testing, periodic testing, and testing on a random basis. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: Former title: Drug Detection for Merchant Marine Personnel.

Agency Contact: Mr. S. T. Connaughton, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-0214**

RIN: 2115-AC45

1601. + REGULATIONS FOR SELF-ELEVATING OFFSHORE SERVICE AND SUPPORT VESSELS (CGD 86-074)

Significance: Agency Priority

Legal Authority: 46 USC 3306; 46 USC 3301

CFR Citation: 46 CFR 125 to 136; 46 CFR 170; 46 CFR 173; 46 CFR 174

Legal Deadline: None.

Abstract: The Coast Guard is proposing regulations that will establish safety standards for self-elevating offshore service vessels commonly known as liftboats. The high rate of casualties which have been experienced by these vessels has emphasized the need for specific regulations addressing the hazards inherent in their operations. These vessels support the offshore mineral and energy industry by performing a multitude of services such as dive support, painting, sandblasting and well servicing, among others. In performing these services, these vessels fall within the statutory definition of Offshore Supply Vessels (OSV) and are therefore subject to inspection as OSVs. The Coast Guard will consider using existing standards wherever possible, particularly those that have and are being applied to conventional OSVs. However, because of the unique design and operating characteristics exhibited by these liftboats, many of the current regulations used to inspect and certificate conventional OSVs are inadequate to ensure the safe operation of these vessels. The Coast Guard believes that development and enforcement of standards specifically addressing these (CONT)

Timetable:

Action	Date	FR Cite
ANPRM	04/16/87	52 FR 12439
ANPRM Comment Period End	07/16/87	52 FR 12439
NPRM	08/00/88	

Small Entity: Undetermined

Additional Information: unique hull forms and operating characteristics will significantly improve their safety record. These rules are not expected to impose substantial costs on industry. On February 14, 1983, the Coast Guard published an ANPRM concerning new construction of Offshore Supply Vessels (OSVs)(48 FR 6636). The information in the ANPRM presents the Coast Guard's overall approach with respect to developing comprehensive standards for conventional offshore supply vessels as contrasted with liftboats and other nonconventional OSVs. On March 7, 1985, the Coast Guard published an ANPRM on Revision of the Regulations on Outer Continental Shelf Activities (50 FR 9290). That ANPRM (CGD 84-098) solicited specific comments regarding appropriate standards that should be applied to the various types of vessels used for OCS activities. Some comments were received that addressed liftboats. These comments will be considered with the comments received in response to this rulemaking effort.

Analysis: Regulatory Evaluation 08/00/88

Agency Contact: LCDR S. Ciccalone, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, **202 267-2307**

RIN: 2115-AC63

1602. FIXED FIRE-EXTINGUISHING SYSTEMS ON UNINSPECTED VESSELS (74-284)

Significance: Nonsignificant

Legal Authority: 46 USC 2104; 46 USC 4104; 46 USC 4105; 46 USC 4302; 49 USC 108

CFR Citation: 46 CFR 162.029

Legal Deadline: None.

Abstract: Would establish standards for the construction and installation of Halon 1301 and other fixed fire extinguishing systems as optional systems for compliance with existing regulations. SNPRM will address new

comments received requesting that industry specifications be used and incorporated by reference.

Timetable:

Action	Date	FR Cite
NPRM	04/19/82	47 FR 16648
SNPRM	08/00/88	

Small Entity: No

Additional Information: Docket No. CGD 74-284.

Analysis: Regulatory Evaluation 04/19/82 (47 FR 16648)

Agency Contact: Mr. K. Wahle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-1444**

RIN: 2115-AA08

1603. MISCELLANEOUS CHANGES TO 46 CFR 56 (77-140)

Significance: Nonsignificant

Legal Authority: 46 USC 3301; 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR 50; 46 CFR 56

Legal Deadline: None.

Abstract: Would update Title 46, Subchapter F - Marine Engineering. Some facets of these regulations for shipboard piping systems have become obsolete as a result of technological developments and changes in cited codes and standards. SNPRM will be issued to include additional clarifying language and to delete the manufacturers' affidavit system.

Timetable:

Action	Date	FR Cite
NPRM	01/09/85	50 FR 1073
NPRM Comment Period End	03/11/85	
Comment Period Extension	03/21/85	50 FR 11397
SNPRM	04/00/88	

Small Entity: No

Additional Information: Docket No. CGD 77-140.

Analysis: Regulatory Evaluation 01/09/85 (50 FR 1073)

Agency Contact: Mr. H. Hime, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-2206**

RIN: 2115-AA17

1604. CRANE OPERATOR QUALIFICATIONS AND STANDARDS FOR OFFSHORE CRANE DESIGN, INSPECTION, TESTING, AND OPERATION (79-059)

Significance: Nonsignificant

Legal Authority: 46 USC 2104; 46 USC 3306; 46 USC 6101; 46 USC 6301; 49 USC 108

CFR Citation: 33 CFR 140; 33 CFR 143; 33 CFR 149; 46 CFR 107; 46 CFR 108; 46 CFR 109

Legal Deadline: None.

Abstract: Would develop required qualifications for crane operators employed on the Outer Continental Shelf and standards for crane design, inspection, and testing. SNPRM will address comments received on lessening the impact on small entities and other controversial issues.

Timetable:

Action	Date	FR Cite
ANPRM	01/10/80	45 FR 2052
NPRM	02/14/86	51 FR 5547
NPRM Comment Period End	08/15/86	51 FR 21378
SNPRM	04/00/88	

Small Entity: No

Additional Information: Docket No. CGD 79-059.

Analysis: Regulatory Evaluation 02/14/86 (51 FR 5547)

Agency Contact: LDCR Stephen Johnson, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-2997**

RIN: 2115-AA34

1605. INFLATABLE LIFERAFT STABILITY (80-113)

Significance: Nonsignificant

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Would provide specific rules for function, size, and placement of stability appendages. Based on comments received, an SNPRM will issue.

Timetable:

Action	Date	FR Cite
ANPRM	06/29/81	46 FR 33341
NPRM	01/11/85	50 FR 1558
NPRM Comment Period End	04/11/85	
Extension of Comment Period	07/05/85	50 FR 37628
SNPRM	06/00/88	

Small Entity: No

Additional Information: Docket No. CGD 80-113. Comment period extended to 10/14/85.

Analysis: Regulatory Evaluation 01/11/85 (50 FR 1538)

Agency Contact: Mr. M. Daniels, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-1444**

RIN: 2115-AA50

1606. MANEUVERING PERFORMANCE REGULATIONS (80-136)

Significance: Nonsignificant

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 1; 33 CFR 164

Legal Deadline: None.

Abstract: Would establish requirements to improve ship maneuvering and stopping ability for new tank vessels and possibly all vessels in response to mandates in 46 USC 3703. International Maritime Organization recommendations will be considered.

Timetable:

Action	Date	FR Cite
ANPRM	09/14/81	46 FR 45631
ANPRM	07/17/84	49 FR 28893
NPRM	06/00/88	

Small Entity: No

Additional Information: The Subcommittee on Ship Design and Equipment, IMO, completed action on this item in May 1986 and the results are being included in the NPRM. Final action by the IMO Assembly in November 1987 has made it possible for the Coast Guard to resume action on promulgation of a rule.

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Mr. P. Cojeen, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 267-2988**

RIN: 2115-AA53

DOT—USCG **Proposed Rule Stage**

1607. SERVICING INFLATABLE LIFERAFTS (81-010)

Significance: Nonsignificant

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Would allow liferaft servicing in U.S. and foreign ports without Coast Guard Marine Inspectors being present.

Timetable:

Action	Date	FR Cite
ANPRM	08/14/86	51 FR 29117
Public Meeting	01/27/87	51 FR 45783
ANPRM Comment Period End	02/10/87	
NPRM	06/00/88	

Small Entity: No

Additional Information: Docket No. CGD 81-010.

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Mr. Milton Daniels, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AA57

1608. PERSONAL FLOTATION DEVICES (81-023)

Significance: Nonsignificant

Legal Authority: 46 USC 1454; 46 USC 1488

CFR Citation: 33 CFR 175; 33 CFR 181

Legal Deadline: None.

Abstract: Revokes an obsolete provision and makes several editorial changes.

Timetable:

Action	Date	FR Cite
NPRM	04/12/82	47 FR 15606

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. CGD 81-023.

Analysis: Regulatory Evaluation 04/12/82 (47 FR 15606)

Agency Contact: Mr. C. Perry, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0979

RIN: 2115-AA58

1609. GENERAL REVISION OF 46 CFR 151, BARGES CARRYING CERTAIN BULK DANGEROUS CARGOES (81-082)

Significance: Nonsignificant

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 151

Legal Deadline: None.

Abstract: Would revise the rules for barges carrying bulk cargoes by clarifying the language, eliminating unnecessary requirements, and upgrading some existing requirements.

Timetable:

Action	Date	FR Cite
ANPRM	06/04/84	49 FR 23085
NPRM	01/00/89	

Small Entity: No

Additional Information: Docket No. CGD 81-082.

Docket No. CGD 81-087.

This project is being evaluated by the Chemical Transportation Advisory Committee.

Agency Contact: R. M. Query, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1217

RIN: 2115-AA70

1610. OFFSHORE SUPPLY VESSEL REGULATIONS (82-004)

Significance: Nonsignificant

Legal Authority: 46 USC 3301(3); 46 USC 3305; 46 USC 3306

CFR Citation: 46 CFR 125 to 136; 46 CFR 174

Legal Deadline: None.

Abstract: Create new 46 CFR subchapter governing Offshore Supply Vessels.

Timetable:

Action	Date	FR Cite
ANPRM	02/14/83	48 FR 6636
ANPRM Comment Period End	09/12/83	48 FR 6636
NPRM	04/00/88	

Small Entity: No

Additional Information: Docket No. CGD 82-004.

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: LT. B. Russell, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-2206

RIN: 2115-AA77

1611. GENERAL REVISIONS OF POLLUTION-PREVENTION REGULATIONS FOR TANKERS (82-030)

Significance: Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 2104; 46 USC 3703

CFR Citation: 33 CFR 157

Legal Deadline: None.

Abstract: Amend pollution regulations to clarify, correct minor errors, and incorporate policy decisions and international interpretations.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 08/00/88

Agency Contact: Mr. J.M. Kinsey, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1181

RIN: 2115-AA88

1612. AIDS TO NAVIGATION ON OUTER CONTINENTAL SHELF (82-054)

Significance: Nonsignificant

Legal Authority: 14 USC 2; 14 USC 83; 14 USC 85; 14 USC 92; 14 USC 633

CFR Citation: 33 CFR 67

Legal Deadline: None.

Abstract: This item will modify existing requirements to allow for the following: central approval of aids to navigation lighting equipment, conformance to International Association of Lighthouse Authorities marking recommendations for offshore structures, and realistic light-intensity requirements.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Additional Information: Docket No. 82-054.

Analysis: Regulatory Evaluation 05/00/88

Agency Contact: Mr. C. B. Mosher, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0350

RIN: 2115-AA92

1613. SAFETY STANDARDS FOR SELF-PROPELLED VESSELS CARRYING BULK LIQUEFIED GASES (82-058)

Significance: Nonsignificant

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 154

Legal Deadline: None.

Abstract: Would revise the standards for self-propelled vessels carrying bulk liquefied gases by adopting Amendments 1 through 4 of the International Maritime Organization Code for the construction and equipment of ships carrying gases in bulk.

Timetable:

Action	Date	FR Cite
NPRM	01/00/89	

Small Entity: No

Analysis: Regulatory Evaluation 01/00/89

Agency Contact: LCDR R. Fitch, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1217

RIN: 2115-AA95

1614. NAUTICAL SCHOOLS: IMPLEMENTING THE MARITIME EDUCATIONAL TRAINING ACT OF 1980 (82-092)

Significance: Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 12959(e)

CFR Citation: 46 CFR 166; 46 CFR 167; 46 CFR 168

Legal Deadline: None.

Abstract: Would update authority cites for Nautical Schools Inspection Regulations (46 CFR Subchapter "R") and update certain parts to conform with current inspection policies. Nautical School vessels operated by the United States (formerly called "Public Nautical School Ships") between 15 and 300 gross tons would be subject to inspection for the first time.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Docket No. CGD 82-092.

Agency Contact: LCDR Vanhaverbeke, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1181

RIN: 2115-AB21

1615. REASSESSMENT OF COAST GUARD FIRE PROTECTION REGULATIONS TO INCORPORATE SOLAS 1974 (83-026)

Significance: Nonsignificant

Legal Authority: 46 USC 3301; 46 USC 3305; 46 USC 3306; 46 USC 3503; 46 USC 3703

CFR Citation: 46 CFR Subchapter D; 46 CFR Subchapter H; 46 CFR Subchapter I; 46 CFR Subchapter U

Legal Deadline: None.

Abstract: Would bring Coast Guard regulations into agreement with the international requirements of SOLAS 1974 (Safety of Life at Sea) and its amendments.

Timetable:

Action	Date	FR Cite
ANPRM	10/01/84	49 FR 38672
ANPRM Comment Period End	11/30/84	
NPRM	07/00/88	

Small Entity: No

Additional Information: Docket No. CGD 83-026. Incorporates part of docket CGD 81-090.

Analysis: Regulatory Evaluation 07/00/88

Agency Contact: Dr. A. Schneider, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-2997

RIN: 2115-AB36

1616. REASSESSMENT OF COAST GUARD MARINE ENGINEERING REGULATIONS -- INCORPORATION OF SOLAS 74 AMENDMENTS (83-043)

Significance: Nonsignificant

Legal Authority: 46 USC 3301; 46 USC 3305; 46 USC 3306; 46 USC 3307

CFR Citation: 46 CFR Subchapter F

Legal Deadline: None.

Abstract: Would effect a general reassessment of Subchapter F and incorporation of international requirements of Sept. 1984.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Additional Information: Docket No. CGD 83-043.

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Mr. M. Mattina, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-2206

RIN: 2115-AB41

1617. OIL-WATER INTERFACE DETECTORS (CGD 84-052)

Significance: Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 3703

CFR Citation: 46 CFR 162

Legal Deadline: None.

Abstract: This project would propose a new specification for approval of oil-water interface detectors presently required by Annex 1 of MARPOL 73/78 (Marine Pollution Prevention).

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 11/00/88

Agency Contact: Ms. L. Martinez, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1071

RIN: 2115-AB66

DOT—USCG

Proposed Rule Stage

1618. LICENSING OF PILOTS-MANNING OF VESSELS (84-060)

Significance: Nonsignificant

Legal Authority: 46 USC 2104; 46 USC 3306; 46 USC 7101; 46 USC 7109; 46 USC 7112; 46 USC 8101; 46 USC 8502

CFR Citation: 46 CFR 157; 46 CFR 10.07; 46 CFR 15.812; 46 CFR 10.700

Legal Deadline: None.

Abstract: This proposal would: (1) delineate when certain inspected vessels are required to be under the direction and control of a pilot, (2) describe first class pilotage areas where local pilotage expertise is warranted, (3) allow licensed individuals to serve as pilot in areas not identified as first class pilotage areas on vessels that they are otherwise qualified to control, and (4) permit individuals with 5 years experience on towing vessel combinations of at least 5,000 gross tons while acting under the authority of a license as master, mate, or operator of uninspected towing vessels, with a minimum of 2 of the 5 years having been on towing vessels combinations of at least 10,000 gross tons, to obtain without a written examination, an endorsement as first class pilot, restricted to tug and barge combinations only, for those routes over which they have made the required number of round trips. Based on comments received, a SNPRM will be issued.

Timetable:

Action	Date	FR Cite
NPRM	06/24/85	50 FR 26117
NPRM Comment Period End	12/23/85	
SNPRM Supplemental	04/00/88	

Small Entity: No

Additional Information: This proposal has been split from a previously published NPRM identified by the same title with Coast Guard Docket number 77-084 and RIN 2115-AA04.

Analysis: Regulatory Evaluation 06/27/85 (50 FR 26117)

Agency Contact: Mr. J. Hartke, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0217

RIN: 2115-AB67

1619. MARINE PORTABLE TANKS (84-043)

Significance: Nonsignificant

Legal Authority: 49 USC 1801 to 1812

CFR Citation: 46 CFR 64; 46 CFR 98.30; 46 CFR 98.33; 46 CFR 98.35

Legal Deadline: None.

Abstract: This proposal would discontinue the Coast Guard specifications for Marine Portable Tanks. In their place, the Coast Guard would recognize tanks approved by the Department of Transportation, Research and Special Programs Administration as Intermodal Tanks.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Yes

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Mr. F. Thompson, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1577

RIN: 2115-AB69

1620. PERSONAL FLOTATION DEVICE COMPONENTS (84-068)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a); 46 USC 4104; 46 USC 4302

CFR Citation: 46 CFR 164; 46 CFR 160

Legal Deadline: None.

Abstract: This project would add state-of-the-art synthetic materials as standard components, add performance requirements for nonstandard components, and upgrade out-dated requirements.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 12/00/88

Agency Contact: Mr. K. Heinz, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AB70

1621. LIFESAVING EQUIPMENT--IMPLEMENTATION OF 1983 AMENDMENTS TO SOLAS 1974 (84-069)

Significance: Nonsignificant

Legal Authority: 46 USC 3306

CFR Citation: 33 CFR 175; 46 CFR 31; 46 CFR 33; 46 CFR 35; 46 CFR 71; 46 CFR 75; 46 CFR 78; 46 CFR 91; 46 CFR 94; 46 CFR 97; 46 CFR 107; 46 CFR 108; 46 CFR 109; 46 CFR 154; 46 CFR 160; ...

Legal Deadline: None.

Abstract: This project would implement the provisions of the 1983 amendments to SOLAS 1974 (Safety of Life at Sea) which came into force in July of 1986. It would also reorganize the lifesaving equipment regulations in order to simplify, clarify, and reduce redundancy.

Timetable:

Action	Date	FR Cite
ANPRM	12/31/84	49 FR 50745
ANPRM Comment Period End	03/01/85	
NPRM	06/00/88	

Small Entity: No

Additional Information: 46 CFR 30; 46 CFR 90; 46 CFR 112; 46 CFR 113; 46 CFR 167; 46 CFR 189; 46 CFR 192; 46 CFR 196; 46 CFR 199

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Mr. R. Markle, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AB72

1622. MOBILE OFFSHORE DRILLING UNIT REGULATIONS REVISION (83-071A)

Significance: Nonsignificant

Legal Authority: 46 USC 86; 46 USC 2104; 46 USC 2303; 46 USC 3305; 46 USC 3306; 46 USC 3311; 46 USC 3312; 46 USC 3318

CFR Citation: 46 CFR 56; 46 CFR 58; 46 CFR 107; 46 CFR 108; 46 CFR 109; 46 CFR 111; 46 CFR 174

Legal Deadline: None.

Abstract: This project would revise the regulations in subchapter I-A to clarify them, bring them up to date, delete some unnecessary requirements, and incorporate the recommendations

developed from major casualties. These changes are largely editorial in nature.

Timetable:

Action	Date	FR Cite
ANPRM	01/25/85	50 FR 11741
Extension of Comment Period	05/16/85	50 FR 20461
ANPRM Comment Period End	09/23/85	
NPRM	07/00/89	

Small Entity: No

Analysis: Regulatory Evaluation 07/00/89

Agency Contact: LCDR Dupree, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-2307

RIN: 2115-AB88

1623. SAFETY RULES FOR SHIPS CARRYING HAZARDOUS LIQUIDS (84-085)

Significance: Nonsignificant

Legal Authority: 46 USC 3703; 49 USC 1803

CFR Citation: 46 CFR 153

Legal Deadline: None.

Abstract: This project would amend 46 CFR Part 153 to incorporate changes to the International Maritime Organization code for the construction and equipment of ships carrying dangerous chemicals in bulk.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Mr. R. M. Query, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1217

RIN: 2115-AB92

1624. TRAINING IN THE USE OF AUTOMATIC RADAR PLOTTING AIDS (ARPA) (85-089)

Significance: Nonsignificant

Legal Authority: 33 USC 1223; 46 USC 3703

CFR Citation: 33 CFR 164

Legal Deadline: None.

Abstract: Current regulations require installation of ARPA on certain ships to improve vessel and waterway safety. Training in the use of this equipment is necessary to ensure its proper application and maximum benefit. A very small percentage of licensed personnel (those manning vessels of 10,000 GT or larger) would be required to complete an ARPA training course. The course is expected to take 5 days and cost about $600.00 per student.

Timetable:

Action	Date	FR Cite
ANPRM	10/24/85	50 FR 53316
ANPRM Comment Period End	12/23/85	
NPRM	06/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Mr. Robert Spears Jr., Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0224

RIN: 2115-AB99

1625. CERTIFICATION OF SEAMEN (84-088)

Significance: Nonsignificant

Legal Authority: 46 USC 2103; 46 USC 7301

CFR Citation: 46 CFR 12

Legal Deadline: None.

Abstract: This rulemaking would simplify and restructure the entire part. Among the changes contemplated are the addition of several new endorsements to seamen's documents and new ratings. An ANPRM was issued to gather necessary additional information.

Timetable:

Action	Date	FR Cite
ANPRM	02/04/85	50 FR 4875
Comment Period Extended	06/03/85	50 FR 23318
ANPRM Comment Period End	08/01/85	

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Evaluation

Agency Contact: Mr. S. Connaughton, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0214

RIN: 2115-AC02

1626. INLAND WATERWAY NAVIGATION REGULATIONS; ALL WATERS TRIBUTARY TO THE GULF OF MEXICO (85-096)

Significance: Nonsignificant

Legal Authority: 33 USC 1221

CFR Citation: 33 CFR 162

Legal Deadline: None.

Abstract: Proposes to revise and update the inland waterways navigation regulations for the Gulf Intercoastal Waterway from St. Marks, Fla. to the Rio Grande River.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Ms. M. Hegy, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0415

RIN: 2115-AC03

1627. FIRE DETECTION AND ALARM SYSTEMS (85-051)

Significance: Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 3703

CFR Citation: 46 CFR 161

Legal Deadline: None.

Abstract: This rulemaking would update the 30-year-old Coast Guard specification for fire detection and alarm systems to use modern terminology and address modern systems. Consensus standards would be adopted by reference.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 07/00/88

DOT—USCG **Proposed Rule Stage**

Agency Contact: LCDR S. Johnson, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-2997**

RIN: 2115-AC13

1628. REVISIONS TO THE ELECTRICAL ENGINEERING REGULATIONS (85-063)

Significance: Nonsignificant

Legal Authority: 46 USC 2104; 46 USC 2113; 46 USC 3301; 46 USC 3306; 46 USC 3318; 46 USC 3703; 46 USC 4104

CFR Citation: 46 CFR 110; 46 CFR 111; 46 CFR 112; 46 CFR 113

Legal Deadline: None.

Abstract: This rulemaking would generally update and revise 46 CFR Subchapter J to address changes in technology, include international conventions (Amendments to SOLAS '74), clarify requirements, and reflect experience gained as a result of vessel reflaggings.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 07/00/88

Agency Contact: Mr. Thomas Nolan, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-2206**

RIN: 2115-AC20

1629. SUBCHAPTER "T" TITLE 46, GENERAL UPDATES AND REVISIONS (85-080)

Significance: Nonsignificant

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 175; 46 CFR 176; 46 CFR 177; 46 CFR 178; 46 CFR 179; 46 CFR 180; 46 CFR 181; 46 CFR 182; 46 CFR 183; 46 CFR 184; 46 CFR 185; 46 CFR 186; 46 CFR 187

Legal Deadline: None.

Abstract: This rulemaking would revise Subchapter "T" to reflect recent statutory changes, incorporate new technology, and improve safety requirements. Among the changes contemplated would be a change in inspection intervals and drydocking intervals.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Yes

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: LCDR W. Cummins, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-1181**

RIN: 2115-AC22

1630. 46 CFR SUBCHAPTER 1. EDITORIAL REVISIONS AND CORRECTIONS (86-033)

Significance: Nonsignificant

Legal Authority: 46 USC 1801 to 1812

CFR Citation: 46 CFR 2 to 195

Legal Deadline: None.

Abstract: This proposed rule would correct or remove outdated cross-references and statutory citations related to the transportation of hazardous materials throughout 46 CFR Chapter 1.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Additional Information: Project entails replacement of words "46 CFR" with "49 CFR" with necessary revised lead-ins.

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Mr. F. Thompson, Department of Transportation, U.S. Coast Guard, 2100 2nd St. SW, Washington, DC 20593-0001, **202 267-1577**

RIN: 2115-AC28

1631. HAZARDOUS MATERIALS POLLUTION PREVENTION (CGD 86-034)

Significance: Nonsignificant

Legal Authority: 33 USC 1321

CFR Citation: 33 CFR 154 to 156

Legal Deadline: None.

Abstract: This Project would apply the present oil pollution prevention regulations in 33 CFR Parts 154-156 to vessels and onshore and offshore facilities transferring hazardous substances.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Yes

Additional Information: Former title: Hazardous Substances Pollution Prevention.

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Mr. K.J. Seigety, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St. SW, Washington, DC 20593-0001, **202 267-0491**

RIN: 2115-AC29

1632. UPDATING APPROVAL REQUIREMENTS FOR BREATHING APPARATUS (86-036)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160; 46 CFR 35 to 20

Legal Deadline: None.

Abstract: Proposal would update the approval specifications for breathing apparatus for merchant vessels by citing present certification agencies and test schedules. It is also proposed to revise the tank vessel regulations for the carriage of approved pressure-demand type self-contained breathing apparatus.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: Yes

Analysis: Regulatory Evaluation 08/00/88

Agency Contact: Mr. K. Wahle, Department of Transportation, U.S. Coast Guard, 2100 Second St. SW, Washington, DC 20593-0001, **202 267-1444**

RIN: 2115-AC30

1633. REVISED APPROVAL SPECIFICATIONS FOR NONCOMBUSTIBLES AND PROHIBITION OF ASBESTOS FOR COMMERCIAL VESSELS (86-035)

Significance: Nonsignificant

Legal Authority: 46 USC 3306 (a)

CFR Citation: 46 CFR 30 to 40; 46 CFR 70; 46 CFR 188 to 196; 46 CFR 140 to 154; 46 CFR 90

Legal Deadline: None.

Abstract: Proposal would revise the approval specifications for noncombustible materials for merchant vessel construction to delete asbestos as an acceptable noncombustible material.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Yes

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Mr. K. Wahle, Department of Transportation, U.S. Coast Guard, 2100 Second St. SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC32

1634. UNINSPECTED FISH-PROCESSING VESSELS (86-025)

Significance: Nonsignificant

Legal Authority: 46 USC 4502 (a)

CFR Citation: 46 CFR 27

Legal Deadline: None.

Abstract: This rulemaking project would implement the provisions of the Commercial Fishing Industry Vessel Act which requires development of regulations for uninspected fish processing vessels that enter into service after December 31, 1987 and carry more than 16 persons who are primarily employed in the preparation of fish products.

Timetable:

Action	Date	FR Cite
ANPRM	07/09/87	52 FR 25890
Correction to ANPRM	08/10/87	52 FR 29556
ANPRM Comment Period End	09/08/87	52 FR 25890
NPRM	06/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: LCDR W. J. Morani, Jr., Department of Transportation, U.S. Coast Guard, 2100 Second St. SW, Washington, DC 20593-0001, 202 267-1181

RIN: 2115-AC34

1635. CARGO LISTS AND TABLES UPDATE (CGD 88-100)

Significance: Nonsignificant

Legal Authority: 46 USC 3703; 49 USC 1804

CFR Citation: 46 CFR 1.46(b); 46 CFR 1.46(t); 46 CFR 1.46(u); 46 CFR 30; 46 CFR 150; 46 CFR 151; 46 CFR 153; 46 CFR 154

Legal Deadline: None.

Abstract: The Coast Guard periodically issues rules listing additional cargoes which may be carried on tank vessels. Since this action is recurrent, the Coast Guard has established a continuing docket for this type of action. Notices for this rule are anticipated in Jan./Feb. of each year. Final rules will be completed prior to September 30 of each year.

Timetable:

Action	Date	FR Cite
Final Rule	06/04/87	52 FR 21036
NPRM	04/00/88	

Small Entity: No

Additional Information: Former regulation title: Compatibility of Cargoes.

Agency Contact: Dr. M. Parnarouskis/Mr. Payne, Chemical Engineer, Department of Transportation, U.S. Coast Guard, 2100 Second St. SW, Washington, DC 20593-0001, 202 267-1577

RIN: 2115-AC35

1636. LOAD LINES (86-013)

Significance: Nonsignificant

Legal Authority: 46 USC 5115; HR 1362

CFR Citation: 46 CFR 41 to 48

Legal Deadline: None.

Abstract: This proposal will revise 46 CFR Parts 42 and 44 through 46 and add Parts 41, 43, 47 and 48 (Subchapter E) to correct errors, replace previous omissions, incorporate new policies which have not been published and implement provisions of the new Load Line Law enacted on 21 Oct 86 and now in effect.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 09/00/88

Agency Contact: Mr. R. Anderson, Naval Architect, Department of Transportation, U.S. Coast Guard, 2100 Second St. SW, Washington, DC 20593-0001, 202 267-2988

RIN: 2115-AC37

1637. NAVIGATION BRIDGE VISIBILITY (CGD 85-099)

Significance: Nonsignificant

Legal Authority: 46 USC 369; 46 USC 391a

CFR Citation: 33 CFR 164; 46 CFR 32; 46 CFR 72; 46 CFR 91; 46 CFR 92; 46 CFR 108; 46 CFR 157; 46 CFR 190

Legal Deadline: None.

Abstract: Limited visibility from the navigation bridge of vessels has been identified as a factor in vessel casualties and near-misses. This action would establish standards for acceptable limits of visibility based on existing international guidelines. Because the primary focus is on new vessel design, costs are estimated to be minimal compared to potential benefits in casualties prevented.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 05/00/88

Agency Contact: Mr. Edward J. LaRue, Jr., Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0416

RIN: 2115-AC42

1638. FIRE EXTINGUISHERS (PORTABLE AND SEMI-PORTABLE) - REVISING APPROVAL SPECIFICATIONS AND UPDATING CARRIAGE REQUIREMENTS (86-072)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 162; 46 CFR 25; 46 CFR 34; 46 CFR 76; 46 CFR 95; 46 CFR 108; 46 CFR 168; 46 CFR 181; 46 CFR 193; 33 CFR 145; 33 CFR 149

Legal Deadline: None.

Abstract: Update approval specifications for portable and semi-portable fire extinguishers to incorporate minimum acceptance standards, and minimum factory quality

control and independent laboratory inspection levels. Update extinguisher carriage and inspection requirements on vessels to reflect current fire extinguisher technology.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 09/00/88

Agency Contact: Mr. Klaus Wahle, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC43

1639. SOLAS 74/83 LIFE JACKET APPROVAL REQUIREMENTS REVISION (85-200)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Would establish U.S. Coast Guard approval requirements for lifejackets meeting the 1983 Amendments to the 1974 Safety of Life at Sea Convention.

Timetable:

Action	Date	FR Cite
NPRM	07/00/89	

Small Entity: No

Additional Information: This is the first in a series of projects, numbered 85-200 to 85-211, which have been split off from Coast Guard 84-069 which implemented the 1983 Amendments to SOLAS 1974. So many revisions were necessary that it was better to make several small and easily identifiable projects rather than a large and confusing one. Because of staffing assignments, the projects may not be completed in numerical order, and many cannot be given estimated completion dates.

Analysis: Regulatory Evaluation 07/00/89

Agency Contact: Mr. Samuel Wehr, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC46

1640. SOLAS 74/83 LIFEBOAT AND RESCUE BOAT APPROVAL REQUIREMENTS (85-201)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Establish U.S. Coast Guard approval requirements for lifeboats and rescue boats meeting the 1983 Amendments to the 1974 Safety of Life at Sea Convention.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 10/00/88

Agency Contact: LCDR W. Riley, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC47

1641. SOLAS 74/83 REVISION OF PYROTECHNIC DISTRESS SIGNAL APPROVAL REQUIREMENTS (85-203)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Establish U.S. Coast Guard approval requirements for pyrotechnic distress signals meeting the 1983 Amendments to the 1974 Safety of Life at Sea Convention.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 10/00/88

Agency Contact: LCDR W. Riley, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC49

1642. SOLAS 74/83 REVISION OF DISEMBARKATION LADDER APPROVAL REQUIREMENTS (85-204)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Would establish U.S. Coast Guard approval requirements for disembarkation ladders meeting the 1983 Amendments to the Safety of Life at Sea Convention.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 10/00/88

Agency Contact: LCDR W. Riley, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC50

1643. SOLAS 74/83 REVISION TO INFLATABLE LIFERAFT APPROVAL (85-205)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Establish U.S. Coast Guard approval requirement for inflatable liferafts meeting the 1983 Amendments to the 1974 Safety of Life at Sea Convention.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Mr. Milton Daniels, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC51

1644. SOLAS 74/83 REVISION OF LIFE JACKET LIGHT APPROVAL REQUIREMENTS (85-211)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 161

Legal Deadline: None.

Abstract: Establish U.S. Coast Guard approval requirement for life jacket lights meeting the 1983 Amendments to

the 1974 Safety of Life at Sea Convention.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 10/00/88

Agency Contact: LCDR W. Riley, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC56

1645. ADVANCE NOTICE OF ARRIVAL (CGD 86-055)

Significance: Nonsignificant

Legal Authority: 33 USC 1223(a)(5)

CFR Citation: 33 CFR 160

Legal Deadline: None.

Abstract: This revision to 33 CFR 160 Subpart C would require advance notices from all foreign commercial vessels of less than 1600 gross tons bound for parts or places in the Miami Captain of the Port zone. Currently 33 CFR 160.201(c)(1) excepts all vessels of less than 1600 gross tons from reporting advance notices of arrival. The revision would require vessels of more than 1600 gross tons to provide to the COTP crew makeup and charter information at least 24 hours prior to entering ports or places within the COTP zone.

Timetable:

Action	Date	FR Cite
NPRM	04/30/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 04/30/88

Agency Contact: Lt. J. McDowell, Office of Marine Safety, Security and Environmental Protection, Department of Transportation, U.S. Coast Guard, Commandant (G-MPS-3), 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0491

RIN: 2115-AC58

1646. MEASUREMENT OF VESSELS (87-015 B)

Significance: Nonsignificant

Legal Authority: 46 USC Part J, Chap 141

CFR Citation: 46 CFR 69

Legal Deadline: None.

Abstract: This project would establish the International Convention on Tonnage Measurement of Ships, 1969, as the primary tonnage measurement system for measuring vessels of 79 feet and longer. The project will also extend simplified measurement to all vessels of less than 79 feet in length and eliminate all vessels of 79 feet in length and over from being measured under the simplified system.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 05/00/88

Agency Contact: Mr. Dennis Lamont, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593, 202 267-1100

RIN: 2115-AC67

1647. POSTING REQUIREMENTS ON INSPECTED VESSELS (87-031)

Significance: Nonsignificant

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 31; 46 CFR 71; 46 CFR 91; 46 CFR 167; 46 CFR 176; 46 CFR 189

Legal Deadline: None.

Abstract: Various laws, international agreements, and Coast Guard regulations require the posting of specific certificates, licenses, plans, operating instructions, and warnings onboard vessels. Some of these contain essential operational data which must be accessible at all times; others are primarily informational. This rulemaking project will seek to reduce posting requirements for nonessential operational data to reduce the burden on the public. Alternatives such as having items readily available rather than being posted are being considered.

Timetable:

Action	Date	FR Cite
ANPRM	08/24/87	52 FR 31786
ANPRM Comment Period End	11/24/87	52 FR 31786
NPRM	05/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 05/00/88

Agency Contact: LCDR W. J. Morani, Jr., Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 267-1181

RIN: 2115-AC68

1648. PORT ACCESS ROUTES; APPROACH TO FREEPORT, TEXAS (CGD 87-038)

Significance: Nonsignificant

Legal Authority: 33 USC 1223

CFR Citation: 33 CFR 166

Legal Deadline: None.

Abstract: A study of fairway anchorage sites and areas adjacent to the fairway in the approach to Freeport, Texas, has been announced and comments requested.

Timetable:

Action	Date	FR Cite
Fairway study completed	07/02/87	52 FR 25039
NPRM	07/01/88	

Small Entity: No

Government Levels Affected: Local, State, Federal

Analysis: Regulatory Evaluation 07/01/88

Agency Contact: Ms. M. Hegy, Project Manager, Department of Transportation, U.S. Coast Guard, COMDT (G-NSS-2), 2100 2nd St., SW, Washington, DC 20593, 202 267-0415

RIN: 2115-AC78

1649. PORT ACCESS ROUTES; APPROACH TO MOBILE, ALABAMA (CGD 86-008)

Significance: Nonsignificant

Legal Authority: 33 USC 1223

CFR Citation: 33 CFR 166

Legal Deadline: None.

Abstract: The Coast Guard is studying the request by an oil company to modify the fairway in the approach to Mobile, Alabama.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Additional Information: A public meeting will probably be held to discuss the issues in the study.

Government Levels Affected: Local, State, Federal

DOT—USCG

Proposed Rule Stage

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Ms. M. Hegy, Project Manager, Department of Transportation, U.S. Coast Guard, COMDT (G-NSS-2), 2100 2nd St., SW, Washington, DC 20593, 202 267-0415

RIN: 2115-AC81

1650. ● REGATTAS AND MARINE PARADES (CGD 87-087)

Significance: Nonsignificant

Legal Authority: 33 USC 1233

CFR Citation: 33 CFR 100.15

Legal Deadline: None.

Abstract: This proposal would amend current regatta and marine parade regulations to increase the lead time requirement for submitting regatta permit applications. The rulemaking will allow the Coast Guard adequate time to review regatta permit applications, conduct appropriate coordination, and provide necessary public notice relating to regattas and marine events.

Timetable:

Action	Date	FR Cite
NPRM	04/04/88	

Small Entity: Yes

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Mr. Carlton Perry, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0979

RIN: 2115-AC84

1651. ● OIL DISCHARGE MONITORING AND CONTROL SYSTEM (CGD 87-057)

Significance: Nonsignificant

Legal Authority: 33 USC 1321(j); 33 USC 1903; 46 USC 391(a); 49 USC 1655(b)

CFR Citation: 46 CFR 162; 46 CFR 157

Legal Deadline: None.

Abstract: This project would revise the existing equipment approval requirements for the oil discharge monitoring and control system to bring the U.S. requirements in line with the more stringent International Maritime Organization Resolution A.586(14) "Revised Guidelines and Specifications for Oil Discharge Monitoring and Control Systems for Oil Tankers." This project does not create any new installation requirements for oil pollution prevention equipment on any class of vessels.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Ms. L. Martinez, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St. SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC85

1652. ● ALTERNATIVE PROVISIONS FOR REINSPECTIONS OF OFFSHORE SUPPLY VESSELS IN FOREIGN PORTS (CGD 82-004A)

Significance: Nonsignificant

Legal Authority: 46 USC 3306; 33 USC 1321(j)(1)

CFR Citation: 46 CFR 91.27-13(added)

Legal Deadline: None.

Abstract: The Coast Guard is proposing to amend the regulations concerning the reinspection of offshore supply vessels (OSVs) in foreign ports. Currently OSVs holding two year certificates of inspection are reinspected between the 10th and 14th month of the certificate's period. In recent years, more OSVs have been based overseas in remote locations. Vessel owners must reimburse the Coast Guard for inspector travel and per diem costs in connection with foreign inspections. This action would propose an alternative to the traditional Coast Guard mid-period reinspection. The benefits would be flexibility and financial savings to the OSV industry and more effective use of Coast Guard resources.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Mr. J. Kinsey, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1181

RIN: 2115-AC86

DEPARTMENT OF TRANSPORTATION (DOT)

U.S. Coast Guard (USCG)

Final Rule Stage

1653. + INTERVALS FOR DRYDOCKING AND TAILSHAFT EXAMINATION ON INSPECTED VESSELS (84-024)

Significance: Regulatory Program

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 31; 46 CFR 61; 46 CFR 71; 46 CFR 91; 46 CFR 167; 46 CFR 169; 46 CFR 189

Legal Deadline: None.

Abstract: The Coast Guard has amended the intervals between drydocking and tailshaft examination intervals by extending them in most cases for certain classes of vessels. These changes would decrease the cost incurred by the marine industry in meeting these examination requirements and harmonize the intervals with those specified by various classification societies and those under construction internationally. The Coast Guard is reviewing the comments received and considering what final action to take on the proposal.

Timetable:

Action	Date	FR Cite
ANPRM	05/04/84	49 FR 19050
ANPRM Comment Period End	08/02/84	
NPRM	05/30/86	51 FR 19720
Correction	06/09/86	51 FR 20847
NPRM Comment Period End	09/30/86	51 FR 29116
Interim Final Rule	10/23/87	52 FR 39639
Final Action	08/00/88	

Small Entity: Yes

Analysis: Regulatory Evaluation 10/23/87 (52 FR 39639)

Agency Contact: LCDR Powers, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1185

RIN: 2115-AB58

1654. + JOINT U.S.-CANADA VESSEL TRAFFIC MANAGEMENT REGULATIONS FOR THE PACIFIC REGION (79-131)

Significance: Agency Priority

Legal Authority: 33 USC 1221

CFR Citation: 33 CFR 161

Legal Deadline: None.

Abstract: Would implement the provisions of an agreement for a cooperative vessel traffic management system for the Pacific region. This rulemaking is significant because of international considerations.

Timetable:

Action	Date	FR Cite
NPRM	08/18/83	48 FR 37433

Next Action Undetermined

Small Entity: No

Additional Information: All action on this proposal has been suspended pending legislative action by the Canadian Government.

Agency Contact: LTJG K. Bradley, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0412

RIN: 2115-AA39

1655. + LICENSING OF MARITIME PERSONNEL (CGD 81 - 059)

Significance: Agency Priority

Legal Authority: 46 USC 3306; 46 USC 7101; 46 USC 7102; 46 USC 7103; 46 USC 7104; 46 USC 7105; 46 USC 7106; 46 USC 7107; 46 USC 7108; 46 USC 7009; 46 USC 7110; 46 USC 7111; 46 USC 7112; 46 USC 7113; 46 USC 7114; ...

CFR Citation: 46 CFR 10; 46 CFR 35; 46 CFR 157; 46 CFR 175; 46 CFR 185; 46 CFR 186; 46 CFR 187; 46 CFR 15; 46 CFR 26

Legal Deadline: None.

Abstract: Amends the licensing regulations to simplify administration and improve readability to the public. Also provides a license structure for all mariners with which to advance in an orderly career pattern. Deletes many unnecessary and outdated licenses. This regulation has been made significant because of its far-reaching impact on all licensed officers of the merchant marine. The Coast Guard is reviewing the comments received and considering what final action to take on the proposal.

Timetable:

Action	Date	FR Cite
ANPRM	10/29/81	46 FR 53624
NPRM	08/08/83	48 FR 35920
Comment Period extended	11/10/83	48 FR 51650
NPRM Supplemental	10/24/85	50 FR 43316
Interim Final Rule	10/16/87	52 FR 38614
Final Action	09/00/88	

Small Entity: No

Additional Information: ADDITIONAL LEGAL AUTHORITIES: 46 USC 8101; 46 USC 8105; 46 USC 8104; 46 USC 8301; 46 USC 8302; 46 USC 8303; 46 USC 8304; 46 USC 8502; 46 USC 7701; 46 USC 7702; 46 USC 7703; Comment period runs until 02/21/86. Public hearings held in Washington, D.C.; New York, New York; Seattle, Washington; San Francisco, California; and New Orleans, Louisiana.

Analysis: Regulatory Evaluation 08/08/83 (48 FR 35920)

Agency Contact: LCDR Jenkins, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 267-0224

RIN: 2115-AA64

1656. + SAFETY RULES FOR VESSELS ENGAGED IN CHEMICAL WASTE INCINERATION AT SEA (84-025)

Significance: Agency Priority

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 150

Legal Deadline: None.

Abstract: Would establish safety rules for the design of vessels engaged in the incineration of chemical wastes at sea. This regulation is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	08/25/86	51 FR 30241
NPRM Comment Period End	10/24/86	
Final Action	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 08/25/86 (51 FR 30241)

Agency Contact: CDR R. Tanner, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1217

RIN: 2115-AB60

1657. HOPPER DREDGE WORKING FREEBOARD - LOAD LINE AND STABILITY REQUIREMENTS (76-080)

Significance: Nonsignificant

Legal Authority: 43 USC 1333(d); 46 USC 3306; 46 USC 3703; 46 USC 5115

CFR Citation: 46 CFR 42; 46 CFR 44; 46 CFR 45; 46 CFR 174; 46 CFR 170

Legal Deadline: None.

Abstract: Would permit self-propelled hopper dredge to load to a deeper draft (working freeboard). Only dredges desiring working freeboard must comply. Requirements for load line and stability are promulgated.

Timetable:

Action	Date	FR Cite
ANPRM	08/02/76	41 FR 32237
NPRM	12/10/79	44 FR 70791
SNPRM	01/24/80	45 FR 5780
SNPRM	12/14/87	52 FR 47422
Final Action	02/00/89	

Small Entity: No

Analysis: Regulatory Evaluation 02/00/89

Agency Contact: LCDR McCarthy, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-2988

RIN: 2115-AA11

1658. DEFECT NOTIFICATION AND FIRST-PURCHASER INFORMATION (77-115)

Significance: Nonsignificant

Legal Authority: 46 USC 4310

CFR Citation: 33 CFR 179.01 to 179.19

Legal Deadline: None.

Abstract: This rulemaking would require marine dealers to furnish boat and engine manufacturers with serial numbers of new boats and engines sold and the names and addresses of retail first purchasers of those products. Manufacturers would use the information to locate purchasers of boats and engines recalled for defects which create a substantial risk of personal injury to the public and for failures to comply with applicable regulations. Currently many manufacturers cannot obtain sufficient first-purchaser information and their attempts to notify during recalls are inadequate.

Timetable:

Action	Date	FR Cite
NPRM	12/29/80	45 FR 85475
Supplemental NPRM	05/29/87	52 FR 20115
:Supplemental NPRM	12/16/87	52 FR 47590
Final Action	06/00/88	

Small Entity: No

Additional Information: Docket No. CGD 77-115.

Analysis: Regulatory Evaluation 12/16/87 (52 FR 47950)

Agency Contact: Mr. Colihan, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0981

RIN: 2115-AA16

1659. HYBRID PERSONAL FLOTATION DEVICES: ESTABLISHMENT OF APPROVAL REQUIREMENTS (78-174)

Significance: Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 3703; 46 USC 4104; 46 USC 4302

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: Would establish performance standards for hybrid PFDs and procedures for granting product approval to these devices.

Timetable:

Action	Date	FR Cite
ANPRM	03/15/79	44 FR 15933
NPRM	05/29/85	50 FR 21862
NPRM Comment Period End	07/15/85	
Interim Final Rule	08/22/85	50 FR 33923
Final Action	04/00/89	

Small Entity: No

Additional Information: Docket No. CGD 78-174. Two additional projects split from this one. They are listed in this Agenda as CGD 78-174a, Carriage and Operational Requirements for Hybrid PFDs and CGD 78-174b, Carriage and Operational Requirements for Inflatable Life Jackets. Entries for these projects follow in the agenda.

Analysis: Regulatory Evaluation 08/22/85 (50 FR 33923)

Agency Contact: Mr. S. Wehr, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AA29

1660. LAUNCHING DEVICES FOR LIFERAFTS (79-168)

Significance: Nonsignificant

Legal Authority: 46 USC 2104; 46 USC 3306

CFR Citation: 46 CFR 160; 46 CFR 163

Legal Deadline: None.

Abstract: Would establish standards, procedures, and tests for approving equipment used to launch liferafts from vessels and offshore platforms.

Timetable:

Action	Date	FR Cite
NPRM	02/13/86	50 FR 5377
NPRM Comment Period End	05/13/86	
Final Action	06/00/88	

Small Entity: No

Additional Information: Docket No. CGD 79-168.

Analysis: Regulatory Evaluation 02/13/86 (51 FR 5377)

Agency Contact: LCDR Riley, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AA45

1661. VITAL SYSTEM AUTOMATION (CGD 81-030)

Significance: Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 8105

CFR Citation: 46 CFR 52; 46 CFR 56; 46 CFR 58; 46 CFR 61; 46 CFR 62; 46 CFR 110; 46 CFR 111; 46 CFR 113

Legal Deadline: None.

Abstract: Final rule would include provisions for the safe and reliable design and construction of vital system automation on new and modified U.S.-flag passenger vessels and U.S.-flag vessels regulated under 46 CFR Subchapters D, I, and U of 500 gross tons and over. It will also include the technical criteria for the evaluation of safe manning levels on automated vessels. Would incorporate the results of casualty analysis, the amendment to the International Convention for the Safety of Life at Sea, 1974 (SOLAS '74), and longstanding Coast Guard guidance on automation found in navigation and vessel inspection circulars NVIC 1-69 and NVIC 6-84.

Timetable:

Action	Date	FR Cite
NPRM	09/23/85	50 FR 38608
NPRM Comment Period End	02/21/86	
Final Action	07/00/88	

Small Entity: No

Additional Information: Docket No. CGD 81-030.

Analysis: Regulatory Evaluation 09/23/85 (50 FR 38608)

Agency Contact: LCDR Randall, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, 202 267-2206

RIN: 2115-AA59

1662. GENERAL BRIDGE PERMIT REGULATIONS (81-057)

Significance: Nonsignificant

Legal Authority: 33 USC 401

CFR Citation: 33 CFR 115

Legal Deadline: None.

Abstract: Would establish the general bridge-permit program. There is an initiative to transfer the Bridge Program to the Corps of Engineers. If the Corps agrees and Congress approves, the program will be transferred.

Timetable:

Action	Date	FR Cite
NPRM	09/23/82	47 FR 41988
NPRM Supplemental	04/24/86	51 FR 15503

Next Action Undetermined

Small Entity: No

DOT—USCG

Final Rule Stage

Additional Information: This project is inactive pending transfer of the Bridge Program from Coast Guard to the Corps of Engineers.

Analysis: Regulatory Evaluation 04/24/86 (51 FR 15503)

Agency Contact: Mr. N. Mpras, Assistant Division Chief, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-0368**

RIN: 2115-AA61

1663. HANDHELD FLASHLIGHTS (82-042)

Significance: Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 3703

CFR Citation: 46 CFR 33; 46 CFR 35; 46 CFR 75; 46 CFR 77; 46 CFR 94; 46 CFR 96; 46 CFR 108; 46 CFR 154; 46 CFR 160; 46 CFR 161; 46 CFR 192; 46 CFR 195

Legal Deadline: None.

Abstract: Would delete 46 CFR 161.008 and incorporate by reference an industry standard in the applicable vessel subparts.

Timetable:

Action	Date	FR Cite
NPRM	09/25/87	52 FR 36062
NPRM Comment Period End	11/09/87	52 FR 36062
Final Action	04/00/88	

Small Entity: No

Additional Information: An industry standard has been developed and will be incorporated by reference in the applicable parts.

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Mr. T. Nolan, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593, **202 267-2206**

RIN: 2115-AA91

1664. SAFETY/SECURITY ZONE REGULATIONS

Significance: Nonsignificant

Legal Authority: 33 USC 1233; 33 USC 1225

CFR Citation: 33 CFR 100; 33 CFR 165

Legal Deadline: None.

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected to continue through 04/00/89.

Timetable:

Action	Date	FR Cite
Total actions expected to end	04/00/89	

Small Entity: No

Agency Contact: Ms. M. Hegy, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-0415**

RIN: 2115-AA97

1665. ANCHORAGE AREA REGULATIONS

Significance: Nonsignificant

Legal Authority: 33 USC 471; 33 USC 2030; 33 USC 2035; 33 USC 2071

CFR Citation: 33 CFR 110

Legal Deadline: None.

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected to continue through 04/00/89.

Timetable:

Action	Date	FR Cite
Total actions expected to end	04/00/89	

Small Entity: No

Agency Contact: Ms. M. Hegy, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-0415**

RIN: 2115-AA98

1666. DOCUMENTATION OF VESSELS; CONTROLLING INTEREST (82-105)

Significance: Nonsignificant

Legal Authority: 46 USC 12121; 49 USC 108

CFR Citation: 46 CFR 67

Legal Deadline: None.

Abstract: Would define the term "controlling interests" for the purpose of documenting vessels owned by partnerships.

Timetable:

Action	Date	FR Cite
ANPRM	11/12/82	47 FR 51170
NPRM	07/16/84	49 FR 28744
NPRM Comment Period End	09/01/84	49 FR 28744
Comment period extended to 10/15/84	09/13/84	49 FR 35967
Final Action	06/00/88	

Small Entity: Undetermined

Additional Information: Docket No. CGD 82-105.

Analysis: Regulatory Evaluation 07/16/84 (49 FR 28744)

Agency Contact: Mr. T. L. Willis, Merchant Vessel Inspection and Documentation Division, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-1492**

RIN: 2115-AB27

1667. CARRIAGE AND USE OF LIQUEFIED OR NONLIQUEFIED FLAMMABLE GAS AS COOKING FUELS ON VESSELS CARRYING PASSENGERS FOR HIRE (83-013)

Significance: Nonsignificant

Legal Authority: 46 USC 2104; 46 USC 3306; 46 USC 4104; 46 USC 4105; 46 USC 4302

CFR Citation: 46 CFR 25; 46 CFR 58; 46 CFR 147; 46 CFR 184

Legal Deadline: None.

Abstract: Proposed requirements for the use of liquefied flammable gas and compressed natural gas as cooking fuels on passenger vessels.

Timetable:

Action	Date	FR Cite
NPRM	03/22/84	49 FR 10685
SNPRM	04/18/86	50 FR 15522
Final Action	04/00/88	

Small Entity: Yes

Additional Information: Docket No. CGD 83-013.

Analysis: Regulatory Evaluation 03/22/84 (49 FR 10685)

Agency Contact: LCDR Vanhaverbeke, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-1181**

RIN: 2115-AB35

DOT—USCG

Final Rule Stage

1668. HAZARDOUS MATERIALS USED AS SHIP'S STORES ONBOARD VESSELS (84-044)

Significance: Nonsignificant

Legal Authority: 46 USC 3306

CFR Citation: 46 CFR 2; 46 CFR 31; 46 CFR 34; 46 CFR 58; 46 CFR 71; 46 CFR 76; 46 CFR 91; 46 CFR 107; 46 CFR 108; 46 CFR 109; 46 CFR 147; 46 CFR 167; 46 CFR 176; 46 CFR 181; 46 CFR 189; ...

Legal Deadline: None.

Abstract: Would reduce the burden on shippers and manufacturers by deleting the requirement for separate Coast Guard classification of Ship's Stores and adopting the classification and identification provisions found in 49 CFR Subchapter C which are already required for the transportation of hazardous materials. It would also eliminate requirements for materials no longer in use and delete Table S.

Timetable:

Action	Date	FR Cite
NPRM	07/07/87	52 FR 25409
Correction to NPRM	07/10/87	52 FR 26121
NPRM Comment Period End	10/05/87	52 FR 25409
Final Action	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 07/07/87 (52 FR 25409)

Agency Contact: Mr. C. Rivkin, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1217

RIN: 2115-AB65

1669. LICENSING OF OFFICERS AND OPERATORS FOR MOBILE OFFSHORE DRILLING UNITS (81-59A)

Significance: Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 7101; 46 USC 7102; 46 USC 7103; 46 USC 7104; 46 USC 7105; 46 USC 7106; 46 USC 7107; 46 USC 7108; 46 USC 7009; 46 USC 7110; 46 USC 7111; 46 USC 7112; 46 USC 7113; 46 USC 7114; ...

CFR Citation: 46 CFR 10; 46 CFR 15

Legal Deadline: None.

Abstract: This project resulted from comments received on Coast Guard proposed rulemaking 81-59, Licensing of Officers and Motorboat Operators and Registration of Staff Officers which is contained in this agenda under another listing. The comments suggested that licensing of officers on Mobile Offshore Drilling Units be discussed in a separate rulemaking. This project is the result of those suggestions; it establishes licensing requirements for officers on Mobile Drilling Units. The Coast Guard is reviewing the comments received and considering what final action to take on the proposal.

Timetable:

Action	Date	FR Cite
NPRM	08/08/83	48 FR 35920
SNPRM	10/24/85	50 FR 43316
Interim Final Rule	10/16/87	52 FR 38660
Final Action	09/00/88	

Small Entity: No

Additional Information: This project was split from Coast Guard docket 81-059, Licensing of Officers and Motorboat Operators and Registration of Staff Officers, which is listed elsewhere in this agenda with the RIN 2115-AA64.

Analysis: Regulatory Evaluation 10/16/87 (52 FR 38660)

Agency Contact: LCDR Jenkins, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0224

RIN: 2115-AB91

1670. MARPOL POLLUTION PREVENTION REGULATIONS (85-026)

Significance: Nonsignificant

Legal Authority: 33 USC 1321; 33 USC 1902; 33 USC 1903

CFR Citation: 33 CFR 155; 33 CFR 151

Legal Deadline: None.

Abstract: This rulemaking would implement various provisions of the International Convention for the Prevention of Pollution from Ships 1973, as modified by the Protocol of 1978 Relating Thereto (MARPOL 73/78). These proposed changes are largely editorial.

Timetable:

Action	Date	FR Cite
NPRM	02/07/86	51 FR 4768
Final Action	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: CDR David Pascoe, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0421

RIN: 2115-AC11

1671. CARRIAGE AND OPERATIONAL REQUIREMENTS FOR INFLATABLE LIFE JACKETS (78-174B)

Significance: Nonsignificant

Legal Authority: 46 USC 3306; 46 USC 3703; 46 USC 4104; 46 USC 4302

CFR Citation: 46 CFR 25; 46 CFR 26; 46 CFR 30; 46 CFR 33; 46 CFR 35; 46 CFR 70; 46 CFR 75; 46 CFR 78; 46 CFR 90; 46 CFR 94; 46 CFR 97; 46 CFR 108; 46 CFR 109; 46 CFR 160; 46 CFR 167; ...

Legal Deadline: None.

Abstract: Would establish approval and operating requirements for inflatable life jackets. Their use would be optional.

Timetable:

Action	Date	FR Cite
NPRM	05/29/85	50 FR 21878
Final Action	09/00/88	

Small Entity: No

Additional Information: This project, and a companion, Recreational Hybrid PFD's (78-174a), split from the rule titled Hybrid PFD's; Establishment of Approval Requirements (78-174) (RIN: 2115-AA29),which was published as an interim final rule (50 FR 33923).

Analysis: Regulatory Evaluation 05/29/85 (50 FR 21878)

Agency Contact: Mr. Wehr, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC16

1672. INTERVALS FOR INTERNAL EXAMINATION AND HYDROSTATIC TESTING OF PRESSURE VESSEL TYPE CARGO TANKS (85-061)

Significance: Nonsignificant

Legal Authority: 46 USC 3703

CFR Citation: 46 CFR 38; 46 CFR 151

Legal Deadline: None.

Abstract: The Coast Guard is proposing to amend the regulations that govern internal inspection and hydrostatic test intervals for pressure vessel cargo

tanks on barges that transport liquefied gaseous cargoes and grade A flammable liquids.

Timetable:

Action	Date	FR Cite
ANPRM	12/03/85	50 FR 49536
ANPRM Comment Period End	03/03/86	
NPRM	09/08/87	52 FR 33841
Comment Period Extended to 03/07/88	12/01/87	52 FR 45665
NPRM Comment Period End	03/07/88	52 FR 45665
Final Action	08/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 09/08/87 (52 FR 33841)

Agency Contact: LCDR Powers, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-1185**

RIN: 2115-AC18

1673. SELF-INSPECTION OF FIXED OCS FACILITIES (CGD 84-098(A))

Significance: Nonsignificant

Legal Authority: 43 USC 1333(d)(1); 43 USC 1348(c); 43 USC 1356; 43 USC 1.46(z)

CFR Citation: 33 CFR 140; 33 CFR 143

Legal Deadline: None.

Abstract: Would modify 33 CFR Subchapter N by requiring owners/operators of fixed OCS facilities to conduct an annual inspection for compliance with Coast Guard regulations and report the results of the self-inspection to the Coast Guard on a Coast Guard-provided form. This proposal minimizes cost to the industry and, by allowing available Coast Guard resources to be concentrated on program oversight and on those operations with poor safety records would improve safety on the OCS.

Timetable:

Action	Date	FR Cite
ANPRM	03/07/85	50 FR 9290
ANPRM Comment Period End	09/03/85	50 FR 20445
NPRM	07/07/87	52 FR 25392
NPRM Comment Period End	08/21/87	52 FR 25392
Final Action	06/00/88	

Small Entity: No

Additional Information: CGD 84-098(a) Self-Inspection of Fixed OCS Facilities separated from CGD 84-098 on 28 Mar. 1986.

Analysis: Draft Regulatory Evaluation 07/07/87 (52 FR 25392)

Agency Contact: LCDR A. Dupree, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, **202 267-2307**

RIN: 2115-AC40

1674. OFFSHORE EVACUATION PROCEDURES (84-098(B))

Significance: Nonsignificant

Legal Authority: 43 USC 1333(d); 43 USC 1348(c); 43 USC 1356; 49 CFR 1.46(z)

CFR Citation: 33 CFR 140; 33 CFR 146

Legal Deadline: Statutory, September 1, 1987. Omnibus Budget Reconciliation Act of 1986 (PL 99-509)

Abstract: Would modify 33 CFR Subchapter N to require evacuation procedures for all OCS facilities on the U.S. OCS. This would apply to MODUs, both foreign and U.S.-flag; Fixed Platforms and Floating Facilities. An alternative being considered is the mandatory use of stand-by boats.

Timetable:

Action	Date	FR Cite
ANPRM	03/07/85	50 FR 9290
ANPRM Comment Period End	09/03/85	50 FR 20445
NPRM	12/24/87	52 FR 48717
Final Action	09/00/88	

Small Entity: No

Additional Information: CGD 84-098(b) Offshore Evacuation Procedures for OCS facilities separated from CGD 84-098.

Analysis: Regulatory Evaluation 12/24/87 (52 FR 48717)

Agency Contact: LCDR A. Dupree, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, **202 267-2307**

RIN: 2115-AC41

1675. EMERGENCY POSITION INDICATING RADIO BEACONS FOR UNINSPECTED FISHING, FISH PROCESSING, AND FISH TENDING VESSELS (87-016)

Significance: Nonsignificant

Legal Authority: 46 USC 4102 as amended by Coast Guard Authorization Act of 1986

CFR Citation: 46 CFR 25; 46 CFR 26

Legal Deadline: None.

Abstract: The Coast Guard Authorization Act of 1986 amended 46 USC 4102 to require uninspected fishing, fish processing, and fish tender vessels operating on the high seas to carry "the number and type of Emergency Position Indicating Radio Beacons (EPIRBS) prescribed by regulation." By implementing the law this proposal would ensure rapid and effective search and rescue during emergency situations.

Timetable:

Action	Date	FR Cite
NPRM	09/03/87	52 FR 33448
NPRM Comment Period End	11/19/87	52 FR 39546
Final Action	04/00/88	

Small Entity: No

Analysis: Draft Regulatory Evaluation 05/14/87

Agency Contact: LCDR W. M. Riley, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, **202 267-1444**

RIN: 2115-AC69

1676. DELEGATION OF AUTHORITY TO MEASURE VESSELS (87-015A)

Significance: Nonsignificant

Legal Authority: 46 USC 14103

CFR Citation: 46 CFR 69

Legal Deadline: None.

Abstract: This project will propose standards to enable maritime-related organizations to participate with the American Bureau of Shipping in measuring U.S. vessels.

Timetable:

Action	Date	FR Cite
NPRM	12/03/87	52 FR 46103
NPRM Comment Period End	02/02/88	52 FR 46103
Final Action	04/00/88	

DOT—USCG

Final Rule Stage

Small Entity: No

Analysis: Regulatory Evaluation 12/03/87 (52 FR 46103)

Agency Contact: Mr. Joseph T. Lewis, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593, 202 267-2992

RIN: 2115-AC70

1677. INCORPORATIONS BY REFERENCE, VOLUNTARY INDUSTRY STANDARDS (CGD 87-046)

Significance: Nonsignificant

Legal Authority: 46 USC 4302; 49 CFR 1.46

CFR Citation: 33 CFR 183.5; 33 CFR 183.430; 33 CFR 183.435; 33 CFR 183.505; 33 CFR 183.516; 33 CFR 183.610

Legal Deadline: None.

Abstract: Rule amends 33 CFR 183, Subparts I, J and K, adopting the latest versions of voluntary industry standards by incorporation by reference. These changes do not involve substantive changes and are being published as as a final rule (editorial change).

Timetable:

Action	Date	FR Cite
Final Action	06/00/88	

Small Entity: Yes

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Mr. Alston Colihan, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0981

RIN: 2115-AC72

1678. ELECTRICAL SYSTEM STANDARD (CGD 87-009)

Significance: Nonsignificant

Legal Authority: 46 USC 4302; 49 CFR 1.46

CFR Citation: 33 CFR 183 to 435(a)(4); 33 CFR 183 to 435(a)(5)

Legal Deadline: None.

Abstract: Rule proposes to amend current regulations on electrical systems for new boats by incorporating Underwriters Laboratories (UL) Standard 1426 by reference to replace UL Standard 83 in Subpart I of Part 83. The proposed rule would also delete a general reference to acceptable wire types in circuits of 50 volts or more. The intended effect is to recognize one of the most widely used wire types, UL boat cable, and to delete a very general reference that is not considered useful.

Timetable:

Action	Date	FR Cite
NPRM	11/23/87	52 FR 44918
NPRM Comment Period End	02/22/88	52 FR 44918
Final Action	06/00/88	

Small Entity: Yes

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Mr. Alston Colihan, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-0981

RIN: 2115-AC73

1679. ASSISTANCE TOWING LICENSES (CGD 87-017)

Significance: Nonsignificant

Legal Authority: 46 USC 8904; 46 USC 7101; 49 CFR 1.46

CFR Citation: 46 CFR 10; 46 CFR 157; 46 CFR 187

Legal Deadline: Statutory, January 1, 1988. Amendment to 46 USC 8904 requiring assistance towing licenses becomes effective 1 January 1988

Abstract: Rule proposes to amend the regulations for the licensing of maritime personnel to include specific licensing and manning requirements for all vessels, regardless of size, which tow a disabled vessel for consideration. This proposal is made in response to a statutory change requiring such licenses. This action is intended to provide assurance to all involved parties that all persons who provide assistance towing services have met minimum established standards for knowledge and experience.

Timetable:

Action	Date	FR Cite
NPRM	08/20/87	52 FR 31429
NPRM Comment Period End	10/19/87	52 FR 31429

Next Action Undetermined

Small Entity: No

Public Compliance Cost: Initial Cost: $18,750; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1987

Analysis: Regulatory Evaluation 08/20/87 (52 FR 31429)

Agency Contact: LCDR Gary Kaminski, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., S.W., Washington, DC 20593-0001, 202 267-0218

RIN: 2115-AC82

1680. ● DELEGATION OF AUTHORITY TO AREA COMMANDERS WHEN FUNCTIONING AS MARITIME DEFENSE ZONE COMMANDERS (CGD 87-065)

Significance: Nonsignificant

Legal Authority: 50 USC 191; EO 10173; EO 10277; EO 10352; EO 11249

CFR Citation: 33 CFR 1; 33 CFR 6; 33 CFR 19; 33 CFR 109; 33 CFR 125; 33 CFR 126; 33 CFR 147; 33 CFR 160; 33 CFR 161; 33 CFR 165; 33 CFR 167; 46 CFR 1; 46 CFR 6

Legal Deadline: None.

Abstract: Following the 1986 reorganization of the Coast Guard, Area Commanders do not have authority to establish security zones, control vessels, or perform other necessary actions. This rule would delegate that authority to the Area Commanders. Since this proposal deals with agency procedure, it will be issued as a rule with no notice of proposed rulemaking.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: No

Agency Contact: Cdr Stone, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St. SW, Washington, DC 20593-0001, 202 267-0489

RIN: 2115-AC88

DEPARTMENT OF TRANSPORTATION (DOT)

U.S. Coast Guard (USCG)

Completed Actions

1681. + OPERATING A VESSEL WHILE INTOXICATED (84-099)

Significance: Regulatory Program

Legal Authority: 46 USC 6101; 46 USC 7701; 46 USC 8105; 46 USC 7101; 46 USC 3306; 46 USC 2302(a)

CFR Citation: 33 CFR 95; 33 CFR 146; 33 CFR 150; 33 CFR 173; 33 CFR 177; 46 CFR 26; 46 CFR 4; 46 CFR 5; 46 CFR 35; 46 CFR 78; 46 CFR 97; 46 CFR 109; 46 CFR 167; 46 CFR 185; 46 CFR 196 to 197

Legal Deadline: None.

Abstract: Final rule (1) prohibits crewmembers on vessels subject to inspection from performing any duties while intoxicated or within four hours of consuming alcohol, (2) prescribes civil penalties for owners, charterers, managing operators, agents, masters or individuals in charge of vessels subject to inspection that allow crewmembers to perform any duties while intoxicated, (3) allows personnel licensed, documented or certificated by the Coast Guard to seek rehabilitation prior to being subject to suspension or revocation of license, certificate or document, (4) allows Coast Guard personnel to terminate the use of certain vessels when the operator is under the influence of an intoxicant to the extent that further operation of the vessel creates an unsafe condition, (5) amends the regulations requiring reports of all marine casualties to include specific information on the role of alcohol or drugs in the casualty, (6) sets a Federal standard for determining whether an individual is operating a recreational vessel while intoxicated.

Timetable:

Action	Date	FR Cite
NPRM	05/23/86	51 FR 18902
NPRM Comment Period End	08/21/86	
SNPRM Extended Comment Period to 5/11/87 (52 FR 4116)	02/09/87	52 FR 4116
Final Action	12/14/87	52 FR 47526
Final Action Effective	01/13/88	52 FR 47526

Small Entity: No

Additional Information: This project has been combined with Coast Guard docket 84-099a, Operating a Vessel While Intoxicated: Recreational Vessels. The RIN for that project was 2115-AC24.

Analysis: Regulatory Evaluation 05/23/86 (51 FR 18902)

Agency Contact: LCDR Wallace/Mr. S. Connaughton/Mr. Perry, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-0214**

RIN: 2115-AC23

1682. + VESSEL BRIDGE-TO-BRIDGE RADIOTELEPHONE COMMUNICATIONS ON THE GREAT LAKES (84-040)

Significance: Agency Priority

Legal Authority: 33 USC 1201; 33 USC 1202; 33 USC 1203; 33 USC 1204; 33 USC 1205; 33 USC 1206; 33 USC 1207; 33 USC 1208

CFR Citation: 33 CFR 26

Legal Deadline: None.

Abstract: Recreational boat use of Channel 16, a distress and safety frequency on the Great Lakes, has become so great that commercial vessels have been having difficulty communicating navigational information. The Coast Guard is considering making modifications to the existing radiotelephone requirements. Draft changes have been exchanged between the Canadian and U.S. Coast Guards to change the technical regulations of the Great Lakes Radio agreement. Review and re-exchange of drafts currently being considered. Both governments agree on channel 13. Sequential monitoring will not be accepted by either government as filling the requirements of a "continuous watch." Which size and type of vessels that will be required to monitor channel 13 needs to be clarified.

Timetable:

Action	Date	FR Cite
Request for comments	07/06/84	49 FR 27786
Withdrawn	12/28/87	

Small Entity: No

Additional Information: This project has been taken over by the Federal Communications Commission and will no longer be the responsibility of the Coast Guard.

Agency Contact: Mr. P. Palmer, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-0362**

RIN: 2115-AB89

1683. LIQUEFIED NATURAL GAS WATERFRONT FACILITY (78-038)

Significance: Nonsignificant

Legal Authority: 33 USC 1225

CFR Citation: 33 CFR 127

Legal Deadline: None.

Abstract: Would establish LNG Waterfront Facility Safety Regulations in accordance with Memorandum of Understanding between USCG and Research and Special Programs Administration.

Timetable:

Action	Date	FR Cite
ANPRM	08/03/78	43 FR 34362
ANPRM Supplementary	03/08/79	44 FR 12693
NPRM	05/16/86	51 FR 18276
Final Action	02/05/88	53 FR 3370
Final Action Effective	06/02/88	

Small Entity: Yes

Additional Information: Docket No. CGD 78-038.

Analysis: Regulatory Evaluation 05/16/86 (51 FR 18276)

Agency Contact: LCDR J. Whitehead, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, **202 267-0491**

RIN: 2115-AA22

1684. DELEGATION OF AUTHORITY TO UNITED STATES CLASSIFICATION SOCIETIES (85-019)

Significance: Nonsignificant

Legal Authority: 46 USC 3316

CFR Citation: 46 CFR 2

Legal Deadline: None.

Abstract: The Coast Guard, under 46 U.S.C. 3316, delegates plan review and inspection to the American Bureau of Shipping. Other classification societies requested similar acceptance. The advance notice was withdrawn because of the adverse impact on Coast Guard resources and lack of support by shipowners and operators.

DOT—USCG

Completed Actions

Timetable:

Action	Date	FR Cite
ANPRM	10/03/85	50 FR 40413
ANPRM Comment Period End	01/03/86	
Withdrawn	03/31/88	53 FR 10406

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Mr. J. Kinsey, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second Street, SW, Washington, DC 20593-0001, 202 267-1181

RIN: 2115-AC10

1685. U.S. AID TO NAVIGATION SYSTEMS (86-031)

Significance: Nonsignificant

Legal Authority: 14 USC 81; 14 USC 87; 14 USC 92; 14 USC 93; 14 USC 633; 14 USC 85; 33 USC 1233; 43 USC 1333(d)

CFR Citation: 33 CFR 60; 33 CFR 66; 33 CFR 100

Legal Deadline: None.

Abstract: This regulation amends 33 CFR Part 62 -- United States Aid to Navigation Systems -- to include the International Association of Lighthouse Authorities System.

Timetable:

Action	Date	FR Cite
NPRM	05/24/87	52 FR 11506
Final Action	11/06/87	52 FR 42639
Final Action Effective	12/07/87	52 FR 42639

Small Entity: No

Analysis: Regulatory Evaluation 11/06/87 (52 FR 42639)

Agency Contact: LTJG Wulfkuhle, Department of Transportation, U.S. Coast Guard, 2100 Second St. SW, Washington, DC 20593-0001, 202 267-0346

RIN: 2115-AC33

1686. IMMERSION SUITS (84-069A)

Significance: Nonsignificant

Legal Authority: 46 USC 3306(a)

CFR Citation: 46 CFR 160

Legal Deadline: None.

Abstract: This project revised the specifications for approval of exposure suits. Existing approvals for exposure suits under 46 CFR 160.071 will be terminated on the effective date of these regulations and new approval will be issued for immersion suits under 46 CFR 160.171 after supplemental testing. Existing vessels could continue to use exposure suits approved under 46 CFR 160.071 as long as the suits remain serviceable. Ships, the construction or conversion of which started on or after July 1, 1986, will be required to have immersion suits approved under 46 CFR 160.071. The changes are needed to conform the regulations to the International Convention for Safety of Life at Sea, 1974, as amended (SOLAS 74/83).

Timetable:

Action	Date	FR Cite
ANPRM	12/31/84	
NPRM	02/04/86	51 FR 4401
NPRM Comment Period End	05/05/86	51 FR 4401
Final Action	01/12/87	52 FR 1185
Supplemental Notice of Proposed Rulemaking	04/23/87	52 FR 13479
Suspension of Effective Date	04/23/87	52 FR 13445
Comment Period End	06/08/87	
Final Action	10/22/87	52 FR 39531
Final Action Effective	01/20/88	52 FR 39531

Small Entity: No

Analysis: Regulatory Evaluation 02/04/86 (51 FR 4401)

Agency Contact: LCDR W. M. Riley, Project Manager, Department of Transportation, U.S. Coast Guard, 2100 Second St., SW, Washington, DC 20593-0001, 202 267-1444

RIN: 2115-AC66

1687. SECURITY MEASURES: PLACARDING (CGD 87-044)

Significance: Nonsignificant

Legal Authority: 50 USC 191; EO 10173

CFR Citation: 33 CFR 122

Legal Deadline: None.

Abstract: This rule amends the requirement to post a placard showing atomic attack safety instructions. The information on the placard is either outdated or found in other publications required to be maintained onboard merchant vessels.

Timetable:

Action	Date	FR Cite
Final Action	11/06/87	52 FR 42649
Final Action Effective	11/06/87	52 FR 42649

Small Entity: No

Analysis: Regulatory Evaluation 11/06/87 (52 FR 42649)

Agency Contact: LCDR Joel Whitehead, Department of Transportation, U.S. Coast Guard, Commandant (G-MPS-3), 2100 Second St., SW, Washington, DC 20593-0001, 202 267-0507

RIN: 2115-AC75

1688. YORK SPIT CHANNEL, CHESAPEAKE BAY, NAVIGATION (CGD 86-066)

Significance: Nonsignificant

Legal Authority: 33 USC 1231; 49 CFR 1.46

CFR Citation: 33 CFR 162.45

Legal Deadline: None.

Abstract: Deletes outdated navigation requirements no longer administered or enforced (33 CFR 162.45).

Timetable:

Action	Date	FR Cite
NPRM	05/21/87	52 FR 19173
NPRM Comment Period End	07/06/87	52 FR 19173
Final Action	11/06/87	52 FR 42650
Final Action Effective	12/07/87	52 FR 42650

Small Entity: No

Government Levels Affected: Local, State, Federal

Analysis: Regulatory Evaluation 11/06/87 (52 FR 42650)

Agency Contact: Ms. M. Hegy, Project Manager, Department of Transportation, U.S. Coast Guard, COMDT (NSS-2), 2100 2nd St., SW, Washington, DC 20593, 202 267-0415

RIN: 2115-AC76

1689. INLAND WATERWAY NAVIGATION RULES - SAN JOAQUIN AND SACRAMENTO RIVER DEEP WATER SHIP CHANNELS (CGD 86-078)

Significance: Nonsignificant

Legal Authority: 33 USC 1231; 49 CFR 1.46

DOT—USCG

Completed Actions

CFR Citation: 33 CFR 162.205

Legal Deadline: None.

Abstract: Contemplated action would have revised regulations to reflect current use and operation; as the action is no longer necessary, it is terminated.

Timetable:

Action	Date	FR Cite
Action terminated	12/28/87	

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Ms. Margie Hegy, Project Manager, Department of Transportation, U.S. Coast Guard, COMDT (NSS-2), 2100 2nd St., SW, Washington, DC 20593, **202 267-0415**

RIN: 2115-AC77

1690. PORT ACCESS ROUTES; APPROACH TO TAMPA BAY, FLORIDA (CGD 85-097)

Significance: Nonsignificant

Legal Authority: 33 USC 1223

CFR Citation: 33 CFR 166

Legal Deadline: None.

Abstract: Based on the results of a Port Access Route study, the Coast Guard eliminates the existing Southern Tampa Fairway Anchorage and establishes a new fairway anchorage in the approach to Tampa Bay, Florida.

Timetable:

Action	Date	FR Cite
NPRM	07/27/87	52 FR 28019
NPRM Comment Period End	09/25/87	52 FR 28019
Final Action	01/19/88	53 FR 1347
Final Action Effective	02/18/88	53 FR 1347

Small Entity: No

Government Levels Affected: Local, State, Federal

Analysis: Regulatory Evaluation 07/27/87 (52 FR 28019)

Agency Contact: Ms. M. Hegy, Project Manager, Department of Transportation, U.S. Coast Guard, COMDT (G-NSS-2), 2100 2nd St., SW, Washington, DC 20593, **202 267-0415**

RIN: 2115-AC79

DEPARTMENT OF TRANSPORTATION (DOT)

Prerule Stage

Federal Aviation Administration (FAA)

1691. + POWERED ULTRALIGHTS: AIRMAN CERTIFICATION REQUIREMENTS

Significance: Regulatory Program

Legal Authority: 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352 to 1355; 49 USC 1401 to 1406; 49 USC 1421 to 1432; 49 USC 1471; 49 USC 1472; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 2121 to 2125; 49 USC 106(g); 42 USC 4321

CFR Citation: 14 CFR 1; 14 CFR 61; 14 CFR 91; 14 CFR 103

Legal Deadline: None.

Abstract: Action would propose to establish airman certification requirements for persons operating powered ultralight aircraft. These mandatory certification standards are being considered because the response by ultralight operators to voluntary training programs has not been adequate. These proposed certification requirements would be intended to achieve an acceptable level of safety in the operation of these aircraft.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: William Cook, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, **202 267-3844**

RIN: 2120-AB69

1692. + ULTRALIGHT AIRCRAFT REGISTRATION AND MARKING

Significance: Regulatory Program

Legal Authority: 49 USC 1348; 49 USC 1354; 49 USC 1401; 49 USC 1402; 49 USC 1421 to 1430; 49 USC 1423; 49 USC 1522; 49 USC 1655(c); 49 USC 1347; 49 USC 1357(d)(2); 49 USC 1372; 49 USC 1442; 49 USC 1443; 49 USC 1472; 49 USC 1432

CFR Citation: 14 CFR 1; 14 CFR 103

Legal Deadline: None.

Abstract: This action would establish registration and marking requirements for powered ultralight aircraft. These requirements are needed to enforce existing ultralight air traffic safety requirements effectively and to enable the FAA to issue important safety information to powered ultralight operators. The FAA intends that these requirements will better protect the safety of other airspace users and persons and property on the ground from unsafe powered ultralight activity.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Analysis: Regulatory Evaluation

Agency Contact: Joseph Gwiazdowski, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, **202 267-9541**

RIN: 2120-AC09

1693. + AIRPLANE CABIN-FIRE PROTECTION

Significance: Agency Priority

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355; 49 USC 1421 to 1430; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 25

Legal Deadline: None.

Abstract: To develop a revision to FAR 25.853 to improve fire protection for lavatories and galleys by requiring that smoke detectors and fire extinguishers, among other things, be installed. This rulemaking is significant because it involves important Departmental policy.

DOT—FAA

Prerule Stage

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Project follows completion of Part 121 rulemaking.

Agency Contact: Gary L. Killion, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, **206 431-2112**

RIN: 2120-AB22

1694. + FLIGHT ATTENDANT FLIGHT-TIME LIMITATIONS AND REST REQUIREMENTS

Significance: Agency Priority

Legal Authority: 49 USC 1354(a); 49 USC 1355; 49 USC 1356; 49 USC 1357; 49 USC 1401; 49 USC 1421 to 1431; 49 USC 1485; 49 USC 1502; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None.

Abstract: The Association of Flight Attendants and the Joint Council of Flight Attendant Unions have petitioned the FAA to amend Part 121 and 135 to establish maximum duty time limits and minimum hours of rest for flight attendants. Summaries of the petitions were published (50 FR 6185 and 50 FR 25252) and requested comments to assist the FAA in determining what, if any, regulatory proposals should be developed. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Gary Martindell, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, **202 267-3757**

RIN: 2120-AB97

1695. + PART 129 SECURITY PROGRAM FOR FOREIGN AIR CARRIERS

Significance: Agency Priority

Legal Authority: 49 USC 1346; 49 USC 1345(a); 49 USC 1356; 49 USC 1357; 49 USC 1421; 49 USC 1502; 49 USC 1511; 49 USC 106(g)

CFR Citation: 14 CFR 129

Legal Deadline: None.

Abstract: Notice would propose to require foreign air carriers that land or take off in the United States to submit to the Administrator for approval a written security program that describes the procedures, facilities, and equipment used by the foreign air carrier to provide for the protection of persons and property traveling in air transportation against acts of criminal violence and air piracy. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: David Smith, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-3466**

RIN: 2120-AC42

1696. + FLIGHT PLAN FILING REQUIREMENTS; NATIONAL AIRSPACE REVIEW RECOMMENDATION

Significance: Agency Priority

Legal Authority: 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352 to 1355; 49 USC 1401; 49 USC 1421 to 1431; 49 USC 1471; 49 USC 1472; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 2121 to 2125; 42 USC 4321 et seq; EO 11514; ...

CFR Citation: 14 CFR 91.83

Legal Deadline: None.

Abstract: Review flight-plan filing requirements and revise according to National Airspace Review Recommendations 2-3.1.4, 2-3.1.5, 2-3.1.6, 2-3.1.7, and 2-3.1.8, i.e., to establish lower ceiling and visibility criteria for rotorcraft so as to reduce the frequency of required IFR alternate airport filings; to allow fixed-wing aircraft to file IFR alternate airports that meet the same criteria as rotorcraft; to require pilots to indicate, in their flight plans, when their aircraft is equipped with special equipment. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	12/01/88	

Small Entity: Undetermined

Additional Information: LEGAL AUTHORITY CONT: 49 USC 106(g). (Revised Pub L. 97-449, January 12, 1983)

Regulatory Project No: ATO-200-85-12R

Agency Contact: William C. Davis, Manager, Air Traffic Rule Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8783

RIN: 2120-AC56

1697. REVIEW OF MEDICAL STANDARDS AND CERTIFICATION PROCEDURES

Significance: Nonsignificant

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1427 Federal Aviation Act of 1958, Sec. 607

CFR Citation: 14 CFR 67

Legal Deadline: None.

Abstract: These regulations specify the medical standards which must be met before a medical certificate is issued to an airman. For example, a medical certificate is required before a person can obtain a pilot license. During rulemaking involving these regulations, a considerable number of commenters expressed the belief that the current standards should and could be revised to state, in generally applicable objective terms, all those circumstances in which the FAA will issue medical certificates. In the past, some certificates have been issued on a case-by-case basis, with appropriate limitations, under exemption and waiver provisions where strict compliance with the existing standards was not essential in the interest of safety. A comprehensive review of these regulations is necessary to determine if the commenters' arguments are correct. If they are and the requested regulatory changes are possible, it could greatly reduce burdens, both on the FAA and airmen,

associated with the processing of medical certificates.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: The FAA contracted with the American Medical Association (AMA) on August 29, 1983, to develop a comprehensive report which will be used by the FAA as part of its evaluation of Part 67 standards. AMA completed a professional review of the medical standards for civil airmen. The FAA announced the availability of the AMA report in the Federal Register on May 23, 1986 (51 FR 19040). RIN 2120-AB13 has been combined into this review.

Agency Contact: William H. Hark, M.D., Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-3802

RIN: 2120-AA70

1698. REVIEW: PART 21--CERTIFICATION PROCEDURES FOR PRODUCTS AND PARTS

Significance: Nonsignificant

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 21

Legal Deadline: None.

Abstract: This part prescribes procedural requirements for the issuance of type certificates and changes to those certificates; the issuance of production certificates; the issuance of airworthiness certificates; and the issuance of export airworthiness approvals. In addition it prescribes rules governing the holders of these certificates and procedural requirements for the approval of certain materials, parts, processes, and appliances. The review will also evaluate the impact on small entities in accordance with the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Analysis: Regulatory Flexibility Analysis

Agency Contact: M. C. Beard, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9372

RIN: 2120-AB09

1699. REVIEW OF PARTS 61, 141, 143 - PILOT, PILOT SCHOOL AND GROUND INSTRUCTOR RULES

Significance: Nonsignificant

Legal Authority: 49 USC 1354; 49 USC 1355; 49 USC 1421; 49 USC 1422; 49 USC 1427; 49 USC 106(g)

CFR Citation: 14 CFR 61; 14 CFR 141; 14 CFR 143

Legal Deadline: None.

Abstract: The objective of this rulemaking project is to update and revise Parts 61, 141, and 143 of the Federal Aviation Regulations and determine the feasibility and need for consolidating Parts 61, 141, and 143 into a single regulation covering the entire spectrum of pilot training and certification.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: RIN 2120-AB14 has been combined into this review.

Agency Contact: John D. Lynch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8150

RIN: 2120-AB12

1700. REVIEW: PART 121 -- CERTIFICATION AND OPERATIONS: DOMESTIC, FLAG AND SUPPLEMENTAL AIR CARRIERS AND COMMERCIAL OPERATORS OF LARGE AIRCRAFT

Significance: Nonsignificant

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1421 to 1430 Federal Aviation Act of 1958, Secs. 601-610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 121

Legal Deadline: None.

Abstract: Review of rules governing the certification and operations of air carriers, supplemental air carriers, and commercial air carriers engaging in: (1) interstate or overseas transportation under a certificate of public convenience and necessity; (2) foreign air transportation under a certificate of public convenience and necessity; (3) charter flights or other special service operations; and (4) carriage of persons or property in air commerce for compensation or hire. These regulations are being reviewed to comply with the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Analysis: Regulatory Flexibility Analysis

Agency Contact: Gary Martindell, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-3749

RIN: 2120-AB27

1701. REVIEW: PART 135 -- AIR TAXI OPERATORS AND COMMERCIAL OPERATORS

Significance: Nonsignificant

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355(a) Federal Aviation Act of 1958, Sec. 314(a); 49 USC 1421 to 1430 Federal Aviation Act of 1958, Secs. 601-610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 135

Legal Deadline: None.

Abstract: Review of rules governing: (1) air taxi operations conducted under Part 298; (2) transportation of mail by aircraft conducted under a postal service contract; and (3) carriage of persons or property for compensation or hire as a commercial operator in specified aircraft. These regulations are being reviewed to comply with the Regulatory Flexibility Act.

DOT—FAA **Prerule Stage**

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Analysis: Regulatory Flexibility Analysis

Agency Contact: Gary Davis, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-8096**

RIN: 2120-AB28

1702. REVIEW PART 75 FOR RETENTION OR REVOCATION

Significance: Nonsignificant

Legal Authority: 49 USC 1348(a); 49 USC 1354(a); 49 USC 106(g), (Revised Pub L. 97-449, January 12, 1983); 14 CFR 11.69; 49 CFR 1.47

CFR Citation: 14 CFR 75

Legal Deadline: None.

Abstract: Review Part 75 per National Airspace Review Recommendations toward revocation and establish nonrulemaking procedures for handling Jet Route actions.

Timetable:

Action	Date	FR Cite
ANPRM	12/01/88	

Small Entity: Undetermined

Additional Information: Regulatory Project No: ATO-200-84-24R

Agency Contact: William C. Davis, Manager, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-8783**

RIN: 2120-AC55

1703. ACCELERATED GROUND TRAINING - FLIGHT ENGINEERS' SKILL REQUIREMENTS

Significance: Nonsignificant

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a)

CFR Citation: 14 CFR 63; 14 CFR 91; 14 CFR 125

Legal Deadline: None.

Abstract: This proposed action would amend the regulations to allow the flight engineers' normal procedure practical test to be conducted in an approved flight simulator in lieu of conducting it, in flight, in an airplane.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Docket No. 22781.

Agency Contact: Michael J. Coffey, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-3750**

RIN: 2120-AA79

1704. INSTRUMENT FLIGHT RULE REQUIREMENTS

Significance: Nonsignificant

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a)

CFR Citation: 14 CFR 135

Legal Deadline: None.

Abstract: The FAA is considering rulemaking to revise several sections of Part 135 dealing with instrument flight rules. The action is, in part, in response to petitions from Owen Aviation and Liberal Aircraft. The proposed rules would restore the right of single engine airplanes to operate in instrument flight rule conditions under specified conditions, relax minimums at foreign and military airports, and add visibility and ceiling requirements at airports without standard instrument approach procedures.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Docket No. 20164

Agency Contact: Michael J. Coffey, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-3750**

RIN: 2120-AA82

1705. AMENDMENT OF SECTIONS 91.171, 91.172, AND APPENDICES E AND F OF PART 43

Significance: Nonsignificant

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601

CFR Citation: 14 CFR 43; 14 CFR 91

Legal Deadline: None.

Abstract: This action would delay an October 15, 1992, compliance date to afford operators additional time to accomplish tests and inspections required by Sec. 91.171, correct inappropriate references, and delete a requirement for integrated system tests of ATC transponders by operators.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Larry Bessett, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-8177**

RIN: 2120-AA98

1706. FATIGUE EVALUATION, BIRD IMPACT, AND LIGHTNING PROTECTION FOR PROPELLERS OF COMPOSITE CONSTRUCTION

Significance: Nonsignificant

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 35

Legal Deadline: None.

Abstract: Would revise Part 35 Fatigue Limit Test (Propellers) to add requirement for composite propellers to include environmental effects in fatigue evaluation, bird impact, and lightning protection.

DOT—FAA

Prerule Stage

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: M. Buckman, Aerospace Engineer, Department of Transportation, Federal Aviation Administration, ANE-110, FAA NE Region, 12 New England Executive Park, Burlington, MA 01803, 617 273-7079

RIN: 2120-AB05

1707. STANDARDS FOR APPROVAL FOR HIGH ALTITUDE OPERATION OF SUBSONIC AIRPLANES

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 25

Legal Deadline: None.

Abstract: This proposal would review special conditions issued for high altitude operation and consolidate and incorporate these special conditions into Part 25.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Affected Sectors: Multiple

Agency Contact: Gary Lium, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2134

RIN: 2120-AB18

1708. PRIMARY CATEGORY AIRCRAFT; POWERED ULTRALIGHT; FALSIFICATION OF APPLICATIONS, REPORTS, OR RECORDS

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1348(c); 49 USC 1352; 49 USC 1354(a); 49 USC 1355; 49 USC 1421 to 1431; 49 USC 1502; 49 USC 1651(b)(2); 42 USC 1857(f)-10; 42 USC 4321 et seq; EO 11514; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 21; 14 CFR 36; 14 CFR 43; 14 CFR 91; 14 CFR 141; 14 CFR 147

Legal Deadline: None.

Abstract: Action would propose to establish a new category of aircraft for type, production, and airworthiness certification. These aircraft will be designed for pleasure and personal use, and classified as a primary category aircraft. In addition, the notice will propose simplified type, production, and airworthiness certification procedures, special maintenance criteria, and associated changes to pilot requirements for this category of aircraft.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: John McGrath, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 267-9590

RIN: 2120-AB53

1709. AIRCRAFT REGISTRATION RECORDING OF AIRCRAFT TITLES AND SECURITY DOCUMENTS

Significance: Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 1354; 49 USC 1401; 49 USC 1403; 49 USC 1405; 49 USC 1406; 49 USC 1502; 4 UST 1830

CFR Citation: 14 CFR 47; 14 CFR 49

Legal Deadline: None.

Abstract: This is a recodification of 14 CFR Parts 47 and 49 in order to modernize these parts, making them compatible with modern business practices, in keeping with FAA policy.

The potential costs have not yet been assessed, but are considered to be negligible as the impact will be procedural and not substantive.

The potential benefits are the clarification of regulatory language and facilitation of procedures for registration of aircraft and recordation of conveyances affecting ownership of or interest in US civil aircraft.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Alonso J. Rodriguez, Attorney Advisor, Department of Transportation, Federal Aviation Administration, P.O. Box 25082, Oklahoma City, OK 73125, 405 686-2296

RIN: 2120-AC17

1710. TEMPORARY FLIGHT RESTRICTIONS

Significance: Nonsignificant

Legal Authority: 49 USC 3101(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352 to 1355; 49 USC 1401; 49 USC 1421 to 1431; 49 USC 1471; 49 USC 1472; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 2121 to 2125; 42 USC 4321 et seq; EO 11514; ...

CFR Citation: 14 CFR 91.91

Legal Deadline: None.

Abstract: Proposal to amend Section 91.91 to prevent interference with ground or aerial search or investigation by nonparticipating aircraft.

Timetable:

Action	Date	FR Cite
ANPRM	06/01/88	

Small Entity: Undetermined

Additional Information: LEGAL AUTHORITY CONT: 49 USC 106(g), (Revised Pub L. 97-449, January 12, 1983).

Regulatory Project No: ATO-200-87-9R

Analysis: Regulatory Evaluation 06/01/88

Agency Contact: William C. Davis, Manager, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8783

RIN: 2120-AC40

1711. ALTERNATE AIRPORT WEATHER MINIMUM

Significance: Nonsignificant

Legal Authority: 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352 to 1355; 49 USC 1401; 49 USC 1421 to 1431; 49 USC 1471; 49 USC 1472; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 2121 to 2125; 42 USC 4321 et seq; EO 11514; ...

DOT—FAA

Prerule Stage

CFR Citation: 14 CFR 91.83(c)

Legal Deadline: None.

Abstract: Would revise Section 91.83(c)(l) of the Federal Aviation Regulations to include words that "any airport may be designated as an alternate airport if the forecast weather conditions will permit descent from the minimum en route altitude, approach, and landing under basic visual flight rules."

Timetable:

Action	Date	FR Cite
ANPRM	12/01/88	

Small Entity: Undetermined

Additional Information: LEGAL AUTHORITY CONT: 49 USC 106(g), (Revised Pub L. 97-449, January 12, 1983)

Regulatory Project No ATO-200-87P (Docket #25213)

Analysis: Regulatory Evaluation 12/01/88

Agency Contact: William C. Davis, Manager, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8783

RIN: 2120-AC41

1712. GLOBAL POSITIONING SYSTEM USE IN TERMINAL CONTROL AREAS

Significance: Nonsignificant

Legal Authority: 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352 to 1355; 49 USC 1401; 49 USC 1421 to 1431; 49 USC 1471; 49 USC 1472; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 2121 to 2125; 42 USC 4321 et seq; EO 11514; ...

CFR Citation: 14 CFR 91.90

Legal Deadline: None.

Abstract: Adoption of this recommendation would allow aircraft operating in a Group I or II Terminal Control Area to be equipped with Global Position System (GPS), Very High Frequency Omnirange Station (VOR) or Tactical Air Navigation (TACAN) equipment.

Timetable:

Action	Date	FR Cite
ANPRM	12/01/88	

Small Entity: Undetermined

Additional Information: LEGAL AUTHORITY CONT: 49 USC 106(g), (Revised Pub L. 97-449, January 12, 1983)

Regulatory Project No: ATO-200-85-17R

Agency Contact: Robert Laser, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9251

RIN: 2120-AC54

1713. NATIONAL AIRSPACE REVIEW RECOMMENDATION - OPERATIONS IN THE VICINITY OF AN AIRPORT

Significance: Nonsignificant

Legal Authority: 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1401; 49 USC 1421 to 1431; 49 USC 1452 to 1455; 49 USC 1471; 49 USC 1472; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 2121 to 2125; 42 USC 4321 et seq; EO 11514; ...

CFR Citation: 14 CFR 91.85; 14 CFR 91.87; 14 CFR 91.89

Legal Deadline: None.

Abstract: This action would reorganize Sections 91.85, and 91.89 into two sections: a general section concerning aircraft turns and traffic flows, and another section dealing with rules at airports with control towers. Certain current provisions would be deleted.

Timetable:

Action	Date	FR Cite
ANPRM	12/01/88	

Small Entity: Undetermined

Additional Information: LEGAL AUTHORITY CONT: 49 USC 106(g), (Revised Pub. L. 97-449, January 12, 1983)

Regulatory Project No: ATO-200-85-14R

Agency Contact: William C. Davis, Manager, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8783

RIN: 2120-AC57

1714. ● PROPOSED REVISION OF PART 93, SUBPART O

Significance: Nonsignificant

Legal Authority: 49 USC 1302; 49 USC 1303; 49 USC 1348; 49 USC 1354(a); 49 USC 1421(a); 49 USC 1424; 49 USC 2402; 49 USC 2424; 49 USC 106(g)(Revised PL 97-449, January 12, 1983)

CFR Citation: 14 CFR 93

Legal Deadline: None.

Abstract: The purpose of this proposal is to lessen the burden on the flying public by reducing the lateral size of the existing Jacksonville, Florida, Navy Airport Traffic Area.

Timetable:

Action	Date	FR Cite
ANPRM	12/01/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 12/01/88

Agency Contact: Robert Laser, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9248

RIN: 2120-AC65

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Aviation Administration (FAA)

Proposed Rule Stage

1715. + REVIEW AND REVISION OF REPAIR STATION REQUIREMENTS

Significance: Agency Priority

Legal Authority: 49 USC 1354; 49 USC 1355; 49 USC 1421; 49 USC 1427

CFR Citation: 14 CFR 145

Legal Deadline: None.

Abstract: Current repair station rules were developed during the infancy of the aviation industry. Very few changes were made to those rules since they were adopted in 1952. This rulemaking project proposes to review foreign repair-station requirements and update the rules to reflect the current international and domestic environment and needs. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 11/00/88

Agency Contact: Leo Weston, Division Manager, AFS-300, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 267-8203

RIN: 2120-AC38

1716. + METROPOLITAN WASHINGTON AIRPORTS POLICY

Significance: Regulatory Program

Legal Authority: 49 USC 1303 Federal Aviation Act of 1958, Sec. 103; 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(b) Federal Aviation Act of 1958, Sec. 307(b); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); Act for the Administration of Washington National Airport; Second Washington Airport Act; 64 Stat. 770, Sec. 4

CFR Citation: 14 CFR 93

Legal Deadline: None.

Abstract: This action proposed various operational ceilings at Washington National Airport and contemplated future guidance on operation and development of National and Dulles Airports. Proposed action has been superseded by the Metropolitan Washington Airports Act of 1986 and will be withdrawn.

Timetable:

Action	Date	FR Cite
SNPRM	06/14/84	49 FR 24626
Comment period end 07/16/84		
To be Withdrawn	05/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 06/14/84 (49 FR 24626)

Agency Contact: Edward P. Faberman, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-3773

RIN: 2120-AA89

1717. + AMEND PART 23 TO INCLUDE REQUIREMENTS FOR CRASH-RESISTANT FUEL SYSTEMS

Significance: Agency Priority

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 23

Legal Deadline: None.

Abstract: This action would amend Part 23 to include requirements for crash-resistant fuel tanks, lines and fittings. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	03/05/85	50 FR 8948
ANPRM Comment Period End	07/03/85	

Next Action Undetermined

Small Entity: No

Agency Contact: Earsa L. Tankesley, Manager, Standards Office, Department of Transportation, Federal Aviation Administration, 601 E. 12th Street, Kansas City, MO 64106, 816 374-6930

RIN: 2120-AA57

1718. + PROPOSED DEPARTMENT OF ENERGY PROHIBITED AREAS

Significance: Agency Priority

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 106(g) Revised, Pub. L. 97-449, January 12, 1983

CFR Citation: 14 CFR 11.65; 14 CFR 73

Legal Deadline: None.

Abstract: The proposed establishment or modification of prohibited airspace over these sites is one segment of a Department of Energy (DOE) comprehensive effort to enhance the protection of vital nuclear weapons research, development, and production facilities. If established, helicopter operations at any altitude over the designated sites would be prohibited without prior DOE authorization. This rulemaking is significant because it may be controversial. A summary of written and oral comments received in response to notices and hearings was sent to the DOE February 22, 1985, for them to address. DOE has conducted an indepth review of security at all sites. A draft final report is undergoing internal DOE coordination. Upon completion, DOE will decide if they will proceed with, modify, or withdraw part or all of their request for a proposed rule.

Timetable:

Action	Date	FR Cite
ANPRM	02/08/84	49 FR 04765
Public Hearings Announced	07/20/84	49 FR 29411
Extension of Comment Period	08/07/84	49 FR 31435

Next Action Undetermined

Small Entity: Yes

Agency Contact: Paul Gallant, Special Use Airspace, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9253

RIN: 2120-AB39

1719. + ELIMINATION OF AIRPORT DELAYS

Significance: Agency Priority

Legal Authority: 49 USC 1303 Federal Aviation Act of 1958, Sec. 103; 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 14 CFR 11.49

CFR Citation: 14 CFR 93

Legal Deadline: None.

Abstract: This proposed rule is designed to alleviate increased delays throughout the air traffic system. If implemented, the FAA would alter current airline scheduling through a lottery process to more evenly space arrivals and departures throughout the day. Alternatives include voluntary schedule changes by the airlines. The rule, or the alternatives, would benefit the airline industry and the public by limiting delays. This regulation is significant because of its involvement with important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	08/20/84	49 FR 33082

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 24206.

Analysis: Regulatory Evaluation 08/20/84 (49 FR 33082)

Agency Contact: Edward P. Faberman, Deputy Chief Counsel, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-3773

RIN: 2120-AB42

1720. + PROPOSED REVISION OF NOISE CERTIFICATION OF TURBOJET AND LARGE TRANSPORT CATEGORY AIRCRAFT

Significance: Agency Priority

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1431(b) Federal Aviation Act of 1958, Sec. 611(b); 49 USC 1421 et seq National Environmental Policy Act, Title I; EO 11514

CFR Citation: 14 CFR 36; 14 CFR 91

Legal Deadline: None.

Abstract: Would revise certification and operational requirements for aircraft effective the date of the NPRM. On that date the current two-stage noise requirements would be replaced with a simpler single standard corresponding to the current Stage 3. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/16/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Steven Albersheim, Environmental Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 267-3560

RIN: 2120-AB88

1721. + FIRE PROTECTION REQUIREMENTS FOR CARGO AND BAGGAGE COMPARTMENTS - PARTS 121 AND 135

Significance: Agency Priority

Legal Authority: 49 USC 1354(a); 49 USC 1355; 49 USC 1356; 49 USC 1357; 49 USC 1401; 49 USC 1421 to 1430; 49 USC 1485; 49 USC 1502; 49 USC 106(g); PL 97-449; 49 USC 1472; 49 USC 1355(a); 49 USC 1431

CFR Citation: 14 CFR 121; 14 CFR 135

Legal Deadline: None.

Abstract: This action would propose requirements to improve cargo compartment fire protection for transport category airplanes operated under Parts 121 and 135 after a specified date. This action would propose a new rule which would require, within two years, replacement of ceiling and sidewall (including door and bulkhead) cargo compartment fire resistant liner panels in Class C and D cargo compartments greater than 200 cubic feet in volume in certain transport category airplanes. This rulemaking is significant because of substantial public interest in crashworthiness criteria.

Timetable:

Action	Date	FR Cite
NPRM	11/05/87	52 FR 42512
NPRM Comment Period End	05/03/88	

Small Entity: No

Analysis: Regulatory Evaluation 11/05/87 (52 FR 42512)

Agency Contact: Gary L. Killion, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2112

RIN: 2120-AC04

1722. + SST STAGE 3 COMPLIANCE

Significance: Agency Priority

Legal Authority: 49 USC 1354; 49 USC 1421; 49 USC 1423; 49 USC 1431

CFR Citation: 14 CFR 36

Legal Deadline: None.

Abstract: Part 36 prescribes noise type certification standards for turbojet airplanes. This proposal would revise Part 36 so that new type certificated supersonic aircraft would be required to meet Stage 3 noise levels. Action is considered significant because of the substantial public interest which may be generated on the issue.

Timetable:

Action	Date	FR Cite
ANPRM	10/30/86	51 FR 39663
Comment Period Reopened Until 07/01/87	03/12/87	52 FR 7618
NPRM	10/16/88	

Small Entity: Undetermined

Additional Information: Docket 25109.

Analysis: Regulatory Evaluation 10/16/88

Agency Contact: Steven Albersheim, Environmental Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 267-3560

RIN: 2120-AC22

1723. + FLIGHT ATTENDANT REQUIREMENTS DURING DEPLANING AND BOARDING

Significance: Agency Priority

Legal Authority: None

CFR Citation: 14 CFR 121

Legal Deadline: None.

Abstract: This action proposes to revise the regulation dealing with the required number of flight attendants to clarify the original intent of the regulation. The current regulations are confusing and not clearly understood. The proposed amendments would clarify the number of flight attendants required when passengers are onboard an airplane, during specified periods, and proposals would allow for a reduced number of flight attendants onboard an airplane during specified periods. The proposals would specify the conditions to be met to reduce the number of flight attendants at these stops. Additionally, the proposals would allow other authorized persons to be substituted for the required flight attendants at these stops, and would clearly establish the requirements for training for those authorized persons. A proposed new rule would clarify where the required flight attendants and other persons must be located when they are onboard the airplane.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: David L. Catey, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8096

RIN: 2120-AC32

DOT—FAA

Proposed Rule Stage

1724. + CONTROL OF DRUG AND ALCOHOL USE FOR PERSONNEL ENGAGED IN COMMERCIAL AND GENERAL AVIATION ACTIVITIES

Significance: Agency Priority

Legal Authority: None

CFR Citation: 14 CFR 91

Legal Deadline: None.

Abstract: This notice invites comments on drug and alcohol abuse by personnel in the aviation industry and the options available for regulatory or other actions in the interest of aviation safety. It is intended to gather additional information on the extent to which abuse of drugs or alcohol is impairing the performance of personnel in the aviation community, such as commercial and general aviation pilots and mechanics, and on the costs and effectiveness of various drug and alcohol countermeasures. The rulemaking will cover mandatory random testing. This rulemaking is significant in view of the Secretary's initiative, based on substantial public interest as well as pending congressional legislation.

Timetable:

Action	Date	FR Cite
ANPRM	12/09/86	51 FR 44432
ANPRM Comment Period End	01/23/87	
Comment Period Extended to 02/23/87	01/23/87	52 FR 2547
NPRM	03/14/88	53 FR 8368
NPRM Comment Period End	06/13/88	

Small Entity: No

Agency Contact: Dr. Robert S. Bartanowicz, Assistant Manager, Safety Regulations Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9679

RIN: 2120-AC33

1725. + TYPE AND NUMBER OF PASSENGER EMERGENCY EXITS REQUIRED IN TRANSPORT CATEGORY AIRPLANES

Significance: Agency Priority

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449; 49 CFR 1.47(a)

CFR Citation: 14 CFR 25

Legal Deadline: None.

Abstract: This notice will propose to revise the current requirements for passenger emergency exits and to adopt two new exit types into the regulations. These proposals are intended to provide more consistent standards with respect to exit types and quantities required for passenger seating configurations while retaining the same level of safety. This notice also will propose to reduce the maximum inflation time of an escape slide to reflect the current state of the art. These proposals resulted from the Public Technical Conference on Emergency Evacuation of Transport Airplanes held in Seattle, Washington on September 3-6, 1985. This rulemaking is considered significant because it involves an important cabin-safety issue.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Franklin Tiangsing, Regulations Branch, Transport Standards Staff, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South C-68966, Seattle, WA 98168, 206 431-2134

RIN: 2120-AC43

1726. + IMPROVED ACCESS TO TYPE III AND TYPE IV EMERGENCY EXITS

Significance: Agency Priority

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355 to 1357; 49 USC 1401; 49 USC 1421 to 1430; 49 USC 1472; 49 USC 1485; 49 USC 1502; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 25; 14 CFR 121

Legal Deadline: None.

Abstract: This notice proposes to amend Parts 25 and 121 of the FAR to provide for improved access to Type III and Type IV emergency exits. These proposals are intended to improve the ability of occupants to evacuate an airplane under emergency conditions. This rulemaking is considered to be significant because it involves an important cabin-safety issue.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 09/00/88

Agency Contact: Frank Tiangsing, Aerospace Engineer, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, 206 431-2121

RIN: 2120-AC46

1727. + PILOTS CONVICTED OF DRIVING WHILE INTOXICATED (DWI)/UNDER INFLUENCE (DUI)

Significance: Agency Priority

Legal Authority: 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1422; 49 USC 1427; 49 USC 106(g)

CFR Citation: 14 CFR 61; 14 CFR 65; 14 CFR 67

Legal Deadline: None.

Abstract: Notice will propose to amend the existing Federal Aviation Regulations to allow pilot certification action when a pilot has been convicted of multiple DWI/DUI motor-vehicle offenses. This rulemaking is a significant FAA initiative based on the DOT/Inspector General Report of Feb. 17, 1987, entitled "Report on Audit of Airmen Medical Certification Program."

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Dr. Robert Bartanowicz, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9679

RIN: 2120-AC51

1728. ● + DESIGN STANDARDS FOR FUEL-TANK ACCESS PANELS

Significance: Agency Priority

Legal Authority: 49 USC 1354(a); 49 USC 1355; 49 USC 1356; 49 USC 1357; 49 USC 1401; 49 USC 1421 to 1430; 49 USC 1472; 49 USC 1485; 49 USC 1502; 49 USC 106(g); PL 97-449; 49 CFR 1.47(a)

CFR Citation: 14 CFR 25; 14 CFR 121

Legal Deadline: None.

Abstract: This notice proposes to require that the fuel-tank access panels of transport category airplanes be designed to minimize penetration by likely foreign objects and be fire resistant. This proposed change is based on service experience and is intended to reduce the hazards associated with the loss of access panels. This notice also proposes to require that the panels of all turbine powered airplanes operated in air carrier service after a specified date meet these standards. This rulemaking is considered significant because it involves an important crashworthiness safety issue.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Iven Connally, Department of Transportation, Federal Aviation Administration, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, 206 431-2120

RIN: 2120-AC58

1729. ● + ACCESS TO SECURED AREAS ON AIRPORTS

Significance: Agency Priority

Legal Authority: 49 USC 1354; 49 USC 1356; 49 USC 1358; 49 USC 1421; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 107

Legal Deadline: None.

Abstract: This notice proposes to require certain airport operators to submit to the Administrator, for approval and inclusion in their approved security programs, a plan for the installation and use of a computer-controlled card system for access to secured areas of the airport. This notice proposes that airport operators submit a plan for a computer-controlled card system according to a schedule based on the number of passengers screened at the airport each year or as designated by the Director of Civil Aviation Security for the first phase of the schedule not withstanding the number of passengers screened annually. The proposal is significant because it is critical to aviation and airport security.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Donnie R. Blazer, Manager, Domestic Civil Aviation Security Division (ACS-100), Department of Transportation, Federal Aviation Administration, Office of Civil Aviation Security, 800 Independence Avenue, SW., Washington, DC 20591, 202 267-8058

RIN: 2120-AC69

1730. PART 91, SUBPART B, REVIEW FOR SIMPLIFICATION

Significance: Nonsignificant

Legal Authority: 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352; 49 USC 1353; 49 USC 1354; 49 USC 1355; 49 USC 1401; 49 USC 1421; 49 USC 1422; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1426; ...

CFR Citation: 14 CFR 91

Legal Deadline: None.

Abstract: The agency set up a National Airspace Review Task Group for the review of 14 CFR Part 91, Subpart B. This action will cover the recommendations made by the group.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	

Small Entity: No

Additional Information: LEGAL AUTHORITY CONT: 49 USC 1427; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 1431; 49 USC 1471; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 2121; 49 USC 2122; 49 USC 2123; 49 USC 2124; 49 USC 2125; 49 USC 4321 et seq; EO 11514; 49 USC 106(g) Revised Pub L 97-449 January 12, 1983 Regulatory Project ATO-200-85-28R

Agency Contact: Robert Laser, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9251

RIN: 2120-AA07

1731. PART 77 REVIEW, OBJECTS AFFECTING NAVIGABLE AIRSPACE

Significance: Nonsignificant

Legal Authority: 49 USC 1304 Federal Aviation Act of 1958, Sec. 104; 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1431 Federal Aviation Act of 1958, Sec. 611; 49 USC 1501 Federal Aviation Act of 1958, Sec. 1101

CFR Citation: 14 CFR 77

Legal Deadline: None.

Abstract: Would revise and reorganize 14 CFR Part 77 in a more logical sequence and present regulatory requirements relating to proposed construction or alteration and their impact on navigable airspace. It is also intended to clarify and strengthen agency actions in determining whether a particular object would be a hazard to air navigation.

Timetable:

Action	Date	FR Cite
Notice of Review	06/19/78	43 FR 26322
Review Conference	12/08/80	
National Airspace Review Begins	07/09/84	
NPRM	06/01/88	

Small Entity: No

Additional Information: No docket number assigned; Regulatory Project ATO-200-85-15R

Analysis: Draft Regulatory Evaluation 06/01/87 (52 FR 20560); Final Regulatory Evaluation 10/31/88

Agency Contact: William C. Davis, Manager, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8783

RIN: 2120-AA09

1732. ROTORCRAFT REGULATORY REVIEW PROGRAM NOTICE NO. 4

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(A); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(G); PL 97-449

CFR Citation: 14 CFR 27; 14 CFR 29

Legal Deadline: None.

Abstract: This is the fourth of a series of notices to be issued as part of the FAA's comprehensive Rotorcraft Regulatory Review Program. This notice contains proposals which would amend and update the airframe and related equipment requirements in Parts 27 and 29 of the Federal Aviation Regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/15/88	

Small Entity: No

Analysis: Regulatory Impact Analysis

Agency Contact: James Major, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0111, 817 624-5117

RIN: 2120-AA29

1733. IMPLEMENTATION OF SAFER PROPULSION SYSTEM RECOMMENDATIONS

Significance: Nonsignificant

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 106(g)

CFR Citation: 14 CFR 25

Legal Deadline: None.

Abstract: This action would amend Sec. 25.975 to require fuel tank vent protection during ground fires and Sec. 25.1189 to require design practices which maximize the probability of engine fuel supply shut-off in a potential fire situation.

Timetable:

Action	Date	FR Cite
ANPRM	09/26/84	49 FR 38078
ANPRM Comment Period End	01/25/85	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 24251

Agency Contact: James M. Walker, Department of Transportation, Federal Aviation Administration, NorthWest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, 206 431-2116

RIN: 2120-AA49

1734. MISCELLANEOUS AMENDMENTS

Significance: Nonsignificant

Legal Authority: 49 USC 1352 Federal Aviation Act of 1958, Sec. 311; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355(a) Federal Aviation Act of 1958, Sec. 314(a); 49 USC 1421 to 1430 Fed Aviation Act of 1958, Secs. 601 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 21; 14 CFR 65; 14 CFR 107; 14 CFR 121; 14 CFR 135; 14 CFR 145

Legal Deadline: None.

Abstract: This action would amend various sections of the regulations. Some of the amendments are clarifying or editorial in nature or correct improper or obsolete references. Others relax certain existing requirements. Others allow issuance of special flight permits for an additional purpose, relax a requirement for passenger information signs, and eliminate the bulk erasure device on cockpit voice recorders. This action is in response to numerous complaints, suggestions, and petitions for exemption concerning several regulatory requirements received from users of the National Airspace System. These users state that these sections contain obsolete references and vague, complex, and inadequate language and that, in some instances, the cost of compliance is not justified by the benefits derived.

Timetable:

Action	Date	FR Cite
NPRM	10/03/83	48 FR 45214

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 23781.

Analysis: Regulatory Evaluation 10/03/83 (48 FR 45214)

Agency Contact: Jean Casciano, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9683

RIN: 2120-AA50

1735. AIRCRAFT SIMULATOR USE IN AIRMAN TRAINING AND CERTIFICATION

Significance: Nonsignificant

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 61; 14 CFR 135

Legal Deadline: None.

Abstract: This notice will propose to amend Part 61 to permit additional use of and establish approval criteria for aircraft simulators and training devices for airman training and certification by amending various sections of Part 61 and appendices including additional appendices for rotorcraft and helicopters and by adding a new appendix for advanced simulation criteria. Additionally, this notice will propose to permit additional usage of aircraft simulators and training devices for the pilot-in-command proficiency requirements of Part 61 for airmen operating large or multiengine turbojet-powered aircraft.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 11/00/88

Agency Contact: Alberta A. Brown, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8150

RIN: 2120-AA83

1736. NATIONAL AIRSPACE REVIEW (NAR): TERMINAL AIRSPACE TASK GROUP RECOMMENDATIONS

Significance: Nonsignificant

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a)

CFR Citation: 14 CFR 1; 14 CFR 71; 14 CFR 91

Legal Deadline: None.

Abstract: Would: (1) reclassify terminal control areas into one category; (2) apply the operating requirements of the current Group I TCA to Group II TCA's; (3) require student pilots to obtain a logbook endorsement from a certified instructor pilot prior to operating in any TCA; (4) replace the term "airport traffic area" with the term "control tower area," (5) apply the two-way radio communications requirements of

Section 91.87 for operations at an airport with an operating control tower operated by other entities; (6) adopt a new definition for airport traffic areas (control tower areas); (7) redefine control zones with a standard ceiling of 3,000 feet AGL; and (8) use nautical miles versus statute miles to describe certain terminal airspace designations.

Timetable:

Action	Date	FR Cite
ANPRM	02/05/85	50 FR 5054
ANPRM Comment Period End	06/06/85	50 FR 5054
NPRM	04/30/88	

Small Entity: Undetermined

Additional Information: Regulatory Project ATO-200-83-17R (Docket # 24455)

Agency Contact: William C. Davis, Manager, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-8783**

RIN: 2120-AB02

1737. TRANSPORT CATEGORY ROTORCRAFT PERFORMANCE

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(A); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 29

Legal Deadline: None.

Abstract: This project is to solicit public comment on possible revision and clarification of transport rotorcraft performance and airworthiness standards and to establish minimum gradients of climb during takeoff.

Timetable:

Action	Date	FR Cite
ANPRM	10/17/85	50 FR 42126
ANPRM Comment Period End	06/06/86	
NPRM	09/01/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 09/01/88

Agency Contact: Jim S. Honaker, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0111, **817 624-5109**

RIN: 2120-AB36

1738. MISCELLANEOUS OPERATIONAL AMENDMENTS

Significance: Nonsignificant

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958 Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958 Sec. 601; 49 USC 1423 Federal Aviation Act of 1958 Sec. 603; 49 USC 1424 Federal Aviation Act of 1958 Sec. 604

CFR Citation: 14 CFR 121; 14 CFR 91; 14 CFR 125; 14 CFR 135

Legal Deadline: None.

Abstract: This notice will propose to amend the regulations that deal with passenger information, safe passenger egress, child restraint, and emergency equipment. The proposals would prohibit smoking at any time in any location displaying a "no smoking" sign or placard. They would require that passengers wear safety belts at any time a "fasten seatbelts" sign is turned on. They would require that the "fasten seatbelts" sign be turned on during taxi. They would clearly establish a requirement for an assisting means of egress and the stowage of passenger service equipment prior to taxi. They would make the pilot in command or, in the case of operations under Part 121, the certificate holder responsible for informing the passengers that they may be liable for a civil penalty should they fail to comply with FAA regulations. They would require that supplementary child restraint devices be accepted by a certificate holder when requested by the child's attendant.

Timetable:

Action	Date	FR Cite
NPRM	02/00/89	

Small Entity: Undetermined

Agency Contact: Gary Davis, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, **202 267-3752**

RIN: 2120-AB45

1739. PART 157 REVIEW

Significance: Nonsignificant

Legal Authority: Secs 309, 313(a), 314, 72 Stat. 751.; 49 USC 1350; 49 USC 1354(a); 49 USC 1355

CFR Citation: 14 CFR 157

Legal Deadline: None.

Abstract: Revision of FAR Part 157 to include issues relating to ultralight activities and to require notice of proposed traffic patterns and changes thereto. Pending completion of Regulatory Evaluation.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	

Small Entity: No

Additional Information: Regulatory Project ATO-200-86-13R

Analysis: Regulatory Evaluation 06/01/88

Agency Contact: William C. Davis, Manager, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-8783**

RIN: 2120-AB74

1740. PART 101 REVIEW PROGRAM

Significance: Nonsignificant

Legal Authority: Secs 307, 313(a), 402, 601, 602, 603, 902, 1110, 1302; 72 Stat 749; 49 USC 1348; 49 USC 1354; 49 USC 1372; 49 USC 1421; 49 USC 1442; 49 USC 1443; 49 USC 1472; 49 USC 1510; 49 USC 1522

CFR Citation: 14 CFR 1; 14 CFR 91; 14 CFR 101

Legal Deadline: None.

Abstract: This Review Program is intended to provide full public participation in matters concerning FAA evaluation of the operation of moored balloons, kites, unmanned rockets, and unmanned free balloons. Pending completion of Regulatory Evaluation. NPRM is being drafted.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Yes

Additional Information: Part 91 revision also required to provide comprehensive treatment of manned balloon operations and to clarify the respective applicability and requirements of both parts 91 and 101 with respect to balloon operations. Regulatory Project ATO-200-84-20R

Analysis: Regulatory Evaluation 04/01/88

Agency Contact: Reginald C. Matthews, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9245

RIN: 2120-AB75

1741. ENGINE FUEL AND INDUCTION SYSTEMS

Significance: Nonsignificant

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 33

Legal Deadline: None.

Abstract: Advance notice proposed the addition of a new paragraph, FAR Section 33.35(f), to incorporate requirements for the fuel mixture to go to full-rich if a disconnect occurs in the mixture linkage. NPRM would add additional requirement for safety of operation in the event throttle linkage disconnect occurs and modify the proposed full-rich position for mixture control to a position allowing safe operation following any disconnect.

Timetable:

Action	Date	FR Cite
ANPRM	02/28/86	51 FR 7224
ANPRM Comment Period End	04/29/86	

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Evaluation 06/15/88

Agency Contact: George Mulcahy, Aerospace Engineer, Department of Transportation, Federal Aviation Administration, NE Region, 12 New England Executive Park, Burlington, MA 01803, 617 273-7077

RIN: 2120-AB76

1742. AMEND SECTION 43.17 TO ALLOW FOR MAINTENANCE OF U.S. AERONAUTICAL PRODUCTS IN CANADA IN COMPLIANCE WITH THE U.S.-CANADIAN BILATERAL AIRWORTHINESS AGREEMENT

Significance: Nonsignificant

Legal Authority: 49 USC 1354; 49 USC 1421; 49 USC 1422; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 106(g)

CFR Citation: 14 CFR 43

Legal Deadline: None.

Abstract: The proposed amendment would revise Section 43.17 to provide for the acceptance of maintenance, alteration, or modification accomplished on U.S.-registered aircraft, other aeronautical products, and components, in Canada, by persons authorized by Transport Canada Airworthiness Group and approved for return to service in accordance with the U.S.-Canadian Bilateral Airworthiness Agreement.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 07/00/88

Agency Contact: Angelo Mastrullo, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 267-3805

RIN: 2120-AB89

1743. REVISED ONE-ENGINE-INOPERATIVE RATINGS FOR ROTORCRAFT

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(A); 49 USC 1355; 49 USC 1421; 49 USC 1523; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(G); PL 97-449

CFR Citation: 14 CFR 27; 14 CFR 29

Legal Deadline: None.

Abstract: This project proposes to revise Parts 27 and 29 to set forth qualifications and performance associated with optional 30-second/2-minute one-engine-inoperative (OEI) ratings for rotorcraft.

Timetable:

Action	Date	FR Cite
NPRM	12/15/88	

Small Entity: No

Analysis: Regulatory Evaluation 12/15/88

Agency Contact: Ray Twa, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0111, 817 624-5158

RIN: 2120-AB90

1744. TURBINE BURST PROTECTION FOR TRANSPORT CATEGORY HELICOPTERS

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(A); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(G); PL 97-449

CFR Citation: 14 CFR 29

Legal Deadline: None.

Abstract: This project proposes to revise Part 29 to require design features or other provisions to minimize the hazards of failure of high speed rotors used in turbine engines in transport category helicopters.

Timetable:

Action	Date	FR Cite
NPRM	11/30/88	

Small Entity: No

Analysis: Regulatory Evaluation 11/30/88

Agency Contact: Mike Mathias, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0111, 817 624-5123

RIN: 2120-AB91

1745. ANTIBLOCKING DEVICE

Significance: Nonsignificant

Legal Authority: 49 USC 1348(a); 49 USC 106(g), (Revised Pub. L. 97-449, January 12, 1983); 14 CFR 11.45; 49 USC 1354(a)

CFR Citation: 14 CFR 91

Legal Deadline: None.

Abstract: Mr. John G. Rutty submitted a petition for rulemaking seeking to amend the FAR to require antiblocking and stuck microphone (ABD) relief circuitry operatively associated with aircraft voice communications radios employed in certain high-density air traffic areas. Action pending operational evaluation.

Timetable:

Action	Date	FR Cite
NPRM	12/01/88	

Small Entity: Undetermined

Additional Information: Docket Number 23755. Regulatory Project ATO-200-84-2P

Agency Contact: Reginald C. Matthews, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9245

RIN: 2120-AB92

1746. CONTROLLED AIR SPACE DESIGNATIONS IN INTERNATIONAL AIR SPACE

Significance: Nonsignificant

Legal Authority: 49 USC 1348(a) F.A. Act, Section 307(a); 49 USC 1354(a) F.A. Act, Section 313(a)

CFR Citation: 14 CFR 71; 14 CFR 75

Legal Deadline: None.

Abstract: User organizations recommended under the National Airspace Review to simplify the classification of offshore airspace designations.

Timetable:

Action	Date	FR Cite
ANPRM	07/29/85	50 FR 30798
ANPRM Comment Period End	10/28/85	50 FR 30798
NPRM	04/30/88	

Small Entity: Undetermined

Additional Information: Regulatory Project ATO-200-84-19R/ATO-200-84-7R

Analysis: Regulatory Evaluation 07/29/85 (50 FR 30798)

Agency Contact: William C. Davis, Manager, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8783

RIN: 2120-AB93

1747. AIRSPACE RECLASSIFICATION

Significance: Nonsignificant

Legal Authority: 49 USC 1348; 49 USC 1354; 14 CFR 11.45; 14 CFR 11.65

CFR Citation: 14 CFR 71; 14 CFR 73; 14 CFR 75; 14 CFR 91; 14 CFR 103; 14 CFR 105; 14 CFR 1

Legal Deadline: None.

Abstract: Users organizations recommended, under the National Airspace Review, to redesign the airspace system to a more simple system similar to the systems in place in Canada and proposed under ICAO recommendations.

Timetable:

Action	Date	FR Cite
ANPRM	02/05/85	50 FR 5046
ANPRM Comment Period End	06/06/85	50 FR 5046
NPRM	04/30/88	

Small Entity: Undetermined

Additional Information: Docket number 24456.

Regulatory Project ATO-200-84-7R

Analysis: Regulatory Evaluation 04/30/88

Agency Contact: William C. Davis, Manager, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8783

RIN: 2120-AB95

1748. TRANSPONDER REQUIREMENTS IN COASTAL AIR DEFENSE IDENTIFICATION ZONES (ADIZ)

Significance: Nonsignificant

Legal Authority: 49 USC 1348; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 106(g) Revised Pub L 97-449, January 12, 1983

CFR Citation: 14 CFR 99

Legal Deadline: None.

Abstract: This proposal would require aircraft to have an operating transponder when operating into, within, or out of the United States through coastal air defense identification zones (ADIZ).

Timetable:

Action	Date	FR Cite
ANPRM	02/07/86	51 FR 4756
NPRM	06/01/88	

Small Entity: No

Additional Information: Regulatory Project ATO-200-85-8R (Docket # 24903)

Affected Sectors: Multiple

Analysis: Regulatory Evaluation 06/01/88

Agency Contact: Reginald C. Matthews, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9245

RIN: 2120-AB99

1749. CHANGES REQUIRING A NEW TYPE CERTIFICATE

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1348(c); 49 USC 1352; 49 USC 1354(a); 49 USC 1355; 49 USC 1421 to 1431; 49 USC 1502; 49 USC 1651(b)(2); 42 USC 1857f-10; 42 USC 4321 et seq; EO 11514; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 21

Legal Deadline: None.

Abstract: This notice would propose to amend the Federal Aviation Regulations to permit certain aircraft product changes to be accomplished under amended type certification or supplemental type certification procedure in lieu of applying for a new type certificate. The granting of several exemptions emphasized the need for a review of established criteria mandating an application for a new type certificate. The availability of advanced, high performance, light-weight engines and superior replacement systems requires this rule change for the upgrading of older seasoned designs to increase safety, utility, performance, and reliability, and reduce operational cost. The rule remains unchanged for aircraft product modifications which are so extensive that a substantially complete investigation of compliance is required.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: No

Affected Sectors: Multiple

Analysis: Regulatory Evaluation 07/00/88

Agency Contact: Nick Dobi, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 267-9568

RIN: 2120-AC05

1750. PASSENGER-CARRYING AND CARGO AIR OPERATIONS FOR COMPENSATION OR HIRE

Significance: Nonsignificant

Legal Authority: 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352 to 1357; 49 USC 1401; 49 USC 1421 to 1431; 49 USC 1471; 49 USC 1472; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 2121 to 2125; 49 USC 1485; 49 USC 106(g)

CFR Citation: 14 CFR 91; 14 CFR 121; 14 CFR 129; 14 CFR 135

Legal Deadline: None.

Abstract: The FAA proposes to update and clarify the certification and operations specifications requirements for persons who operate aircraft for compensation or hire by (1) codifying the Special Federal Aviation Regulation pertaining to the certification requirements and (2) consolidating into one part the certification and operations specifications requirements for persons who operate under Part 121 or Part 135. The proposal responds to the termination of the Civil Aeronautics Board (CAB) and to changes in the air transportation industry since the Airline Deregulation Act of 1978. The proposal would provide a guide enabling persons who operate aircraft for compensation or hire to determine the certification and operations requirements with which they must comply.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Michael J. Coffey, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 267-3752

RIN: 2120-AC08

1751. PART 23 AIRWORTHINESS REVIEW, NOTICE NO. 5 (EQUIPMENT, SYSTEMS, AND INSTALLATION)

Significance: Nonsignificant

Legal Authority: 49 USC 1354; 49 USC 1421; 49 USC 1423

CFR Citation: 14 CFR 23

Legal Deadline: None.

Abstract: This proposed amendment to Part 23 would allow certification of small airplanes with systems critical to safe flight that are not now approved without special conditions, exemptions, or equivalent safety findings.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: No

Additional Information: This notice results from a regulatory review of Part 23 conducted in late 1984.

Analysis: Regulatory Evaluation 06/30/88

Agency Contact: Earsa L. Tankesley, Manager, Standards Office, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106, 816 374-6930

RIN: 2120-AC14

1752. PART 23 AIRWORTHINESS REVIEW, NOTICE NO. 2

Significance: Nonsignificant

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec 313; 49 USC 1421 Federal Aviation Act of 1958, Sec 601; 49 USC 1423 Federal Aviation Act of 1958, Sec 603

CFR Citation: 14 CFR 23

Legal Deadline: None.

Abstract: This notice will propose design requirements applicable to advancements in technology being incorporated into current designs, reducing the hazards from bird strike, allowing certification of spin resistant airplanes, reducing the regulatory burden in showing compliance with some requirements, and providing requirements for new technology that is being utilized in the development of small airplanes.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: No

Additional Information: This notice results from a regulatory review of Part 23 conducted in late 1984.

Analysis: Regulatory Evaluation 06/30/88

Agency Contact: Earsa L. Tankesley, Manager, Standards Office, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106, 816 374-6930

RIN: 2120-AC15

1753. NOISE AND EMISSION STANDARDS FOR AIRCRAFT POWERED BY ADVANCED TURBOPROP (PROPFAN) ENGINES

Significance: Nonsignificant

Legal Authority: 49 USC 1354; 49 USC 1421; 49 USC 1423; 49 USC 1431

CFR Citation: 14 CFR 36

Legal Deadline: None.

Abstract: Part 36 prescribes noise standards for type certification of airplanes. A new generation of aircraft powered by prop-fan engines may present a noise problem that is not currently addressed by Part 36 in that en route noise at cruise altitude (25,000 to 30,000 ft) may require a new standard. This proposal would establish a new standard to control high altitude flyover noise from these new types of aircraft.

Timetable:

Action	Date	FR Cite
ANPRM	03/13/87	52 FR 8050
ANPRM Comment Period End	06/11/87	
Comment period extended to 10/01/87	07/20/87	52 FR 27304

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Harvey H. Van Wyen, Manager, Noise Policy & Regulatory Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 267-3553

RIN: 2120-AC20

1754. ROTORCRAFT CERTIFICATION REQUIREMENTS; COORDINATION WITH EUROPEAN AIRWORTHINESS AUTHORITIES STEERING COMMITTEE (AASC)

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 29; 14 CFR 27

Legal Deadline: None.

Abstract: Rotorcraft manufacturers and foreign airworthiness authorities would like one set of standards to reduce cost of airworthiness certifications. Many countries now use FAR Parts 27 and 29,

with some national differences, as their standards.

Timetable:

Action	Date	FR Cite
NPRM	06/29/88	

Small Entity: Undetermined

Agency Contact: R. T. Weaver, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0111, 817 624-5122

RIN: 2120-AC27

1755. PART 99: AIR DEFENSE IDENTIFICATION ZONES AND MISCELLANEOUS EDITORIAL REVISION

Significance: Nonsignificant

Legal Authority: 49 USC 1348; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 106(g) Revised Pub L 97-449, January 12, 1983

CFR Citation: 14 CFR 99

Legal Deadline: None.

Abstract: North American Air Defense modernization requires realignment of the Air Defense Identification Zones to bring them in line with planned coverage and current capabilities.

Timetable:

Action	Date	FR Cite
NPRM	12/01/88	

Small Entity: Undetermined

Additional Information: Regulatory Project ATO-200-86-20P (Docket #25113)

Agency Contact: Reginald C. Matthews, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9245

RIN: 2120-AC37

1756. IMPROVED STRUCTURAL REQUIREMENTS FOR PRESSURIZED CABINS AND COMPARTMENTS IN TRANSPORT CATEGORY AIRPLANES

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449; 49 CFR 1.47(a)

CFR Citation: 14 CFR 25

Legal Deadline: None.

Abstract: Notice will propose to amend Part 25 of the Federal Aviation Regulations (FAR) to upgrade the structural requirements for transport category airplane pressurized cabins by (1) amending the criteria for evaluation of the secondary effects of openings in the pressure vessel, and (2) extending the area of consideration to include openings anywhere within the pressure vessel. The required opening sizes to be considered would not be changed. The proposal is the result of an FAA review of the pressurized cabin load requirements and is intended to make the pressurized cabin load requirements less design-dependent and more objective. It would require evaluation of openings in any pressurized compartment and examination of the effects of differential pressure loads on any critical structure inside or outside of the pressurized cabin.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: James Haynes, Policy and Procedures Branch, Transport Standards Staff, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South C-68966, Seattle, WA 98168, 206 431-2113

RIN: 2120-AC44

1757. MISCELLANEOUS CHANGES TO EMERGENCY EVACUATION DEMONSTRATION PROCEDURES, EXIT HANDLE ILLUMINATION, AND PA HANDSETS

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355 to 1357; 49 USC 1401; 49 USC 1421 to 1430; 49 USC 1472; 49 USC 1485; 49 USC 1502; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 25; 14 CFR 121

Legal Deadline: None.

Abstract: Notice will propose to modify the procedures for conducting an emergency evacuation demonstration by requiring that the flight-crew take no active role in the demonstration and changing the age/sex distribution requirement for demonstration participants. This notice also proposes to standardize the illumination requirements for the handles of the various types of passenger emergency exits. In addition, it is proposed to add a requirement for a "push to talk" switch to the public address system. These proposals are intended to enhance the provisions of transport category airplanes for egress of occupants during emergency conditions.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Frank Tiangsing, Aerospace Engineer, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, 206 431-2121

RIN: 2120-AC45

1758. ● NON-FEDERAL AIR TRAFFIC CONTROL TOWERS

Significance: Nonsignificant

Legal Authority: 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352 to 1355; 49 USC 1401; 49 USC 1421 to 1431; 49 USC 1471; 49 USC 1472; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 2121 to 2125; 42 USC 4321; 49 USC 106(g) (Revised PL 97-449, January 12, 1983); ...

CFR Citation: 14 CFR 91; 14 CFR 105

Legal Deadline: None.

Abstract: The adoption of this recommendation would allow review, study, and proposal of changes to Parts 91 and 105 of the regulations. This proposal would define the responsibilities of non-Federal air-traffic control towers as to compliance with FAA air-traffic control towers.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	

Small Entity: Undetermined

Additional Information: Regulatory Project No. ATO-200-87-14R

Analysis: Regulatory Evaluation 06/01/88

Agency Contact: William C. Davis, Manager, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8783

RIN: 2120-AC59

DOT—FAA

Proposed Rule Stage

1759. ● FUEL VENTING AND EXHAUST-EMISSION REQUIREMENTS FOR TURBINE-ENGINE POWERED AIRPLANES

Significance: Nonsignificant

Legal Authority: 49 USC 1341(a); 49 USC 106(g)(Revised, PL 97-449, Jan. 12, 1983); 49 USC 1343(d); 49 USC 1348; 49 USC 1354(a); 49 USC 1401 to 1405; 49 USC 1421 to 1431; 49 USC 1481; 49 USC 1502

CFR Citation: 14 CFR 11; 14 CFR 21; 14 CFR 23; 14 CFR 25; 14 CFR 45; 14 CFR 91; 14 CFR 11, (SFAR 27)

Legal Deadline: None.

Abstract: Special Federal Aviation Regulation (SFAR) 27 prescribes standards and test procedures for fuel venting and exhaust emissions for the turbine powered airplanes. This proposal would replace SFAR 27, as amended through SFAR 27-6, with a new Part 34 of the Federal Aviation Regulations which will include all of the standards and test procedures of 40 CFR 87 previously included in SFAR 27. This will codify in a single part all of the applicable requirements of 40 CFR 87, Control of Air Pollution from Aircraft and Aircraft Engines; Emissions Standards and Test Procedures, as amended, December 30, 1982, and insert requirements to comply with Part 34 in the other affected Parts where applicable.

Timetable:

Action	Date	FR Cite
NPRM	10/16/88	

Small Entity: No

Analysis: Regulatory Evaluation 10/16/88

Agency Contact: Nicholas P. Krull, Manager, Air Quality Staff, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-3493**

RIN: 2120-AC62

1760. ● SHOULDER HARNESS FOR EACH SEAT IN PART 27 AND 29 ROTORCRAFT

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 27; 14 CFR 29

Legal Deadline: None.

Abstract: This project proposes to amend Parts 27 and 29 to require a shoulder harness for each seat in rotorcraft manufactured after December 31, 1988.

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	

Small Entity: Yes

Analysis: Regulatory Flexibility Analysis; Regulatory Evaluation 05/01/88

Agency Contact: James Major, Department of Transportation, Federal Aviation Administration, PO Box 1689, Fort Worth, TX 79193-0111, **817 624-5117**

RIN: 2120-AC67

1761. ● CRASH-RESISTANT FUEL SYSTEMS

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354; 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 27; 14 CFR 29

Legal Deadline: None.

Abstract: This project proposes to implement requirements in Parts 27 and 29 for crash-resistant fuel systems to reduce injuries or fatalities resulting from ignition of flammable fluids following an otherwise survivable crash of a rotorcraft.

Timetable:

Action	Date	FR Cite
NPRM	12/01/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 12/01/88

Agency Contact: Mike Mathias, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0111, **817 624-5118**

RIN: 2120-AC68

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Aviation Administration (FAA)

Final Rule Stage

1762. + LOW-ALTITUDE WINDSHEAR EQUIPMENT REQUIREMENTS FOR TAKEOFFS/LANDINGS OF TRANSPORT CATEGORY AIRPLANES

Significance: Regulatory Program

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604

CFR Citation: 14 CFR 135

Legal Deadline: None.

Abstract: This notice proposes to require that all turbojet-powered airplanes operated in accordance with Part 121 have airborne systems that warn a flightcrew of the presence of low-altitude windshear conditions and then provide flight guidance to follow that would produce the optimal flight path for a missed approach procedure. This proposal would require that any Part 121 operator using an approved simulator as a part of its training program develop a specific windshear-related simulator flight training course for its flightcrews. This proposal would require that Part 121 and 135 operators using an approved training program include training concerning the low-altitude windshear phenomenon as a part of their normal ground training. Low-altitude windshear has been a prime causal factor in numerous air carrier accidents and possibly has contributed to a number of general aviation accidents.

Timetable:

Action	Date	FR Cite
ANPRM	05/03/79	44 FR 25807
NPRM	06/01/87	52 FR 20560
NPRM Comment Period End	09/28/87	
Final Action	10/31/88	

Small Entity: No

Additional Information: Docket No. 19110. In 1975, the FAA began a two-year effort to develop a windshear program. As part of the program, FAA began work to develop a windshear warning and pilot aiding device which

has achieved encouraging results. Following the initial announcement of this proposal, it was determined that a regulatory analysis would not be required; however, an evaluation will be made and docketed. ANPRM No. 79-11 was published on May 3, 1979 (44 FR 25807) and comment period closed August 3, 1979. (14 CFR Parts 91, 121 & 135).

Analysis: Regulatory Evaluation

Agency Contact: Gary Davis, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-3752

RIN: 2120-AA01

1763. + IMPROVED SEAT-SAFETY STANDARDS

Significance: Regulatory Program

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 25

Legal Deadline: None.

Abstract: To develop improved load-test criteria for occupant seat restraint systems on transport airplanes based on the ongoing joint FAA/NASA/industry transport airplane crashworthiness program which encompasses tests and studies of past survivable accident data. This rulemaking is significant because it involves important Departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	07/17/86	51 FR 25982
NPRM Comment Period End	01/14/87	
Final Action	05/00/88	

Small Entity: No

Additional Information: Docket No. 25040

Analysis: Regulatory Evaluation 07/17/86 (51 FR 25982)

Agency Contact: Iven Connally, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2120

RIN: 2120-AA88

1764. + REVISION OF FOREIGN REPAIR STATION RULES

Significance: Regulatory Program

Legal Authority: 49 USC 1354(a); 49 USC 1355(a); 49 USC 1421; 49 USC 1422; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1426; 49 USC 1427; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 1431; 49 USC 1502; 49 USC 106(g); ...

CFR Citation: 14 CFR 145

Legal Deadline: None.

Abstract: This notice proposes to update the regulations for certificating foreign repair stations to accommodate the increasing demand for maintenance and alteration of U.S.-registered aircraft manufactured worldwide. This proposal would (1) modify the requirement for determination of need before a foreign repair station may be considered for U.S. certification, and (2) modify the limitations on the scope of work that a foreign repair station may perform on U.S.-registered aircraft, engines, propellers, appliances, and component parts for use on U.S.-registered aircraft. In addition, it is proposed that a foreign or domestic manufacturer, or a product for which it holds a U.S. type certificate and that is certificated by the FAA as a repair station, be allowed to return to service a component maintained or altered by a noncertificated source subject to specified conditions. Lastly, to be consistent with the air carrier operating rules, the air taxi/commercial operator rules would be amended to permit the airworthiness release to be signed by a person authorized by a U.S.-certificated foreign repair station.

Timetable:

Action	Date	FR Cite
NPRM	11/24/87	52 FR 45124
NPRM Comment Period End	01/25/88	
Final Action	10/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 11/24/87 (52 FR 45124)

Agency Contact: Leo Weston, Manager, Aircraft Maintenance Division, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8203

RIN: 2120-AC50

1765. + CERTIFICATION OF RECREATIONAL PILOTS AND ANNUAL FLIGHT REVIEW

Significance: Agency Priority

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 Federal Aviation Act of 1958, Sec. 602

CFR Citation: 14 CFR 61

Legal Deadline: None.

Abstract: This final rule would establish a recreational pilot certificate which would allow a student pilot to receive certification to fly certain aircraft after fewer hours of training than are currently required of a private pilot applicant. The recreational pilot certificate is intended to be a low-cost alternative to a private pilot certificate for persons interested in flying basic, experimental, or homebuilt aircraft in close proximity to a home airport that is not in airspace in which communication with an air traffic control facility is required. The rule would also establish an annual flight review requirement for noninstrument-rated private pilots with fewer than 400 flight hours. This rulemaking is significant because of substantial public interest and safety implications.

Timetable:

Action	Date	FR Cite
NPRM	06/25/85	50 FR 26286
NPRM Comment Period End	09/24/85	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 24695

Agency Contact: Edna French, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-3844

RIN: 2120-AA54

1766. + ROTORCRAFT STRUCTURAL FATIGUE INCLUDING TOLERANCE TO FLAWS

Significance: Agency Priority

Legal Authority: 49 USC 1344; 49 USC 1354(A); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(G); PL 97-449

CFR Citation: 14 CFR 29

Legal Deadline: None.

Abstract: This amendment would revise Section 29.571 to add flaw tolerance to the fatigue evaluation of rotorcraft structure. This rulemaking is considered significant because it involves important safety issues.

Timetable:

Action	Date	FR Cite
ANPRM	01/06/83	48 FR 772
ANPRM Comment Period End	04/18/83	48 FR 772
NPRM	09/22/86	51 FR 33704
NPRM Comment Period End	04/03/87	51 FR 45343
Final Action	05/15/88	

Small Entity: No

Additional Information: Docket No. 23485.

Public meeting held on February 8, 1983.

Analysis: Draft Regulatory Evaluation 09/22/86 (51 FR 33704); Regulatory Evaluation 05/15/88

Agency Contact: Robert T. Weaver, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0111, **817 624-5122**

RIN: 2120-AA84

1767. + OCCUPANT RESTRAINT IN NORMAL AND TRANSPORT CATEGORY ROTORCRAFT

Significance: Agency Priority

Legal Authority: 49 USC 1344 Federal Aviation Act of 1958, Sec. 303; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1424 Federal Aviation Act of 1958, Sec. 604; 49 USC 1425 Federal Aviation Act of 1958, Sec. 605; 49 USC 1428 Federal Aviation Act of 1958, Sec. 608; 49 USC 1429 Federal Aviation Act of 1958, Sec. 609; 49 USC 1430 Federal Aviation Act of 1958, Sec. 610; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 27; 14 CFR 29

Legal Deadline: None.

Abstract: This project proposes to amend the rotorcraft airworthiness standards in Parts 27 and 29 of the FAR. These proposals would add two dynamic crash-impact design requirement conditions for seat and occupant restraint systems, increase the static design load factors for seating devices and items of mass in the cabin or adjacent to the cabin as prescribed, prescribe a shoulder harness for each occupant, and add human impact injury criteria for the dynamic crash-impact conditions. These proposals are intended to significantly improve occupant protection levels in a survivable emergency landing impact. This rulemaking is significant because of the obvious safety improvements in crash situations, but also because of industry and operator concerns as to incurred costs due to increased weight and design effort.

Timetable:

Action	Date	FR Cite
NPRM	06/03/87	52 FR 20938
NPRM Comment Period End	12/30/87	

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Flexibility Analysis; Regulatory Evaluation 06/03/87 (52 FR 20938)

Agency Contact: James Major, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0111, **817 624-5117**

RIN: 2120-AB35

1768. + PROPOSED REVISION TO NOISE CERTIFICATION STANDARDS FOR PROPELLER-DRIVEN SMALL AIRPLANES

Significance: Agency Priority

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1431 Federal Aviation Act of 1958, Sec. 611

CFR Citation: 14 CFR 21; 14 CFR 36

Legal Deadline: None.

Abstract: Would revise noise certification standards for propeller-driven small airplanes to substitute the use of actual takeoff tests for the level flyover tests currently specified. This proposal would revise test procedures applicable to noise certification tests conducted on or after January 1, 1988. It would also revise the noise-level limit numbers to approximate the equivalent of the sound levels measured and corrected in accordance with the current standard. These proposals result from industry requests for certification to be more directly based upon typical inservice noise measurements and from studies conducted in several nations over a three-year period under the auspices of the International Civil Aviation Organization. In addition, the FAA proposes to exempt antique airplanes and changes involving the addition of floats or skis from the acoustical change measurement and documentation requirements of Part 21. This regulation is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	07/14/86	51 FR 25500
NPRM Comment Period End	10/09/86	
Final Action	10/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 07/14/86 (51 FR 25500)

Agency Contact: Steven Albersheim, Environmental Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, **202 267-3560**

RIN: 2120-AB47

1769. + PROPOSED LIMITS ON THE GROWTH OF NOISE FROM CERTAIN AIRPLANES AND AIRPLANE TYPES

Significance: Agency Priority

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1431(b) Federal Aviation Act of 1958, Sec. 611(b); 49 USC 1421 et seq National Environmental Policy Act, Title I; EO 11514; 49 USC 106(g)

CFR Citation: 14 CFR 36; 14 CFR 91

Legal Deadline: None.

Abstract: Would revise both noise certification standards and operating noise rules to ensure that aircraft certificated within certain broad noise groups or "stages" remain within those stages. Those proposals would apply to transport category large aircraft and to turbojet powered aircraft regardless of category. The proposed rule would prohibit modification of both individual airplanes and whole airplane types where those modifications would result in the growth of noise beyond the limits of the airplane's current stage. While the proposal would not restrict airplane

DOT—FAA **Final Rule Stage**

changes that result in lower noise, it would in some cases prohibit re-modification of those aircraft to return to their original noise levels. The FAA believes that these rules are necessary to correct a defect in the current regulations and to protect airports, aircraft operators and the public from the effects of that defect. This rulemaking is significant because of intense public interest.

Timetable:

Action	Date	FR Cite
NPRM	06/17/87	52 FR 23144
NPRM Comment Period End	09/14/87	
Final Action	10/16/88	

Small Entity: No

Analysis: Regulatory Evaluation 06/17/87 (52 FR 23144)

Agency Contact: Steven Albersheim, Environmental Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, **202 267-3560**

RIN: 2120-AB50

1770. + INDEPENDENT POWER SOURCE FOR PUBLIC ADDRESS SYSTEM IN TRANSPORT CATEGORY AIRPLANES

Significance: Agency Priority

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 25; 14 CFR 121

Legal Deadline: None.

Abstract: This action would amend the regulations to require an independent power source for the public address (PA) system in certain transport category airplanes. The requirement would be applicable to future type certification of airplanes that are required to have PA systems for use in air carrier service and to such airplanes manufactured after a specified date, regardless of the date of application for type certificate. This rulemaking is considered significant because it involves an important cabin-safety issue.

Timetable:

Action	Date	FR Cite
NPRM	05/27/86	51 FR 19140
NPRM Comment Period End	11/24/86	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 24995

Analysis: Regulatory Evaluation 05/27/86 (51 FR 19140)

Agency Contact: Robert Hall, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, **206 431-2143**

RIN: 2120-AB77

1771. + PART 23 AIRWORTHINESS REVIEW -- NOTICE NO. 1 (CRASHWORTHINESS)

Significance: Agency Priority

Legal Authority: 49 USC 1354; 49 USC 1421; 49 USC 1423

CFR Citation: 14 CFR 23

Legal Deadline: None.

Abstract: This notice proposes changes to the airworthiness standards to enhance cabin safety and occupant protection by raising the level of crashworthiness for new designs of small airplanes type certificated after a certain date. This rulemaking is considered significant because it involves important cabin-safety and crashworthiness issues.

Timetable:

Action	Date	FR Cite
NPRM	12/12/86	51 FR 44878
NPRM Comment Period End	06/12/87	

Next Action Undetermined

Small Entity: No

Additional Information: This notice is the first of several planned notices resulting from a regulatory review of Part 23 conducted in late 1984.

Analysis: Regulatory Evaluation 12/12/86 (51 FR 44878)

Agency Contact: Earsa L. Tankesley, Manager, Standards Office, Department of Transportation, Federal Aviation Administration, 601 East 12th Street, Kansas City, MO 64106, **816 374-6930**

RIN: 2120-AC16

1772. + LOCATION OF PASSENGER EMERGENCY EXITS IN TRANSPORT-CATEGORY AIRPLANES

Significance: Agency Priority

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 21; 14 CFR 25; 14 CFR 121

Legal Deadline: None.

Abstract: This notice proposes to limit increases in passenger emergency escape path distance by establishing a new standard limiting the distance any passenger seat may be from the nearest emergency exit and the distance any exit may be from an adjacent exit. The proposal would make the standard applicable to type certification of new transport category airplane models, regardless of the date of original application for type certificate, and to airplanes operating under Part 121, except those already in operation. The standard would be applicable for issuance of standard airworthiness certificates for airplanes manufactured after the NPRM date. The proposal is a result of the recent public Emergency Evacuation Task Force and is intended to improve the likelihood of passengers safely escaping an airplane during an emergency evacuation; for this reason the rulemaking is considered significant.

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	52 FR 39190
NPRM Comment Period End	12/21/87	

Next Action Undetermined

Small Entity: No

Analysis: Draft Regulatory Evaluation 10/20/87 (52 FR 39190)

Agency Contact: Arthur Hayes, Aerospace Engineer, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, **202 267-9937**

RIN: 2120-AC29

DOT—FAA

Final Rule Stage

1773. + INSTALLATION OF TRAFFIC CONTROL AVOIDANCE SYSTEM IN DOMESTIC TRANSPORT CATEGORY AIRPLANES

Significance: Agency Priority

Legal Authority: None

CFR Citation: 14 CFR 121; 14 CFR 25

Legal Deadline: None.

Abstract: This notice proposes to require the installation and use of a Traffic Alert and Collision Avoidance System (TCAS) in large transport type airplanes and certain turbine powered smaller airplanes. TCAS, which utilizes the signal from existing transponders, would provide for a collision avoidance capability in the cockpit independent of the ground Air Traffic Control (ATC) system, or where there is no ATC coverage. Additionally, the notice proposes that all operators of TCAS-equipped airplanes have an FAA-approved TCAS training program for flight crewmembers. This rulemaking is considered significant because it involves important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	08/26/87	52 FR 32268
NPRM Comment Period End	12/24/87	

Next Action Undetermined

Small Entity: Undetermined

Analysis: Regulatory Flexibility Analysis; Regulatory Evaluation 08/26/87 (52 FR 32268)

Agency Contact: Frank Rock, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9567

RIN: 2120-AC34

1774. + TERMINAL CONTROL AREA CLASSIFICATION AND PILOT/EQUIPMENT REQUIREMENTS

Significance: Agency Priority

Legal Authority: None

CFR Citation: 14 CFR 71; 14 CFR 91

Legal Deadline: None.

Abstract: Proposes to establish a single-class TCA having common pilot and equipment requirements. This proposed action is consistent with determinations made by the National Airspace Review and FAA TCA Review Teams that different classifications of TCA airspace are outdated and no longer valid, and that all aircraft, including helicopters, should operate under a single set of pilot and equipment requirements. Additionally, this proposal would require a Mode C transponder on all aircraft within 30 nautical miles of a TCA primary airport. This rulemaking is considered significant because it is controversial, involving substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	06/16/87	52 FR 22918
Comment Period Extended - NPRM to 09/16/87	08/06/87	52 FR 29205
NPRM Comment Period End	08/17/87	
Final Action	04/00/88	

Small Entity: Yes

Additional Information: RIN 2120-AC36 has been combined into this proceeding. Regulatory Project No AT-200-86-21R (Docket #25304)

Analysis: Regulatory Evaluation 06/16/87 (52 FR 22918)

Agency Contact: Reginald C. Matthews, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9245

RIN: 2120-AC35

1775. + COMMUTER CATEGORY AIRPLANES: COCKPIT VOICE RECORDER (CVR) AND FLIGHT DATA RECORDER (FDR) REQUIREMENTS

Significance: Agency Priority

Legal Authority: 49 USC 1354(a); 49 USC 1355(a); 49 USC 1421; 49 USC 1422; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1426; 49 USC 1427; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 1431; 49 USC 1502; 49 USC 106(g)

CFR Citation: 14 CFR 135

Legal Deadline: None.

Abstract: This notice would initiate supplemental rulemaking action amending Part 135 to include requirements for CVR's/FDR's in multiengine, turbine-powered airplanes configured to carry six or more passengers and requiring two pilots. This rulemaking is considered significant because of substantial public and congressional interest.

Timetable:

Action	Date	FR Cite
NPRM	02/12/88	53 FR 4314
NPRM Comment Period End	03/28/88	53 FR 4314
Final Action	06/00/88	

Small Entity: No

Agency Contact: Frank Rock, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9567

RIN: 2120-AC48

1776. ● + TRANSPONDER WITH AUTOMATIC ALTITUDE REPORTING CAPABILITY REQUIREMENT

Significance: Agency Priority

Legal Authority: 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352 to 1355; 49 USC 1401; 49 USC 1421 to 1431; 49 USC 1471; 49 USC 1472; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 2121 to 2125; 42 USC 4321 et seq

CFR Citation: 14 CFR 91

Legal Deadline: Statutory, June 30, 1988.

Abstract: This rulemaking proposes to require that all aircraft be equipped with a transponder and automatic altitude-reporting equipment (Mode C transponder) when operating in terminal air space where air traffic control radar service is provided, and when operating at, and above, 6,000 feet above the surface in controlled air space in the United States. In concert with these actions, the FAA is proposing to establish a 1,200-foot above-the-surface common floor for controlled air space over the United States. This rulemaking is considered significant because of substantial public interest and statutory requirement.

Timetable:

Action	Date	FR Cite
NPRM	02/12/88	53 FR 4306
Comment period extended to 05/12/88	03/24/88	53 FR 9758
NPRM Comment Period End	03/28/88	53 FR 4306
Final Action	06/00/88	

Small Entity: Undetermined

Additional Information:

Legal Authority Cont:

EO 11514

49 USC 106(g) (Revised Pub L 97-449, January 12, 1983)

Regulatory Project No. ATO-200-87-18R Rulemaking to amend the base of the Continental Control Area (RIN 2120-AC64) has been combined into this rulemaking. Contemplated action in RIN AC52 has also been subsumed in this rulemaking action.

Analysis: Regulatory Evaluation 04/01/88

Agency Contact: Reginald C. Matthews, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-9245**

RIN: 2120-AC66

1777. ● + SPECIAL FLIGHT RULES IN THE VICINITY OF THE GRAND CANYON NATIONAL PARK

Significance: Agency Priority

Legal Authority: PL 100-91; 49 USC 1348

CFR Citation: 14 CFR 199; 14 CFR 135

Legal Deadline: Statutory, May 27, 1988. PL 100-91 requires a final rule within 90 days of the date DOI submitted recommendations to the FAA, or by 3/28/88. However, if the recommendations would have adverse impacts on aviation safety, a final rule must be issued within 60 days of the finding. The latest possible date is 5/27/88.

Abstract: PL 100-91, signed on August 18, 1987, required the Department of Interior to submit recommendations to the FAA for regulation of aircraft overflight of the Grand Canyon. DOI submitted its recommendations to FAA on December 29, 1987. The law further requires that FAA adopt regulations which implement the DOI recommendations. This rulemaking fulfills that requirement.

Timetable:

Action	Date	FR Cite
NPRM	03/04/88	53 FR 7096
NPRM Comment Period End	03/25/88	
Final Action	05/27/88	

Small Entity: Undetermined

Analysis: Environmental Assessment 05/00/88

Agency Contact: David L. Bennett, Manager, Airspace and Traffic Branch, Department of Transportation, Federal Aviation Administration, **202 267-3491**

RIN: 2120-AC70

1778. REVISION OF PART 91

Significance: Nonsignificant

Legal Authority: 49 USC 1348 Federal Aviation Act of 1958, Sec. 307; 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1401 Federal Aviation Act of 1958, Sec. 501; 49 USC 1402 Federal Aviation Act of 1958, Sec. 502; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1422 to 1430 Fed. Aviation Act of 1958, Secs. 602 to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 91

Legal Deadline: None.

Abstract: This proposed amendment reorganizes and realigns the general operating and flight rules to make them more understandable and easier to use. Also, several changes are being made to provide more flexibility for certain operations. These changes resulted from comments received from the general public and aviation industry in response to a request for specific comments to help identify substantive areas needing review.

Timetable:

Action	Date	FR Cite
ANPRM	01/22/79	44 FR 4571
NPRM	09/10/81	46 FR 45256
NPRM	03/20/85	50 FR 11282
NPRM Comment Period End	07/18/85	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 18334.

Analysis: Regulatory Evaluation 09/10/81 (46 FR 45256)

Agency Contact: Marion Clemens or Edna French, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-8150**

RIN: 2120-AA13

1779. INOPERATIVE INSTRUMENTS OR EQUIPMENT

Significance: Nonsignificant

Legal Authority: 49 USC 1348(a) Federal Aviation Act of 1958, Sec. 307(a); 49 USC 1348(c) Federal Aviation Act of 1958, Sec. 307(c); 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1355 Federal Aviation Act of 1958, Sec. 314; 49 USC 1355(a) Federal Aviation Act of 1958, Sec. 314(a); 49 USC 1421(a) to 1430 Fed. Av. Act 1958, Secs. 601(a) to 610; 49 USC 1502 Federal Aviation Act of 1958, Sec. 1102

CFR Citation: 14 CFR 43; 14 CFR 91

Legal Deadline: None.

Abstract: This notice supplements NPRM 81-14, which proposed to permit the operation of powered aircraft with certain inoperative instruments and equipment that are not essential for the safe operation of the aircraft. After further review of the comments from the public, the FAA concluded that provisions in that notice could be accomplished with less paperwork, and the concept could be further modified to conform to other pertinent regulations. The supplemental NPRM proposed to permit rotorcraft and nonturbine powered airplanes (for which a master minimum equipment list has not been developed), that are not being utilized in an air carrier operation, to be operated with certain inoperative instruments and equipment. Furthermore, this supplemental NPRM proposed to permit flight operations with certain inoperative instruments and equipment for small multiengine rotorcraft and nonturbine-powered small multiengine airplanes (for which a master minimum equipment list has been developed and that are not being utilized in an air carrier operation) the option of selecting the minimum equipment (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/26/81	46 FR 52278
NPRM Comment Period End	01/25/82	
SNPRM Comment Period End 03/16/88	12/15/87	52 FR 47680
Final Action	07/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: list concept or complying with the provision contained in the new proposed regulations.

Analysis: Regulatory Evaluation 10/26/81 (46 FR 52278)

DOT—FAA

Final Rule Stage

Agency Contact: John Lynch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-3841**

RIN: 2120-AA19

1780. ROTORCRAFT REGULATORY REVIEW PROGRAM AMENDMENT NO. 3

Significance: Nonsignificant

Legal Authority: 49 USC 1354; 49 USC 1354(A); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(G); PL 97-449

CFR Citation: 14 CFR 1; 14 CFR 27; 14 CFR 29; 14 CFR 33

Legal Deadline: None.

Abstract: This amendment changes Parts 1, 27, 29, and 33 in the area of propulsion system requirements. New rules or changes to rules are included in the area of engine ratings, detailed combustion heater requirements, lightning protection, system tests, and oil requirements.

Timetable:

Action	Date	FR Cite
NPRM	11/27/84	49 FR 46670
NPRM Comment Period End	03/26/85	
Final Action	04/15/88	

Small Entity: No

Analysis: Regulatory Evaluation 11/27/84 (49 FR 46670)

Agency Contact: Mike Mathias, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0111, **817 624-5123**

RIN: 2120-AA28

1781. TRANSPORT CATEGORY AIRPLANE AIRWORTHINESS STANDARDS

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 25

Legal Deadline: None.

Abstract: This action would amend the airworthiness standards contained in Part 25 applicable to transport category airplanes to: (1) relieve the regulatory burden wherever possible, (2) ensure the airworthiness standards are practicable for the light transport airplanes common to regional air carrier operation, and (3) update Part 25 for clarity and accuracy.

Timetable:

Action	Date	FR Cite
NPRM	12/03/84	49 FR 47358
NPRM Comment Period End	04/04/85	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 24344

Affected Sectors: Multiple

Analysis: Regulatory Evaluation 12/03/84 (49 FR 47358)

Agency Contact: Gary Killion, Department of Transportation, Federal Aviation Administration, NorthWest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, **206 431-2112**

RIN: 2120-AA47

1782. AMEND PART 23 TO INCLUDE EMPENNAGE FATIGUE REQUIREMENTS

Significance: Nonsignificant

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 23

Legal Deadline: None.

Abstract: This action would provide for fatigue integrity of small airplane empennage structure where present Part 23 fatigue requirements apply only to the wing.

Timetable:

Action	Date	FR Cite
NPRM	09/22/86	51 FR 33700
NPRM Comment Period End	01/21/87	

Next Action Undetermined

Small Entity: No

Additional Information: The FAA is evaluating additional data obtained from NASA.

Analysis: Regulatory Evaluation 02/18/86 (51 FR 33700)

Agency Contact: Earsa L. Tankesley, Manager, Standards Office, Department of Transportation, Federal Aviation Administration, 601 E. 12th Street, Kansas City, MO 64106, **816 374-6930**

RIN: 2120-AA58

1783. NOISE STANDARDS: AIRCRAFT TYPE AND AIRWORTHINESS CERTIFICATION

Significance: Nonsignificant

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1431 Federal Aviation Act of 1958, Sec. 611

CFR Citation: 14 CFR 36

Legal Deadline: None.

Abstract: Part 36 prescribes noise type certification standards for turbo jet powered airplanes and propeller driven small airplanes regardless of category. This review will examine the need to reorganize and realign the noise standards to make them more understandable and easier to use. This review would reorganize existing material into several new subparts, and utilize an improved numbering system to provide for the easier inclusion of future changes. Other improvements would be made by deleting redundancies, obsolete compliance dates, and making other minor changes. Additionally, Part 36 will be reviewed in accordance with Executive Order 12291 to reduce regulatory burdens on the public, including the preparation of both a Regulatory Evaluation and a Regulatory Flexibility Analysis.

Timetable:

Action	Date	FR Cite
NPRM	01/29/85	50 FR 4172
NPRM Comment Period End	04/24/85	
Final Action	04/16/88	

Small Entity: Yes

Additional Information: Will also consider Petition for Rulemaking from the Aerospace Industries of America (Docket No. 23340; Petition Notice No. PR-82-13).

Analysis: Regulatory Flexibility Analysis; Environmental Assessment 01/29/85 (50 FR 4172); Regulatory Evaluation 01/29/85 (50 FR 4172)

Agency Contact: Steven Albersheim, Environmental Specialist, Department

DOT—FAA **Final Rule Stage**

of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 267-3560

RIN: 2120-AA74

1784. NIGHTTIME VFR WEATHER MINIMUMS

Significance: Nonsignificant

Legal Authority: 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352; 49 USC 1353; 49 USC 1354; 49 USC 1355; 49 USC 1401; 49 USC 1421; 49 USC 1422; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1426; ...

CFR Citation: 14 CFR 91

Legal Deadline: None.

Abstract: Would standardize weather minimums in all airspace at night.

Timetable:

Action	Date	FR Cite
NPRM	07/23/85	50 FR 30124
NPRM Comment Period End	09/23/85	50 FR 30124
Final Action	06/01/88	

Small Entity: No

Additional Information: LEGAL AUTHORITY CONT: 49 USC 1427; 48 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 1431; 49 USC 1471; 49 USC 1472; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 2121; 49 USC 2122; 49 USC 2123; 49 USC 2124; 49 USC 2125; 42 USC 4321 et seq; EO 11514, 49 USC 106(a), Revised Pub. L. 97-449, January 12, 1983, Regulatory Project ATO-200-83-16R (Docket # 24722)

Agency Contact: William C. Davis, Manager, Air Traffic Rules Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8783

RIN: 2120-AB04

1785. AIRWORTHINESS STANDARDS: AIRCRAFT ENGINES, ELECTRICAL AND/OR ELECTRONIC ENGINE CONTROL SYSTEMS

Significance: Nonsignificant

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1421 Federal Aviation Act of 1958, Sec. 601; 49 USC 1423 Federal Aviation Act of 1958, Sec. 603

CFR Citation: 14 CFR 33

Legal Deadline: None.

Abstract: Would add a new section, FAR 33.28 to incorporate requirements for electronic controls for aircraft engines.

Timetable:

Action	Date	FR Cite
NPRM	02/14/85	50 FR 6186
NPRM Comment Period End	07/29/85	

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Evaluation 02/14/85 (50 FR 6186)

Agency Contact: Cosimo J. Bosco, Aerospace Engineer, Department of Transportation, Federal Aviation Administration, ANE-110, FAA NE Region, 12 New England Executive Park, Burlington, MA 01803, 617 270-2492

RIN: 2120-AB06

1786. STANDARDS FOR APPROVAL OF A REDUCED V1 METHODOLOGY FOR TAKEOFF ON WET AND CONTAMINATED RUNWAYS

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(a) to 1357; 49 USC 1401; 49 USC 1421 to 1431; 49 USC 1472; 49 USC 1485; 49 USC 1502; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 25; 14 CFR 121; 14 CFR 135

Legal Deadline: None.

Abstract: This action proposes amendments to Parts 25, 121, and 135 of the Federal Aviation Regulations (FAR) to add new standards for transport category airplanes which would provide for approval of a reduced takeoff decision speed (V1) methodology for takeoff on wet and contaminated runways.

Timetable:

Action	Date	FR Cite
NPRM	11/30/87	52 FR 45578
NPRM Comment Period End	03/30/88	

Next Action Undetermined

Small Entity: No

Additional Information: Docket 25471

Analysis: Regulatory Evaluation 11/30/87 (52 FR 45578)

Agency Contact: Denny Whitmire, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2119

RIN: 2120-AB17

1787. LOW-FUEL-QUANTITY ALERTING SYSTEM

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 25

Legal Deadline: None.

Abstract: Possible revision to FAR 25.1305 to include a requirement to install a means to alert the flightcrew of potentially unsafe low fuel.

Timetable:

Action	Date	FR Cite
NPRM	05/12/87	52 FR 17890
NPRM Comment Period End	09/09/87	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No 25213.

Analysis: Regulatory Evaluation 05/12/87 (52 FR 17890)

Agency Contact: Neil Schalekamp, Department of Transportation, Federal Aviation Administration, Northwest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, Washington 98168, 206 431-2135

RIN: 2120-AB46

1788. HELICOPTER INSTRUMENT FLIGHT

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(A); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(G); PL 97-449

CFR Citation: 14 CFR 27; 14 CFR 29

Legal Deadline: None.

Abstract: This project revises Appendix B of Parts 27 and 29 to permit IFR operations at airspeeds below the normal minimum instrument airspeed during approach and landing.

Timetable:

Action	Date	FR Cite
NPRM	06/12/86	51 FR 21488
NPRM Comment Period End	04/03/87	51 FR 45343
Final Action	07/15/88	

Small Entity: No

Additional Information: The FAA has determined that adoption of this proposal will not result in an economic burden on the public. It is a relieving rule that removes a minimum speed limitation when certain optional performance standards are met.

Analysis: Regulatory Evaluation 06/12/86 (51 FR 21488)

Agency Contact: Jim S. Honaker, Department of Transportation, Federal Aviation Administration, Fort Worth, TX 76193-0111, 817 624-5109

RIN: 2120-AB87

1789. TERMINAL CONTROL AREA (TCA) SAN DIEGO (MODIFICATION)

Significance: Nonsignificant

Legal Authority: 49 USC 1348(a); 49 USC 1354(a); 49 USC 1510

CFR Citation: 49 CFR 71

Legal Deadline: None.

Abstract: Terminal Control Areas (TCA) are proposed to reduce the midair collision potential by eliminating the mix of controlled and uncontrolled aircraft in a higher density terminal environment.

Timetable:

Action	Date	FR Cite
NPRM	03/04/86	51 FR 7448
NPRM Comment Period End	05/05/86	
Final Action	04/01/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/01/88

Agency Contact: Joe Gill, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9252

RIN: 2120-AB98

1790. FLIGHT PLAN AND TRANSPONDER-ON REQUIREMENTS IN AIR DEFENSE IDENTIFICATION ZONES (ADIZ)

Significance: Nonsignificant

Legal Authority: 49 USC 1348; 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 106(g) Revised Pub L 97-449, January 12, 1983

CFR Citation: 14 CFR 99

Legal Deadline: None.

Abstract: The proposal would require that all civil aircraft operating into, within, or out of the United States through a coastal air defense identification zone be operated under a filed flight plan regardless of true airspeed. Each such operation by an aircraft equipped with a functioning air traffic control (ATC) transponder would have to be conducted with that transponder on and replying on the appropriate code or on a code assigned by ATC.

Timetable:

Action	Date	FR Cite
NPRM	10/24/86	51 FR 37882
NPRM Comment Period End	12/23/86	
Final Action	04/01/88	

Small Entity: No

Additional Information: Regulatory Project ATO-200-85-13R (Docket # 25099)

Analysis: Regulatory Evaluation 10/24/86 (51 FR 37882)

Agency Contact: Reginald C. Matthews, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9245

RIN: 2120-AC00

1791. PART 150 - AIRPORT NOISE-COMPATIBILITY PLANNING

Significance: Nonsignificant

Legal Authority: 49 USC 1348(c); 49 USC 1354(a); 49 USC 1421; 49 USC 1431(b); 49 USC 1655(c); 49 USC 2101 to 2104(b); 49 USC 1.47(m); 49 USC 2201 et seq.

CFR Citation: 14 CFR 150

Legal Deadline: None.

Abstract: Part 150 of the Federal Aviation Regulations prescribes requirements for airport operators who voluntarily choose to submit compatibility planning programs to the FAA. Operators of airports whose maps and programs have been accepted by the FAA as meeting the Part 150 standards are then eligible to apply for funding noise-control projects under the Airport Improvement Program and are further afforded certain legal rights under the law. The current rule includes heliports that are located on public-use airports; the proposed rule would extend coverage to free-standing public-use heliports.

Timetable:

Action	Date	FR Cite
ANPRM	11/04/86	51 FR 40037
ANPRM Comment Period End	02/03/87	
Final Action	04/16/88	

Small Entity: No

Analysis: Regulatory Evaluation 11/04/86 (51 FR 40037)

Agency Contact: Robert B. Hixson, Environmental Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 267-3565

RIN: 2120-AC19

1792. MANDATORY REPORTING FOR EMERGENCY EVACUATION SYSTEMS AND COMPONENTS

Significance: Nonsignificant

Legal Authority: 49 USC 1354(a); 49 USC 1355; 49 USC 1356; 49 USC 1357; 49 USC 1401; 49 USC 1421; 49 USC 1422; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1426; 49 USC 1427; 49 USC 1428; 49 USC 1429; 49 USC 1430; ...

CFR Citation: 14 CFR 121.703(a)

Legal Deadline: None.

Abstract: Notice proposed to amend the mechanical reliability reporting requirement contained in Part 121 to require certificate holders to report each failure, malfunction, or defect of emergency evacuation systems and components. This action is necessary to collect, record, analyze, and disseminate data concerning those failures, malfunctions, or defects that occur during training, testing, or actual emergency conditions to improve the levels of reliability and safety.

DOT—FAA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	06/03/87	52 FR 20982
Final Action	05/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 06/03/87 (52 FR 20982)

Agency Contact: George Johnson, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-3798

RIN: 2120-AC49

1793. ● REALIGNMENT OF RESTRICTED AREAS IN THE EGLIN AFB AREA

Significance: Nonsignificant

Legal Authority: 49 USC 1302; 49 USC 1303; 49 USC 1348; 49 USC 1348(a); EO 10854; 49 USC 106(g)(Revised PL 97-449, January 12, 1983); 14 CFR 11.69; 49 USC 1354(a); 49 USC 1421(a); 49 USC 1424; 49 USC 1510; 49 USC 1522; 49 USC 2402; 49 USC 2424

CFR Citation: 14 CFR 73; 14 CFR 93

Legal Deadline: None.

Abstract: This revision proposes to realign restricted areas in the Eglin AFB area to increase the availability of airspace for civil users. In addition, to include certain portions of the realigned restricted areas, when not active in Section 93.81, Special Air Traffic Rule Airspace.

Timetable:

Action	Date	FR Cite
NPRM	01/08/88	53 FR 517
NPRM Comment Period End	02/19/88	53 FR 517
Final Action	07/31/88	

Small Entity: Undetermined

Agency Contact: Paul Gallant, Special Use Airspace, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9253

RIN: 2120-AC63

1794. PART 95 INSTRUMENT FLIGHT RULES

Significance. Routine and Frequent

Legal Authority: 49 USC 1348 F.A. Act of 1958, Sec. 307; 49 USC 1510 F.A. Act of 1958, Sec. 1110

CFR Citation: 14 CFR 95

Legal Deadline: None.

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected--2500. 05/00/88 - 05/00/89.

Timetable:

Action	Date	FR Cite
Final Action	05/00/89	

Small Entity: No

Agency Contact: Don Funai, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8277

RIN: 2120-AA63

1795. AIRWORTHINESS DIRECTIVES

Significance: Routine and Frequent

Legal Authority: 49 USC 1354(a) F.A. Act, Sec. 313(a); 49 USC 1421 F.A. Act, Sec. 601; 49 USC 1423 F.A. Act, Sec. 603; 49 USC 1431(b) F.A. Act, Sec. 611(b)

CFR Citation: 14 CFR 39

Legal Deadline: None.

Abstract: Nonsignificant regulations issued routinely and frequently in order to correct known or expected safety problems on type certificated products. Total actions expected--300. 10/00/87 - 10/00/88.

Timetable:

Action	Date	FR Cite
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: Jack McGrath, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-9580

RIN: 2120-AA64

1796. STANDARD INSTRUMENT APPROACH PROCEDURES

Significance: Routine and Frequent

Legal Authority: 49 USC 1348 F.A. Act, Sec. 307; 49 USC 1354(a) F.A. Act, Sec. 313(a); 49 USC 1421 F.A. Act, Sec. 601; 49 USC 1510 F.A. Act, Sec. 1110

CFR Citation: 14 CFR 97

Legal Deadline: None.

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected--2800. 05/00/88 - 05/00/89.

Timetable:

Action	Date	FR Cite
Final Action	05/00/89	

Small Entity: No

Agency Contact: Don Funai, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-8277

RIN: 2120-AA65

1797. AIRSPACE ACTIONS

Significance: Routine and Frequent

Legal Authority: 49 USC 1348(a) F.A. Act, Sec. 307(a); 49 USC 1354(a) F.A. Act, Sec. 313(a)

CFR Citation: 14 CFR 71; 14 CFR 73; 14 CFR 75

Legal Deadline: None.

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected--525. 10/00/87 - 10/00/88.

Timetable:

Action	Date	FR Cite
Final Action	10/00/88	

Small Entity: No

Agency Contact: Robert G. Burns, Manager, Airspace Branch, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, 202 267-3075

RIN: 2120-AA66

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Aviation Administration (FAA)

Completed Actions

1798. + AIRPORT CERTIFICATION: REVISION AND REORGANIZATION

Significance: Regulatory Program

Legal Authority: 49 USC 1354 Federal Aviation Act of 1958, Sec. 313; 49 USC 1429 Federal Aviation Act of 1958, Sec. 609; 49 USC 1430 Federal Aviation Act of 1958, Sec. 610; 49 USC 1432 Federal Aviation Act of 1958, Sec. 612

CFR Citation: 14 CFR 139

Legal Deadline: None.

Abstract: Revision of 14 CFR Part 139 updates and clarifies the part including fire-fighting, rescue, and airport fueling operation requirements. This rulemaking was significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/23/85	50 FR 43094
NPRM Comment Period End	01/21/86	
Final Action	11/18/87	52 FR 44276

Small Entity: Yes

Additional Information: This project was initiated on June 25, 1975, in response to a GAO evaluation of the FAA's Airport Certification Program and the result it has on improving the safety of airports. Recent delays occurred due to industry concerns over aviation fueling responsibilities. FAA reviewed proposals by a group of aviation organizations, which resulted in changes in the NPRM.

Agency Contact: Jose Roman, Jr., Airport Safety Certification Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-8724**

RIN: 2120-AA10

1799. + CIVIL HELICOPTER NOISE CERTIFICATION

Significance: Agency Priority

Legal Authority: 49 USC 1354(a) Federal Aviation Act of 1958, Sec. 313(a); 49 USC 1421(a) Federal Aviation Act of 1958, Sec. 601(a); 49 USC 1423 Federal Aviation Act of 1958, Sec. 603; 49 USC 1431(b) Federal Aviation Act of 1958, Sec. 611(b); 42 USC 4321 et seq. National Environmental Policy Act, Title I; EO 11514

CFR Citation: 14 CFR 21; 14 CFR 36

Legal Deadline: None.

Abstract: Final rule revises aircraft noise certification standards to add provisions applicable to civil helicopters in the normal, transport, and restricted categories, and provides noise-level limits and test procedures for the issuance of original and amended type certificates. The rule prohibits changes in type design of helicopters that may increase noise levels beyond certain limits but does not limit further manufacturing of existing types. Rule provides for commonality between U.S. standards and those adopted by the Int'l Civil Aviation Org. (ICAO). This rulemaking was considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	03/06/86	51 FR 7878
NPRM Comment Period End	09/02/86	
Final Action	02/05/88	53 FR 3534
Final Action Effective	02/05/88	53 FR 3534

Small Entity: No

Analysis: Regulatory Evaluation 03/06/86 (51 FR 7878)

Agency Contact: Steven Albersheim, Environmental Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-3560**

RIN: 2120-AB33

1800. + TERMINAL CONTROL AREAS AT 10,000 FEET MEAN SEA LEVEL (MSL); MODE C TRANSPONDERS ABOVE 10,000 FEET MSL

Significance: Agency Priority

Legal Authority: 49 USC 1348(a); 49 USC 1354(a); 49 USC 1510; EO 10854; 49 USC 106(g), (Revised Pub L. 97-449, January 12, 1983); 14 CFR 11.69; 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352 to 1355; 49 USC 1401; 49 USC 1421 to 1431; 49 USC 1471; 49 USC 1472

CFR Citation: 14 CFR 71.12; 14 CFR 71.40; 14 CFR 91.24

Legal Deadline: None.

Abstract: The Air Line Pilots Association requested amendment to Parts 71 and 91 to top all terminal control areas at 10,000 feet mean sea level and to require Mode C transponders above 10,000 feet mean sea level. This matter is now subsumed in RIN AC66, the regulatory proposal responding to recently enacted P.L. 100-102 and P.L. 100-223. Therefore, action on this entry is terminated.

Timetable:

Action	Date	FR Cite
Action terminated	02/02/88	

Small Entity: Undetermined

Additional Information: LEGAL AUTHORITY CONT: 49 USC 1502; 49 USC 1510; 49 USC 1522; 49 USC 2121 to 2125; 42 USC 4321 et seq; EO 11514; 49 USC 106(g), (Revised Pub L. 97-449, January 12, 1983).

Regulatory Project No: ATO-200-86-3R (Docket #24496)

Agency Contact: Robert Laser, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-9251**

RIN: 2120-AC52

1801. CESSNA FINANCE PETITION

Significance: Nonsignificant

Legal Authority: 49 USC 106(g); 49 USC 1354; 49 USC 1401; 49 USC 1403; 49 USC 1405; 49 USC 1406; 49 USC 1502; 4 UST 1830

CFR Citation: 14 CFR 49; 14 CFR 47

Legal Deadline: None.

Abstract: Petition for rulemaking to amend Parts 47 and 49 to provide all persons who hold a security interest in aircraft the same protection now afforded the seller of an aircraft under a conditional sales contract.

Timetable:

Action	Date	FR Cite
ANPRM	10/20/77	42 FR 55891
NPRM	05/22/80	45 FR 34826
Petition denied	01/25/88	53 FR 1911

Small Entity: No

Additional Information: Docket No. 17311.

Analysis: Regulatory Evaluation 05/22/80 (45 FR 34826)

Agency Contact: Agnes M. Jones, Aircraft Regulation Specialist, Department of Transportation, Federal Aviation Administration, PO Box 25724, Okla City, OK 73125, **405 686-2284**

RIN: 2120-AA15

1802. STANDARDS FOR APPROVAL OF AN AUTOMATIC TAKEOFF THRUST CONTROL SYSTEM

Significance: Nonsignificant

Legal Authority: 49 USC 1344; 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1423; 49 USC 1424; 49 USC 1425; 49 USC 1428; 49 USC 1429; 49 USC 1430; 49 USC 106(g); PL 97-449

CFR Citation: 14 CFR 25

Legal Deadline: None.

Abstract: This amendment provides new airplane and equipment airworthiness standards for installation of an automatic takeoff thrust control system on Part 25 aircraft. As the regulations did not provide airworthiness standards for this unusual system special conditions had been issued. This amendment eliminates the need for those special conditions.

Timetable:

Action	Date	FR Cite
NPRM	04/27/84	49 FR 18240
Extension of Comment Period	07/20/84	49 FR 29410
NPRM Comment Period End	08/27/84	
Final Action	12/09/87	52 FR 43152
Final Action Effective	12/09/87	

Small Entity: No

Additional Information: Docket 24046.

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: Multiple

Analysis: Regulatory Evaluation 04/27/84 (49 FR 18240)

Agency Contact: James M. Walker, Department of Transportation, Federal Aviation Administration, NorthWest Mountain Region, 17900 Pacific Highway South, C-68966, Seattle, WA 98168, **206 431-2116**

RIN: 2120-AA46

1803. AIRCRAFT IDENTIFICATION AND RETENTION OF FUEL SYSTEM MODIFICATION RECORDS

Significance: Nonsignificant

Legal Authority: 49 USC 1354; 49 USC 1421 to 1430; 49 USC 106(g); 49 USC 1355; 49 USC 1301(7); 49 USC 1303; 49 USC 1344; 49 USC 1348; 49 USC 1352 to 1355; 49 USC 1421 to 1431; 49 USC 1471; 49 USC 1472; 49 USC 1502; 49 USC 1510; 49 USC 2121 to 2125

CFR Citation: 14 CFR 43; 14 CFR 45; 14 CFR 91

Legal Deadline: None.

Abstract: This final rule amends the regulations to require: (1) that 12-inch high nationality and registration marks be displayed on all aircraft that penetrate an Air Defense Identification Zone or a Defense Early Warning Identification Zone; (2) that a civil aircraft identification data plate be displayed on the exterior surface of each U.S.-registered aircraft; and (3) that a copy of the form which authorizes the alteration of an aircraft with fuel tanks within the passenger or a baggage compartment be kept on board the modified aircraft. These amendments are necessary because of the increased dangers to civil aviation resulting from the major increase in illegal drug importations into the United States by air. They are intended to expand the effectiveness of narcotic interdiction and, thereby, provide for improvement in safety of civil aviation operations, while at the same time reducing the flow of drugs by air into the United States.

Timetable:

Action	Date	FR Cite
NPRM	07/10/86	51 FR 25174
NPRM Comment Period End	09/09/86	
Final Action	09/09/87	52 FR 34096

Small Entity: No

Analysis: Regulatory Evaluation 07/10/86 (51 FR 25174)

Agency Contact: Joseph Gwiazdowski, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, **202 267-9541**

RIN: 2120-AC11

1804. IMPROVE SAFETY AND EFFECTIVENESS OF ISLIP AIRPORT RADAR SERVICE AREA (ARSA)

Significance: Nonsignificant

Legal Authority: 49 USC 1341(a); 49 USC 1343(d); 49 USC 1348; 49 USC 1354(a); 49 USC 1401 to 1405; 49 USC 1421 to 1431; 49 USC 1481; 49 USC 1502; 49 USC 106(g), (Review Pub L. 97-449, January 12, 1983); 49 USC 1348(a); 49 USC 1354(a); 49 USC 1510; EO 10854; 49 USC 106(g), (Revised Pub L. 97-449, January 12, 1983); 14 CFR 11.69

CFR Citation: 14 CFR 11; 14 CFR 71

Legal Deadline: None.

Abstract: The Long Island Pilots Ass'n petitioned to amended regulations to reduce the size of the regulatory airport radar service area to approximately a 5-mile radius inner core and a 7-mile radius outer core north of south shore of Long Island. This ARSA requires only two-way radio communication to enter or operate in the ARSA.

Timetable:

Action	Date	FR Cite
Petition denied	12/31/87	52 FR 49423

Small Entity: Undetermined

Additional Information: Docket No 25277

Agency Contact: Reginald C. Matthews, Air Traffic Control Specialist, Department of Transportation, Federal Aviation Administration, 800 Independence Avenue, SW, Washington, DC 20591, **202 267-9245**

RIN: 2120-AC47

1805. ● PART 31 -- AIRWORTHINESS STANDARDS: MANNED FREE BALLOONS

Significance: Nonsignificant

Legal Authority: 49 USC 1354; 49 USC 1421; 49 USC 1423

CFR Citation: 14 CFR 31

Legal Deadline: None.

Abstract: This part prescribes airworthiness standards for the issue of type certificates and changes to those certificates, for manned free balloons. An initial review of Part 31 to determine whether a full regulatory flexibility analysis of this part is required has been completed. No section of Part 31 was found to have a significant economic impact on a substantial number of small entities. Therefore, a regulatory flexibility review of Part 31 is not required. This review was completed as required by the Regulatory Flexibility Act of 1980 and no further action is necessary.

DOT—FAA

Completed Actions

Timetable:

Action	Date	FR Cite
End Review	09/25/87	

Small Entity: No

Agency Contact: Craig Beard, Department of Transportation, Federal Aviation Administration, 800 Independence Ave., SW, Washington, DC 20591, 202 267-8235

RIN: 2120-AC60

1806. ● PART 63 -- CERTIFICATION: FLIGHT CREWMEMBERS OTHER THAN PILOTS

Significance: Nonsignificant

Legal Authority: 49 USC 1354(a); 49 USC 1355; 49 USC 1421; 49 USC 1422; 49 USC 1427; 49 USC 1429; 49 USC 1430; 49 USC 106(g)

CFR Citation: 14 CFR 63

Legal Deadline: None.

Abstract: This part prescribes the requirements for issuing flight engineer and flight navigator certificates and the general operating rules for holders of those certificates. It has been determined that Part 63 does not impose a significant economic impact on a substantial number of small entities, i.e., flight navigator training schools and small airlines. This review was completed as required by the Regulatory Flexibility Act of 1980 and no further action is necessary.

Timetable:

Action	Date	FR Cite
End Review	08/10/87	

Small Entity: No

Agency Contact: Robert Goodrich, Department of Transportation, Federal Aviation Administration, 800 Independenc Ave., SW, Washington, DC 20591, 202 267-8237

RIN: 2120-AC61

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Highway Administration (FHWA)

Prerule Stage

1807. + MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS: SELF-INSURANCE

Significance: Agency Priority

Legal Authority: 49 USC 10927 Note

CFR Citation: 49 CFR 387

Legal Deadline: None.

Abstract: The FHWA has determined that the issues associated with its authority to permit motor carriers to self-insure need to be examined in light of the insurance crisis affecting the motor carrier industry. The FHWA is seeking public comment from interested parties concerning self-insurance as a viable and effective mechanism for demonstrating financial responsibility as required by the Motor Carrier Act of 1980. This rulemaking action is considered significant because of the public interest in the issue being considered.

Timetable:

Action	Date	FR Cite
ANPRM	06/18/86	51 FR 22086
ANPRM Comment Period End	07/18/86	51 FR 22086
Supplemental ANPRM	06/00/88	

Small Entity: No

Additional Information: An interim final rule was published on June 18, 1986, at 51 FR 22080 permitting motor carriers of property to satisfy the financial responsibility requirements of the DOT (FHWA) by self-insuring if they have received approval from the ICC to self-insure and have maintained an FHWA "satisfactory" safety rating. This rulemaking action will further analyze the issues addressed in the interim final rule. After analyzing comments received to the 6/18/86 ANPRM, the FHWA has decided to issue a supplemental ANPRM in order to further explore the issues.

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-2981

RIN: 2125-AB65

1808. ● REVIEW AND PREEMPTION OF STATE MOTOR-CARRIER SAFETY REGULATIONS

Significance: Nonsignificant

Legal Authority: 49 USC App. 2507; 49 USC App. 2508

CFR Citation: 49 CFR 390; 49 CFR 391; 49 CFR 392; 49 CFR 393; 49 CFR 394; 49 CFR 395; 49 CFR 396; 49 CFR 397; 49 CFR 398; 49 CFR 399

Legal Deadline: None.

Abstract: Sections 207-209 of the Motor Carrier Safety Act of 1984 establish a process whereby any State law or regulation pertaining to commercial motor vehicle safety in interstate commerce will be reviewed and analyzed by the Commercial Motor Vehicle Safety Regulatory Review Panel (Safety Panel). The Safety Panel is to determine if such law or regulation has the same effect as, is less stringent than, or is additional to or more stringent than the Federal Motor Carrier Safety Regulations. Based on the determination of the Safety Panel, the Secretary is to initiate a rulemaking proceeding to determine if such a law or regulation may remain in effect and enforced. This advance notice of proposed rulemaking is the initial rulemaking action for any possible preemptive action by the Secretary. It will contain alternatives for comment on ways the Secretary may satisfy the requirements of section 208 of the Act.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/88	
NPRM	12/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 12/00/88

Agency Contact: Thomas Kozlowski, Department of Transportation, Federal Highway Administration, 202 366-2981

RIN: 2125-AC11

1809. NATIONAL STANDARDS FOR TRAFFIC CONTROL DEVICES; REVISION OF PART VI OF THE MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES

Significance: Nonsignificant

DOT—FHWA **Prerule Stage**

Legal Authority: 23 USC 109(b); 23 USC 315; 23 USC 402(a)

CFR Citation: 23 CFR 655

Legal Deadline: None.

Abstract: The FHWA is considering rulemaking regarding the need to update the standards in Part VI, Traffic Controls For Street and Highway Construction and Maintenance Operations, of the Manual On Uniform Traffic Control Devices (MUTCD). If adopted, these standards could be incorporated into the MUTCD.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: FHWA Docket # 86-12 has been assigned to this rulemaking action.

Agency Contact: Mr. Philip O. Russell, Department of Transportation, Federal Highway Administration, 202 366-0411

RIN: 2125-AB83

1810. ● FEDERAL MOTOR CARRIER SAFETY REGULATIONS; PAPERWORK BURDENS

Significance: Nonsignificant

Legal Authority: 49 USC 3102; 49 USC App 2503

CFR Citation: 49 CFR 350 to 399

Legal Deadline: None.

Abstract: By this rulemaking, the FHWA will be considering ways to reduce paperwork burdens imposed on motor carriers subject to the requirements of the Federal Motor Carrier Safety Regulations (49 CFR 350-399). Changes are being considered in accordance with the requirements of the Paperwork Reduction Reauthorization Act of 1986. This Act requires the agencies to set goals to reduce the paperwork burden imposed on motor carriers by 20 percent by September 30, 1990.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/88	
NPRM	10/00/88	

Small Entity: No

Additional Information: A 90-day comment period will be provided for the ANPRM.

Analysis: Regulatory Evaluation 10/00/88

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 202 366-2981

RIN: 2125-AC04

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)

Proposed Rule Stage

1811. + CONTROLLED SUBSTANCES

Significance: Regulatory Program

Legal Authority: 49 USC 3102; 23 USC 315; 49 USC 104; 49 USC App 2505

CFR Citation: 49 CFR 382

Legal Deadline: None.

Abstract: The FHWA is requesting comments on a proposal which would mandate chemical testing of interstate drivers of commercial motor vehicles for the use of drugs. The impetus for this action is the safety and health concern associated with the use of drugs by these personnel. The goal of the proposed rule is to reduce accidents and casualties that result from the use of drugs. This NPRM was preceded by two drug rulemaking actions which were published in the Federal Register on 5/13/86 (BMCS Docket No. MC-116, Amendment No. 83-17, 51 FR 17568; BMCS Docket No. MC-120, Notice No. 86-3, 51 FR 17572). The latter of those actions proposed a drug test plan (much less comprehensive than proposed here) for drivers of hazardous materials. The former requested comments on specific questions regarding the various aspects of a drug control program applicable to interstate drivers. The intent of this NPRM is to consolidate the subject matter of the previous actions and propose a comprehensive drug control program applicable to all drivers in interstate commerce. Because the impact of this proposal (cont)

Timetable:

Action	Date	FR Cite
ANPRM	09/27/82	47 FR 42383
Initial ANPRM Withdrawn	01/23/85	50 FR 2998
ANPRM	05/13/86	51 FR 17568
Extension Notice	07/08/86	51 FR 24722
ANPRM Comment Period End	08/11/86	51 FR 17568
NPRM	04/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: will result in an annual effect on the economy of over $100 million, this action is considered major under Executive Order 12291. This NPRM proposes a comprehensive drug testing program that incorporates a DOT modal approach to creating a drug-free transportation environment.

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2981

RIN: 2125-AA79

1812. + TRUCK SIZE AND WEIGHT; SPECIALIZED EQUIPMENT; BOAT TRANSPORTERS

Significance: Regulatory Program

Legal Authority: 23 USC 315; 23 USC 2311(d); PL 100-17, Sec 133

CFR Citation: 23 CFR 658

Legal Deadline: None.

Abstract: FHWA sought comments on a request to designate boat transporters as specialized equipment under provision of section 411(d) of the Surface Transportation Assistance Act of 1982 (STAA). Of prime concern were comments and information on the following issues relating to boat transporters: maneuvering characteristics, safety, control, offtracking, crosswind effects, and the need for overall length limits on boat transporters. Information on the similarities and dissimilarities between

boat transporters and auto transporters was also solicited, as well as information on the consistency of truck configurations used for hauling boats. Comments were requested regarding the need to preempt current State regulation of this vehicle, as well as an actual definition and description of boat transporters, and on the types of vehicles that should be considered as specialized equipment as well as an actual definition.

Timetable:

Action	Date	FR Cite
ANPRM	03/18/86	51 FR 10234
ANPRM Comment Period End	05/09/86	51 FR 10234
NPRM	01/29/88	53 FR 2602
NPRM Comment Period End	04/18/88	53 FR 2602
Final Action	10/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 01/29/88 (53 FR 2602)

Agency Contact: Philip W. Blow, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4036

RIN: 2125-AB55

1813. + TRUCK SIZE AND WEIGHT; REASONABLE ACCESS

Significance: Regulatory Program

Legal Authority: 49 USC 2311(d); 23 USC 315

CFR Citation: 23 CFR 658

Legal Deadline: None.

Abstract: The FHWA is requesting information and comments on the existing FHWA regulation governing reasonable access by commercial vehicles with lengths and widths authorized by the Surface Transportation Assistance Act of 1982 (STAA) as amended. This action has been initiated in response to a petition filed by the National Industrial Transportation League (NITL).

Timetable:

Action	Date	FR Cite
ANPRM	01/05/87	52 FR 298
ANPRM Comment Period End	05/05/87	52 FR 298
NPRM	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Kevin E. Heanue, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-2951

RIN: 2125-AB70

1814. + BLOOD ALCOHOL CONCENTRATION STANDARD FOR COMMERCIAL VEHICLE OPERATORS

Significance: Regulatory Program

Legal Authority: PL 99-570, Sec 12008; 49 USC App. 2505; 49 USC 3102

CFR Citation: 49 CFR 383; 49 CFR 391

Legal Deadline: Statutory, October 27, 1988.

Abstract: In response to Section 12008 of the Commercial Motor Vehicle Safety Act of 1986, the FHWA requested comments on the establishment of a commercial driver blood alcohol concentration (BAC) standard for "driving under the influence." Also in response to Section 12008 of the Act, the National Academy of Sciences (NAS) conducted a study on the appropriateness of selecting one of several alternative BAC levels as the level at which a person operating a commercial motor vehicle would be deemed to be driving under the influence of alcohol. Based on the results of the study and the rulemaking comments, the Secretary of Transportation must promulgate a commercial driver BAC standard. States would be required to enact laws providing that any driver who operates a commercial motor vehicle at the Federal BAC level or above it is deemed to be driving under the influence of alcohol. States not enacting a BAC-level law for commercial motor vehicle drivers risk the loss of Federal-aid highway funds. The comments received were available to the NAS and served as the docket comments, along with the NAS study for a future Notice of Proposed Rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	03/23/87	52 FR 9192
ANPRM Comment Period End	05/22/87	
NPRM	04/00/88	
Final Action	10/00/88	

Small Entity: No

Additional Information: If the Secretary does not promulgate a Federal standard by October 27, 1988, the BAC standard shall be deemed to be 0.04 percent.

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: John Viner, Senior Research Engineer, Traffic Safety Research Division (HSR-30), Department of Transportation, Federal Highway Administration, 6300 Georgetown Pike, McLean, VA. 22101, 703 285-2419

RIN: 2125-AB79

1815. + TRUCK SIZE AND WEIGHT; SPECIAL PERMITS

Significance: Regulatory Program

Legal Authority: 23 USC 127; 49 USC 2311; 49 USC 2313; 49 USC App. 2316; 23 USC 315

CFR Citation: 23 CFR 658

Legal Deadline: None.

Abstract: This rulemaking action will delete language pertaining to the issuance of special permits in section 658.17 and will request that States identify grandfather rights claimed for single and tandem axle weight, gross weight, alternate bridge formula and special permit authority. The weights identified as having been determined by the States will be recognized as grandfather rights.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	10/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: John MacGowan, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4032

RIN: 2125-AB80

1816. + AIR QUALITY PROCEDURES FOR USE IN FEDERAL-AID HIGHWAY AND FEDERALLY FUNDED TRANSIT PROGRAMS

Significance: Agency Priority

Legal Authority: 23 USC 109(h); 23 USC 109(j); 23 USC 315; 42 USC 4332; 42 USC 7401; 42 USC 7506

CFR Citation: 23 CFR 770

Legal Deadline: None.

DOT—FHWA

Proposed Rule Stage

Abstract: This regulation proposes to consolidate and amend existing air quality requirements for transportation projects into a single amended air quality regulation. The amended regulation is intended to streamline and simplify (1) the process of determining which highway projects are exempt from the Federal assistance limitations of section 176(a) of the Clean Air Act (CAA), and (2) the conformity and priority procedures contained in 23 CFR 770. The amendments are also intended to provide more authority and flexibility to State and local agencies and to meet the objectives of the CAA in the most cost-effective and expeditious manner. The amendments are significant because they involve important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Jocelyn Karp (202) 366-4063.

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: James M. Shrouds, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4836

RIN: 2125-AB10

1817. + MINIMUM REQUIREMENTS FOR PRIVATE MOTOR CARRIERS OF PASSENGERS AND DRIVERS OF PRIVATE MOTOR VEHICLES OF PASSENGERS

Significance: Agency Priority

Legal Authority: 49 USC 104; 49 USC 3102; 49 USC App 2503; 49 USC App 2505

CFR Citation: 49 CFR 384

Legal Deadline: None.

Abstract: The FHWA is considering proposing revisions to the requirements for private motor carriers of passengers and the drivers of private motor vehicles of passengers. The proposed revisions would require private motor carriers of passengers and drivers of private motor vehicles of passengers to operate under the Federal Motor Carrier Safety Regulations (FMCSR). However, the paperwork burden of these requirements will be minimized and several parts of the FMCSR will not apply to either private motor carriers of passengers or to drivers of such vehicles. This rulemaking is significant in that it is controversial, involving bringing new carriers under the regulatory scheme.

Timetable:

Action	Date	FR Cite
ANPRM	01/23/85	50 FR 2998
ANPRM Comment Period End	03/11/85	50 FR 2998
NPRM	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-2981

RIN: 2125-AB62

1818. + UNIFORM RELOCATION ACT AMENDMENTS OF 1987; GENERAL

Significance: Agency Priority

Legal Authority: 42 USC 4601 et seq; PL 100-17, Title IV

CFR Citation: 23 CFR 740

Legal Deadline: Statutory, April 2, 1989. A final rule must be promulgated by 4/2/89.

Abstract: This rulemaking action addresses the implementation of Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987, Pub. L. 100-17, 101 Stat. 132 (STURAA). Title IV of STURAA amends the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 (Uniform Act), 42 U.S.C. sections 4601 to 4655 (1982). Title IV establishes: a lead agency (FHWA) to insure consistent Federal implementation; an increase in the maximum monetary benefits that can be provided to persons forced to relocate by Federal or federally assisted projects; an expansion of the Uniform Act's coverage to insure more types of displacing activities; and an allowance for a State certification program. This rulemaking action is considered significant because of the substantial public interest involved.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Barbara Reichart, Department of Transportation, Federal Highway Administration, 202 366-0116

RIN: 2125-AB85

1819. + DRIVER'S RECORD OF DUTY STATUS; ONBOARD RECORDING DEVICES

Significance: Agency Priority

Legal Authority: 49 USC App 2505; 49 USC 3102

CFR Citation: 49 CFR 395

Legal Deadline: None.

Abstract: The FHWA has initiated rulemaking to address the use of onboard recording devices in motor vehicles operating in interstate commerce. This action is being taken in response to a petition filed by the Insurance Institute for Highway Safety (IIHS) on 2/25/87. The original IIHS petition (10/86) requested that the FHWA require motor carriers to use onboard recording devices for recording the driver's hours of service. This rulemaking is considered significant because of the substantial public interest involved.

Timetable:

Action	Date	FR Cite
ANPRM	07/13/87	52 FR 26289
ANPRM Comment Period End	10/13/87	52 FR 26289
NPRM	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Mr. Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 202 366-2981

RIN: 2125-AB95

1820. + CERTIFICATION OF SPEED LIMIT ENFORCEMENT

Significance: Agency Priority

Legal Authority: 23 USC 141; 23 USC 154; 23 USC 315; PL 100-17, Sec 174

CFR Citation: 23 CFR 659

Legal Deadline: None.

Abstract: The FHWA and the National Highway Traffic Safety Administration (NHTSA) are amending the regulations

on certification of speed limit enforcement in order to streamline the sanction process and to take into account the provisions mandated by section 174 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA). Section 174 of STURAA amended 23 U.S.C. 154 by giving the States the authority to increase, without loss of Federal-aid funds, the maximum speed limit to no more than 65 miles per hour (mph) on certain Interstate System highways. A notice of proposed rulemaking will be issued proposing revisions to the sanction process contained in 23 CFR Part 659. A separate final rulemaking action has been issued in order to provide the States the authority to adjust the speed sampling and analysis plan required for determining the level of 55 mph noncompliance.

Timetable:

Action	Date	FR Cite
Final Action Adjusting Sampling Plans	08/03/87	52 FR 28691
NPRM	04/00/88	

Small Entity: No

Additional Information: This rulemaking action, as well as the final rule on sampling plans (Supplemental), are considered significant because of the substantial public interest involved.

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: **Sheldon G. Strickland**, Department of Transportation, Federal Highway Administration, **202 366-1993**

RIN: 2125-AC00

1821. REVIEW: GENERAL MATERIALS REQUIREMENTS

Significance: Nonsignificant

Legal Authority: 23 USC 112; 23 USC 113; 23 USC 114; 23 USC 117; 23 USC 128

CFR Citation: 23 CFR 635D

Legal Deadline: None.

Abstract: This regulation would simplify procedures relating to general material requirements for Federal-aid construction work.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	

Small Entity: No

Additional Information: An initial NPRM was issued on 01/29/81 (46 FR 9642). It has been determined to issue another NPRM based on further review.

Analysis: Reg. Evaluation (Minimal Impact) 11/00/88

Agency Contact: **William Weseman**, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0392**

RIN: 2125-AA19

1822. CONTRACT PROCEDURES

Significance: Nonsignificant

Legal Authority: 23 USC 112; 23 USC 113; 23 USC 114; 23 USC 117; 23 USC 128

CFR Citation: 23 CFR 635

Legal Deadline: None.

Abstract: This revision will update and simplify existing Federal-aid contract procedures.

Timetable:

Action	Date	FR Cite
NPRM	08/18/78	43 FR 36685
NPRM Supplemental	11/00/88	

Small Entity: No

Additional Information: An initial NPRM was issued on 08/18/78, 43 FR 36685. It has been determined to issue another NPRM after further review.

Analysis: Regulatory Evaluation 11/00/88

Agency Contact: **William Weseman**, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0392**

RIN: 2125-AA18

1823. COMPLIANCE WITH MOTOR CARRIER NOISE STANDARDS

Significance: Nonsignificant

Legal Authority: 49 USC 3102

CFR Citation: 49 CFR 325

Legal Deadline: None.

Abstract: The FHWA is considering amending the noise emission standards to add a new minimum distance of 31 feet from which to measure highway noise. FHWA is also considering eliminating the correction factor which allowed a variance for noise tests taken at hard sites, e.g., asphalt, compared to those taken at soft sites, e.g., grassy areas.

Timetable:

Action	Date	FR Cite
NPRM	04/03/80	45 FR 22120

Next Action Undetermined

Small Entity: No

Agency Contact: **Thomas P. Kozlowski**, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2981**

RIN: 2125-AA27

1824. PAVEMENT POLICY

Significance: Nonsignificant

Legal Authority: 23 USC 109(a)(b)(c); 23 USC 315; 23 USC 101(e); 23 USC 402

CFR Citation: 23 CFR 626; 23 CFR 625

Legal Deadline: None.

Abstract: The existing regulation on pavement design would be modified to eliminate unnecessary requirements and duplicative provisions. Currently, the Federal Highway Administration (FHWA) uses the "American Association of State Highway and Transportation Officials (AASHTO) Interim Guide for Design of Pavement Structures, 1972," Chapter III Revised, 1981, to evaluate the adequacy of the proposed pavement designs for Federal-aid projects. AASHTO has approved a new Pavement Design Guide. FHWA will solicit public comment on the revised guide and adopt it for application on Federal-aid projects as a guide, not standard. It will be acceptable for State highway agencies to design pavement structures based upon other procedures and practices that by past performance have proven satisfactory for the pertinent conditions. If a State highway agency elects to use procedures other than AASHTO's, the procedures will require FHWA approval. The FHWA will check or review pavement design in accordance with procedures approved by the State highway agency. Each State highway agency will be required to have a pavement management system.

Timetable:

Action	Date	FR Cite
NPRM	01/26/88	53 FR 2041
SNPRM	04/11/88	53 FR 11875

DOT—FHWA **Proposed Rule Stage**

Action	Date	FR Cite
NPRM Comment Period End	04/25/88	53 FR 2041
Comment Period Extended to	05/27/88	
Final Action	10/00/88	

Small Entity: No

Additional Information: A Federal Register notice was published on 4/24/85 (50 FR 16103) outlining and explaining the procedural steps the FHWA would take to effectuate Federal adoption of the revised guide.

Analysis: Reg. Evaluation (Minimal impact) 01/27/88 (53 FR 2041)

Agency Contact: Norman Van Ness, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-1324

RIN: 2125-AA88

1825. STATE HIGHWAY AGENCY CONSTRUCTION CONTRACTS; EQUAL OPPORTUNITY COMPLIANCE REVIEW; PROGRAM REQUIREMENTS

Significance: Nonsignificant

Legal Authority: 23 USC 112(b); 23 USC 140(a); 23 USC 315

CFR Citation: 23 CFR 230

Legal Deadline: None.

Abstract: The proposed revisions would amend the existing FHWA regulation governing construction contract equal employment opportunity (EEO) compliance procedures, which concern the employment practices of construction contractors on Federal highway projects. This proposal would eliminate existing detailed compliance procedures and allow States flexibility in adopting a procedure with respect to contract compliance.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Glenn R. Reed, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-1588

RIN: 2125-AB08

1826. EQUAL EMPLOYMENT OPPORTUNITY ON FEDERAL AND FEDERAL-AID CONSTRUCTION CONTRACTS (INCLUDING SUPPORTIVE SERVICES)

Significance: Nonsignificant

Legal Authority: 23 USC 101; 23 USC 112; 23 USC 117; 23 USC 140; 23 USC 315

CFR Citation: 23 CFR 230; 23 CFR 640; 23 CFR 642

Legal Deadline: None.

Abstract: This revision will amend and update the existing policies and procedures relative to the equal employment opportunity program on Federal and Federal-aid highway construction contracts. In addition, this revision will amend the on-the-job training (OJT) special provisions and procedures for implementation of OJT supportive services programs to increase program effectiveness and address the current need for upgrading minorities and women in the skilled construction trades.

Timetable:

Action	Date	FR Cite
NPRM	11/22/82	47 FR 52470
NPRM Comment Period End	12/22/82	47 FR 52470
NPRM Supplemental	04/00/88	

Small Entity: No

Additional Information: A supplemental NPRM will be issued in order to propose updated revisions. The supplemental NPRM will address all procedures and provisions contained in 23 CFR 420. Therefore, the proposed rulemaking action explained under the entry (RIN No. 2125-AB27) formerly located in the "Proposed Rule Stage" portion of the agenda has been merged with this rulemaking action.

Analysis: Reg. Evaluation (Minimal Impact) 11/22/82 (47 FR 52470)

Agency Contact: Glenn Reed, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-1588

RIN: 2125-AB15

1827. FEDERAL-AID PROGRAMS APPROVAL AND PROJECT AUTHORIZATION

Significance: Nonsignificant

Legal Authority: 23 USC 105; 23 USC 106; 23 USC 118; 23 USC 134; 23 USC 315

CFR Citation: 23 CFR 630

Legal Deadline: None.

Abstract: This action addresses FHWA's programming and authorization policies and procedures for projects under the Federal-aid program. The purpose of this action will be to determine if revisions are warranted in order to improve overall management of the Federal-aid highway program.

Timetable:

Action	Date	FR Cite
ANPRM	08/03/84	49 FR 31079
NPRM	04/00/88	

Small Entity: Undetermined

Analysis: Reg. Evaluation (Minimal Impact) 04/00/88

Agency Contact: James A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0450

RIN: 2125-AB18

1828. ADMINISTRATION OF CONTRACTS

Significance: Nonsignificant

Legal Authority: 23 USC 315; 23 USC 104(f); 23 USC 114(a); 23 USC 307(c); 23 USC 402; PL 100-17, Sec 111(b)

CFR Citation: 23 CFR 172

Legal Deadline: None.

Abstract: Revisions to the existing regulation will be made to standardize the minimum requirements by including FHWA's interpretation of OMB Circular A-102 requirements. Inclusion of OMB Circular A-102 as an appendix to the regulations will be deleted. This rulemaking action will also address the changes to the selection procedures as required by section 111(b) of the Surface Transportation and Uniform Relocation Assistance Act of 1987.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Additional Information: A 60-day comment period will be provided.

Government Levels Affected: Local, State

Analysis: Reg. Evaluation (Minimal Impact) 05/00/88

Agency Contact: Si Silence, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4628

RIN: 2125-AB30

1829. LABOR AND EMPLOYMENT

Significance: Nonsignificant

Legal Authority: 23 USC 113; 23 USC 315

CFR Citation: 23 CFR 635

Legal Deadline: None.

Abstract: This amendment would revise the existing regulation prescribing the inclusion of prevailing wage rates determined by the Secretary of Labor in advertisements and contracts for Federal-aid highway projects. The proposed amendment would preclude the inclusion of State prevailing wage rates which are higher than those determined by the Department of Labor in Federal-aid contracts.

Timetable:

Action	Date	FR Cite
NPRM	09/27/85	50 FR 30137
NPRM Comment Period End	11/12/85	50 FR 30137
NPRM Supplemental	04/00/88	

Small Entity: No

Additional Information: Upon further review, the FHWA has determined to issue a supplemental NPRM.

Analysis: Reg. Evaluation (minimal impact) 09/27/85 (50 FR 30137)

Agency Contact: Ruth Anders, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-1394

RIN: 2125-AB37

1830. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES; RESTRUCTURE

Significance: Nonsignificant

Legal Authority: 23 USC 109(d); 23 USC 315; 23 USC 402(a)

CFR Citation: 23 CFR 655

Legal Deadline: None.

Abstract: The FHWA is considering the need for a new Manual on Uniform Traffic Control Devices (MUTCD) and a new format. The MUTCD is incorporated by reference in 23 CFR Part 655, Subpart F and is recognized as the national standard for traffic control devices on all public roads. The FHWA is interested in possible ways to simplify, clarify, or expedite the present format and procedures.

Timetable:

Action	Date	FR Cite
ANPRM	06/09/86	51 FR 20840
ANPRM Extended Comment period to 09/01/87	04/09/87	52 FR 11502
ANPRM Comment Period End	07/20/87	51 FR 20840
NPRM	04/00/88	

Small Entity: No

Additional Information: FHWA Docket No. 86-12.

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Philip O. Russell, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-2184

RIN: 2125-AB57

1831. RIGHT-OF-WAY

Significance: Nonsignificant

Legal Authority: 23 USC 315

CFR Citation: 23 CFR 710; 23 CFR 712; 23 CFR 720

Legal Deadline: None.

Abstract: The FHWA intends to publish an NPRM to update and reorganize its right-of-way regulations for the Federal-aid highway program. Subjects to be addressed include State highway agency responsibilities, authorizations, and reimbursement.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 04/00/88

Agency Contact: Douglas A. Wubbels, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-2019

RIN: 2125-AB58

1832. PROPERTY MANAGEMENT, DISPOSALS AND AIRSPACE

Significance: Nonsignificant

Legal Authority: 23 USC 315

CFR Citation: 23 CFR 713

Legal Deadline: None.

Abstract: The FHWA intends to issue an NPRM proposing to update its regulations on property management, disposal and airspace relative to the Federal-aid highway program. This rulemaking action will reflect current departmental decisions and policies as well as recent legislative mandates.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 04/00/88

Agency Contact: Douglas A. Wubbels, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-2019

RIN: 2125-AB60

1833. NATIONAL STANDARDS FOR TRAFFIC CONTROL DEVICES; REVISION OF UNIFORM TRAFFIC CONTROL DEVICES; PASSING AND NO-PASSING ZONE STANDARDS

Significance: Nonsignificant

Legal Authority: 23 USC 109(d); 23 USC 315; 23 USC 402(a)

CFR Citation: 23 CFR 655

Legal Deadline: None.

Abstract: The FHWA is considering issuing a NPRM in response to a petition filed by the Center for Auto Safety (CAS) to revise no-passing zone standards. If adopted, the revised standards could be incorporated into the Manual On Uniform Traffic Control Devices (MUTCD).

Timetable:

Action	Date	FR Cite
ANPRM	06/11/86	51 FR 21180
ANPRM Comment Period End	07/20/87	51 FR 21180

Next Action Undetermined

Small Entity: No

Additional Information: FHWA Docket # 86-11 has been assigned to this rulemaking.

Agency Contact: Mr. Philip O. Russell, Department of Transportation, Federal Highway Administration, **202 366-0411**

RIN: 2125-AB84

1834. QUALIFICATION OF DRIVERS; DIABETES

Significance: Nonsignificant

Legal Authority: 49 USC 3102; 49 USC App 2505; 23 USC 315

CFR Citation: 49 CFR 391.41(b)(3)

Legal Deadline: None.

Abstract: This rulemaking action responds to a petition filed by the American Diabetes Association (ADA) and others. The current diabetic rule prohibits insulin-using diabetics from driving in interstate or foreign commerce. The ADA has petitioned to change the regulation to provide for exemptions. The purpose of this action is to consider the proposed exemption program.

Timetable:

Action	Date	FR Cite
ANPRM	11/25/87	52 FR 45204
ANPRM Comment Period End	02/01/88	53 FR 42
NPRM	06/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, **202 366-2981**

RIN: 2125-AB91

1835. ● ADVANCE CONSTRUCTION OF FEDERAL-AID PROJECTS

Significance: Nonsignificant

Legal Authority: 23 USC 101(a); 23 USC 104; 23 USC 109; 23 USC 110; 23 USC 113; 23 USC 115; 23 USC 120(f); 23 USC 121(c); 23 USC 125; 23 USC 315; 23 USC 320; PL 100-17, Sec 113

CFR Citation: 23 CFR 630

Legal Deadline: None.

Abstract: The FHWA is revising its regulations relating to the advance construction of Federal-aid highway projects. The revisions incorporate new provisions mandated by section 113 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA). The procedures allow States to advance the construction of Federal-aid highway projects without requiring that Federal funds be obligated at the time the FHWA approves the project.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 05/00/88

Agency Contact: Max I. Inman, Department of Transportation, Federal Highway Administration, **202 366-2853**

RIN: 2125-AC07

1836. ● STATE FISCAL PROCEDURES AND REPORTS; RESCISSION OF REGULATION

Significance: Nonsignificant

Legal Authority: 23 USC 104(c)(d)(g); 23 USC 315

CFR Citation: 23 CFR 160

Legal Deadline: None.

Abstract: The FHWA is rescinding its regulations addressing the transfer of Federal-aid Highway and Safety Funds. These provisions contained in 23 CFR 160 were issued to prescribe the procedures for transfer of funds under subsections 104(c), (d) and (g), of Title 23, United States Code. The regulations are being rescinded because their sole function has evolved to a simple restatement of statutory language.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 04/00/88

Agency Contact: Mr. Larry C. Hanna, Department of Transportation, Federal Highway Administration, **202 366-2906**

RIN: 2125-AC08

1837. ● CONSTRUCTION ENGINEERING COSTS

Significance: Nonsignificant

Legal Authority: 23 USC 101(e); 23 USC 114(a); 23 USC 115(b); 23 USC 120 to 122; 23 USC 315; PL 95-599, Sec 115(c); PL 100-17, Sec 114

CFR Citation: 23 CFR 140

Legal Deadline: None.

Abstract: This rulemaking document will implement provisions mandated by section 114 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA). Section 114 revised 23 USC 121(d) by eliminating the 10-percent limitation on Construction Engineering (CE) costs and increasing the limitation to 15 percent of actual costs of construction excluding costs of right-of-way, preliminary engineering and CE.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 05/00/88

Agency Contact: Max I. Inman, Department of Transportation, Federal Highway Administration, **202 366-2853**

RIN: 2125-AC09

1838. ● TRUCK SIZE AND WEIGHT; NATIONAL NETWORK; IOWA AND SOUTH CAROLINA

Significance: Nonsignificant

Legal Authority: 23 USC 127; 23 USC 315; 49 USC 2311; 49 USC 2313; 49 USC App 2316

CFR Citation: 23 CFR 658

Legal Deadline: None.

Abstract: The FHWA is proposing to modify the National Network for commercial motor vehicles by deleting certain routes in Iowa and South Carolina. The National Network was established by the final rule on Truck Size and Weight published at 49 FR 23302 on June 5, 1984. It is maintained under 23 CFR 658, Appendix A, as amended.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 05/00/88

Agency Contact: Mr. Richard A. Torbik, Department of Transportation,

DOT—FHWA

Proposed Rule Stage

Federal Highway Administration, 202 366-0233

RIN: 2125-AC10

1839. MANUAL ON UNIFORM TRAFFIC CONTROL DEVICES

Significance: Routine and Frequent

Legal Authority: 23 USC 109(b); 23 USC 109(d); 23 USC 402(a)

CFR Citation: 23 CFR 655

Legal Deadline: None.

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. Total actions expected--2. 12/00/88.

Timetable:

Action	Date	FR Cite
Total actions expected to end	12/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 12/00/88

Agency Contact: P. Russell, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2184

RIN: 2125-AA37

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Highway Administration (FHWA)

Final Rule Stage

1840. + FEDERAL MOTOR CARRIER SAFETY REGULATIONS: GENERAL

Significance: Regulatory Program

Legal Authority: 49 USC 3102; PL 98-554, Sec 206

CFR Citation: 49 CFR 390

Legal Deadline: None.

Abstract: This rulemaking action will address the general provisions regarding the Motor Carrier Safety Regulations (FMCSR) contained in Part 390 of 49 CFR. This rulemaking is being undertaken to implement section 206 of the Motor Carrier Safety Act (MCSA) of 1984 which mandated the reissuance of the FMCSR. The revisions seek to assist the various segments of the truck and bus industries in their efforts to comply with the FMCSR by (1) incorporating definitions from the Motor Carrier Safety Act of 1984; (2) clarifying and updating the regulations; (3) eliminating redundancy; (4) combining and locating in a single place the definitions of many general items presently located throughout the FMCSR; and (5) addressing comments concerning the elimination of certain regulatory exemptions.

Timetable:

Action	Date	FR Cite
ANPRM Fertilizer	02/10/82	47 FR 5273
ANPRM	01/23/85	50 FR 2998
Fertilizer ANPRM Withdrawn	01/23/85	50 FR 2998
ANPRM Comment Period End	03/11/85	50 FR 2998
NPRM	07/13/87	52 FR 26278
NPRM Comment Period End	09/11/87	52 FR 26278
Final Action	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 07/13/87 (52 FR 26278)

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2981

RIN: 2125-AA34

1841. + SPLASH/SPRAY SUPPRESSANT DEVICES ON TRUCK TRACTORS, SEMITRAILERS AND TRAILERS

Significance: Regulatory Program

Legal Authority: 49 USC 2314; 49 USC 3102; Section 414 of STAA of 1982

CFR Citation: 49 CFR 393

Legal Deadline: Statutory, April 2, 1988.

Abstract: Section 414 of the Surface Transportation Assistance Act of 1982 (Pub. L. 97-424) states that Congress declares the visibility on wet roadways in the Interstate System should be improved by reducing splash and spray from truck tractors, semitrailers and trailers. Congress instructed the Secretary to establish, by regulation, minimum standards with respect to the performance and installation of splash and spray suppression devices on truck tractors, semitrailers and trailers. Further, Congress mandated that all vehicles in use 5 years from date of enactment be equipped with such devices. The revisions to 49 CFR 393 will implement this mandate. This rulemaking is considered significant because of its economic impact on the motor carrier industry. Section 205 of the Surface Transportation Assistance Act of 1987 (P.L. 100-17) establishes a deadline of 4/2/88 for final action unless the Secretary determines that insufficient technology exists upon which to base a final rule.

Timetable:

Action	Date	FR Cite
NPRM	04/12/85	50 FR 14630
Comment Period Extended	06/11/85	50 FR 24549
NPRM Comment Period End	08/12/85	50 FR 24549
Final Action	04/02/88	

Small Entity: Yes

Additional Information: The public comment period was extended to 8/12/85 by a notice published on 6/11/85 (50 FR 24549).

As part of the Surface Transportation Reauthorization bill, introduced for consideration in the last Congress and reintroduced in this session, the Administration proposed a provision that would amend the existing splash and spray suppression-devices statute. The amendment is intended to give greater flexibility to the Department in dealing with this problem and to ensure that the Department's final decision can take the costs and benefits of various alternatives fully into account.

Analysis: Regulatory Evaluation 04/12/85 (50 FR 14630)

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2981

RIN: 2125-AA84

DOT—FHWA **Final Rule Stage**

1842. + TRUCK SIZE AND WEIGHT; TANDEM TRUCK SAFETY ACT

Significance: Regulatory Program

Legal Authority: 23 USC 315; PL 97-424, Sec 133; PL 97-424, Sec 411; PL 97-424, Sec 412; PL 97-424, Sec 413; PL 97-424, Sec 416

CFR Citation: 23 CFR 658

Legal Deadline: None.

Abstract: The FHWA is proposing to provide a statement of FHWA interpretation and policy addressing the size and weight provisions contained in the Tandem Truck Safety Act of 1984 (TTSA) which amended the Surface Transportation Assistance Act of 1982 (STAA). This action addresses (1) conditions under which segments of the National System of Interstate and Defense Highways may be deleted from the National Truck Network, (2) conditions affecting the designation of new routes on the Federal-Aid Primary System as part of the National Truck Network, and (3) new provisions for 102-inch wide 28 1/2-foot semi-trailers. The issue relative to the qualifications of highways previously designated with lane widths less than 12 feet was the subject of a separate rulemaking action finalized at 52 FR 35064 (09/17/87).

Timetable:

Action	Date	FR Cite
NPRM	09/18/85	50 FR 37970
NPRM Comment Period End	11/04/85	50 FR 37970
Final Action	04/00/88	

Small Entity: No

Additional Information: This action had previously been characterized as significant in the agenda. Upon further review, it has been determined that since this rulemaking proposes to technically amend the June 5, 1984, final rule on Truck Size and Weight and to finalize certain issues left unresolved, it is not considered significant. A Regulatory Impact Analysis has been prepared for the June 5 rulemaking and is available for inspection in the Headquarters office of FHWA, 400 Seventh Street, SW, Washington, D.C.

Analysis: Regulatory Evaluation 09/18/85 (50 FR 37970)

Agency Contact: C. John MacGowan, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4032

RIN: 2125-AB28

1843. + INSPECTION, REPAIR, AND MAINTENANCE

Significance: Regulatory Program

Legal Authority: 49 USC 3102; PL 98-554, Sec 210; PL 98-554, Sec 204; 23 USC 315

CFR Citation: 49 CFR 396; 49 CFR 390; 48 CFR 393

Legal Deadline: None.

Abstract: The FHWA is seeking public comment concerning the development of Federal commercial motor vehicle inspection standards which would be applicable to motor carriers engaged in interstate or foreign commerce. This action is required by section 210 of the Motor Carrier Safety Act of 1984. The proposed revisions will require motor carriers to comply with Federal inspection standards, a State inspection program or an authorized self-inspection program.

Timetable:

Action	Date	FR Cite
ANPRM	01/10/85	50 FR 1245
ANPRM Comment Period End	02/24/85	
NPRM	02/26/87	52 FR 5913
SNPRM Comment Period extended to 06/29/87	04/27/87	52 FR 13853
NPRM Comment Period End	06/29/87	52 FR 13853
Final Action	04/00/88	

Small Entity: No

Additional Information: The NPRM proposed revisions after taking into account the public comments received to the ANPRM (01/10/85), 50 FR 1245). The 1/10/85 ANPRM also solicited comments on the provisions relating to the parts and accessories necessary for the safe operation of commercial motor vehicles. This section (parts and accessories) and comments made to it is the subject of a separate rulemaking action. See Final Rule Stage, RIN 2125-AB45.

Analysis: Regulatory Evaluation 02/26/87 (52 FR 5913)

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2981

RIN: 2125-AB34

1844. + PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION; GENERAL

Significance: Regulatory Program

Legal Authority: 49 USC 3102; PL 98-554, Sec 110

CFR Citation: 49 CFR 393

Legal Deadline: None.

Abstract: This rulemaking action responds to section 210 of the Motor Carrier Safety Act of 1984. Section 210 requires the Department to open Part 393 of the Federal Motor Carrier Safety Regulations (FMCSR), which concerns the parts and accessories necessary for the safe operation of commercial motor vehicles for public comment and review. In essence, Part 393 is the basis for the vehicle inspection currently performed on vehicles operated by motor carriers subject to DOT jurisdiction.

Timetable:

Action	Date	FR Cite
ANPRM	01/10/85	50 FR 1245
ANPRM Comment Period End	02/25/85	50 FR 1245
NPRM	02/26/87	52 FR 5892
SNPRM Comment Period extended to 06/29/87	04/27/87	52 FR 13853
NPRM Comment Period End	06/29/87	52 FR 13853
Final Action	04/00/88	

Small Entity: No

Additional Information: For the rulemaking action specifically addressing 49 CFR 393.42 (Front Wheel Brakes), see the entry entitled "Parts and Accessories Necessary for Safe Operation; Front Wheel Brakes," in 52 FR 2801 (01/27/87).

Analysis: Regulatory Evaluation 02/26/87 (52 FR 5892)

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2981

RIN: 2125-AB45

DOT—FHWA

Final Rule Stage

1845. + SAFETY FITNESS DETERMINATION

Significance: Regulatory Program

Legal Authority: PL 98-554, Sec 215; 49 USC 3102

CFR Citation: 49 CFR 385

Legal Deadline: None.

Abstract: Section 215 of the Motor Carrier Safety Act of 1984 requires the FHWA, in cooperation with the Interstate Commerce Commission, to establish a procedure to determine the safety fitness of owners and operators of commercial motor vehicles including persons seeking new or additional operating authority as motor carriers. Comments were requested regarding the proposed changes in the current safety rating procedures and a new proposal for those carriers who have not previously been assigned a safety rating or who intend to be a new entrant into the motor carrier industry. It has been determined that this rulemaking action is a significant regulation under the regulatory policies and procedures of the Department of Transportation because of the total estimated indirect benefits that may result.

Timetable:

Action	Date	FR Cite
NPRM	06/25/86	51 FR 23088
NPRM Comment Period End	08/11/86	51 FR 23088
Final Action	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 06/25/86 (51 FR 23088)

Agency Contact: Gerald J. Davis, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-2698

RIN: 2125-AB46

1846. + TRUCK SIZE AND WEIGHT; SPECIALIZED EQUIPMENT; MAXI-CUBE

Significance: Regulatory Program

Legal Authority: 23 USC 315; 49 USC 2311(d); PL 99-591, Sec 324

CFR Citation: 23 CFR 658

Legal Deadline: None.

Abstract: An ANPRM had been issued requesting public comment on a petition to designate a particular combination of vehicles as specialized equipment under the provisions of section 411(d) of the Surface Transportation Assistance Act of 1982 (STAA). The final rule will now implement section 324 of the House Bill 5205 which was incorporated into law by section 302 of the Act Making Continuing Appropriations for Fiscal Year 1987, Pub. L. 99-591, 101 Stat. 3341, enacted on October 16, 1986. This section amended section 411(c) of the Surface Transportation Assistance Act of 1982 to authorize the "maxi-cube" vehicle to operate on the National Network in the same way as vehicles previously authorized by that section. The "maxi-cube" vehicle is a particular combination of vehicles described in the law. This action also withdraws the advance notice of proposed rulemaking (ANPRM) published at 50 FR 52940 (12/27/85) and 51 FR 7085 (Supplemental notice: 2/28/86) on the designation of the "maxi-cube" design as specialized equipment under section 411(d) of the STAA of 1982.

Timetable:

Action	Date	FR Cite
ANPRM	12/27/85	50 FR 52940
ANPRM Comment Period End	02/10/86	50 FR 52940
ANPRM Supplemental	02/28/86	51 FR 7085
Final Action	04/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 04/00/88

Agency Contact: Philip W. Blow, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4036

RIN: 2125-AB48

1847. + EMPLOYEE SAFETY AND HEALTH STANDARDS

Significance: Regulatory Program

Legal Authority: PL 98-554, Sec 206; 49 USC App 2505

CFR Citation: 49 CFR 399

Legal Deadline: None.

Abstract: The Federal Highway Administration (FHWA) was considering proposing to revise Part 399 of the Federal Motor Carrier Safety Regulations (FMCSR) to implement Section 206 of the Motor Carrier Safety Act of 1984. After reviewing the public comments received to the ANPRM published on January 23, 1985 (50 FR 2998), the FHWA has decided that no revisions to this Part are warranted at this time. This part will be considered reissued pursuant to the Motor Carrier Safety Act of 1984.

Timetable:

Action	Date	FR Cite
ANPRM	01/23/85	50 FR 2998
ANPRM Comment Period End	04/22/85	50 FR 2998
To be withdrawn	04/00/88	

Small Entity: No

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2981

RIN: 2125-AB50

1848. + DRIVING A MOTOR VEHICLE

Significance: Regulatory Program

Legal Authority: PL 98-554, Sec 206; 49 USC App 2505

CFR Citation: 49 CFR 392

Legal Deadline: None.

Abstract: The FHWA had considered revising Part 392 of the Federal Motor Carrier Safety Regulations (FMCSR) in accordance with section 206 of the Motor Carrier Safety Act of 1984. After reviewing the comments received in response to the ANPRM published on January 23, 1985 (50 FR 2998), FHWA has decided not to make further revisions to Part 392 at this time. This Part will be considered reissued as currently written pursuant to the Motor Carrier Safety Act of 1984.

Timetable:

Action	Date	FR Cite
ANPRM	01/23/85	50 FR 2998
ANPRM Comment Period End	04/22/85	50 FR 2998
To be withdrawn	04/00/88	

Small Entity: No

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2981

RIN: 2125-AB51

DOT—FHWA

Final Rule Stage

1849. + QUALIFICATION OF DRIVERS; HAZARDOUS MATERIALS DRIVERS

Significance: Regulatory Program

Legal Authority: 49 USC 3102; 49 USC App 2505

CFR Citation: 49 CFR 391

Legal Deadline: None.

Abstract: The notice of proposed rulemaking published on 5/13/86 (51 FR 17572) which proposed to establish stricter driver qualification rules for drivers of vehicles containing certain classes of hazardous materials will be withdrawn. Certain rulemaking actions mandated by the Commercial Motor Vehicle Safety Act of 1986 will supersede this action. The subject matter of this rulemaking regarding training will be addressed by RSPA in subsequent rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/13/86	51 FR 17572
NPRM Comment Period End	08/11/86	51 FR 17572
To be withdrawn	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 05/13/86 (51 FR 17572)

Agency Contact: Jill Hochman, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4009

RIN: 2125-AB64

1850. + SEMITRAILER-SEMITRAILER; B-TRAIN

Significance: Regulatory Program

Legal Authority: 23 USC 325; PL 97-424, Sec 411; PL 97-424, Sec 413

CFR Citation: 23 CFR 658

Legal Deadline: None.

Abstract: FHWA requested comments on a proposal to interpret 23 CFR 658.13 such that a combination of vehicles described as a truck-tractor semitrailer-semitrailer be considered as a truck-tractor semitrailer-trailer for purposes of 23 CFR 658. It is FHWA's intent to implement the Surface Transportation Assistance Act of 1982 so that all configurations that offer safety and productivity advantages will be recognized under the regulations. This action is significant because of industry interest and that of the general public.

Timetable:

Action	Date	FR Cite
NPRM	03/01/85	50 FR 8342
NPRM Comment Period End	04/30/85	50 FR 8342
NPRM Extended comment period to 03/14/88	01/29/88	53 FR 2603
Final Action	10/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 01/29/88 (53 FR 2603)

Agency Contact: Philip W. Blow, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4036

RIN: 2125-AB66

1851. + COMMERCIAL DRIVER TEST AND LICENSING STANDARDS

Significance: Regulatory Program

Legal Authority: 49 USC 2505; 49 USC 3102; PL 99-570, Sec 12005; PL 99-570, Sec 12006; PL 99-570, Sec 12009

CFR Citation: 49 CFR 383; 49 CFR 391

Legal Deadline: Statutory, July 15, 1988.

Abstract: Sections 12005 and 12006 of Pub. L. 99-570 require certain requirements to be in place by July 15, 1988 regarding minimum Federal standards which States must use for testing and licensing commercial motor vehicle drivers. FHWA issued a NPRM on December 11, 1987 proposing the standards. Included in the proposal are requirements placed on the State in section 12009 pertaining to a check with the information system before issuing a license. This rulemaking action is considered significant because of the substantial public interest involved.

Timetable:

Action	Date	FR Cite
ANPRM	08/01/86	51 FR 27567
ANPRM Comment Period End	11/05/86	51 FR 35538
NPRM	12/11/87	52 FR 47326
NPRM Comment Period End	02/09/88	52 FR 47326
Final Action	07/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 12/11/87 (52 FR 47326)

Agency Contact: Jill L. Hochman, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4001

RIN: 2125-AB68

1852. RAILROAD GRADE CROSSINGS

Significance: Nonsignificant

Legal Authority: 49 USC 3102

CFR Citation: 49 CFR 392.10

Legal Deadline: None.

Abstract: The FHWA had considered a revision that would make this Federal regulation more consistent with the Uniform Vehicle Code with respect to stopping requirements. However, after further review it has been determined that no further action by the FHWA is needed in this area. Therefore, the 11/18/82 ANPRM will be withdrawn.

Timetable:

Action	Date	FR Cite
ANPRM	11/18/82	47 FR 51904
Withdrawal Notice	04/00/88	
Final Action	04/00/88	

Small Entity: No

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2981

RIN: 2125-AA36

1853. ACCELERATION OF PROJECTS

Significance: Nonsignificant

Legal Authority: 23 USC 140; 23 USC 315; Surface Transportation Assistance Act of 1982, Sec. 129

CFR Citation: 23 CFR 630

Legal Deadline: None.

Abstract: This revision was intended to expedite the processing of Federal-aid highways projects by promoting wider use of the findings and recommendations of the demonstration project carried out under section 141 of the 1976 Federal-Aid Highway Act. This action was also being taken pursuant to section 129 of the Surface Transportation Assistance Act of 1982.

DOT—FHWA

Final Rule Stage

Timetable:

Action	Date	FR Cite
ANPRM	08/26/83	48 FR 38854
ANPRM Comment Period End	11/25/83	48 FR 57330
To be withdrawn	04/00/88	

Small Entity: No

Additional Information: An interim policy statement was published 6/6/83 (48 FR 25181) to implement acceleration methods for selected projects within existing regulations. Initially, FHWA had considered issuing a new regulation as a vehicle for accelerating Federal-aid projects pursuant to Section 129 of the STAA of 1982. However, it has been determined that the objectives of Section 129 can be best implemented by revisions to existing regulations. Therefore, separate regulations will not be issued regarding the acceleration program. This approach received the concurrence of Deputy Administrator Lamm on April 11, 1984. This regulation will be withdrawn.

Analysis: Reg. Evaluation (Minimal impact) 08/26/83 (48 FR 38854)

Agency Contact: S. M. Silence, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4628

RIN: 2125-AA87

1854. EROSION AND SEDIMENT CONTROL ON HIGHWAY CONSTRUCTION PROJECTS

Significance: Nonsignificant

Legal Authority: 23 USC 109(g); 23 USC 315; 23 USC 109(h); 33 USC 1323

CFR Citation: 23 CFR 650

Legal Deadline: None.

Abstract: The proposed rule was intended to adopt the AASHTO Guide Specifications for water pollution control. After careful consideration of comments submitted in response to the NPRM and based upon a further review by FHWA, it has been determined that rulemaking in this area is no longer necessary. Therefore, the NPRM will be withdrawn.

Timetable:

Action	Date	FR Cite
NPRM	01/18/85	50 FR 2694
NPRM Comment Period End	03/18/85	
To be withdrawn	04/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal impact) 01/18/85 (50 FR 2694)

Agency Contact: Philip L. Thompson, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4611

RIN: 2125-AB05

1855. RAILROAD-HIGHWAY PROJECTS

Significance: Nonsignificant

Legal Authority: 23 USC 109(e); 23 USC 120(d); 23 USC 130; 23 USC 315; 23 USC 405

CFR Citation: 23 CFR 646

Legal Deadline: None.

Abstract: The FHWA is proposing to amend its regulation prescribing policies and procedures for advancing Federal-aid and direct Federal highway projects involving railroad facilities. The proposed amendment will incorporate and clarify existing FHWA policy regarding participation with Federal-aid highway funds in providing specified horizontal and vertical clearances for railroad overpass and underpass structures at highways.

Timetable:

Action	Date	FR Cite
NPRM	02/20/85	50 FR 7067
NPRM Comment Period End	04/22/85	
Final Action	04/00/88	

Small Entity: No

Additional Information: Upon further review, it was determined that a supplemental NPRM was not necessary.

Analysis: Reg. Evaluation (Minimal Impact) 02/20/85 (50 FR 7067)

Agency Contact: James A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0450

RIN: 2125-AB25

1856. STRUCTURAL SUPPORTS FOR HIGHWAY SIGNS, LUMINARIES AND TRAFFIC SIGNALS

Significance: Nonsignificant

Legal Authority: 23 USC 109; 23 USC 315; 23 USC 402

CFR Citation: 23 CFR 625

Legal Deadline: None.

Abstract: In May, 1985, the American Association of State Highway and Transportation Officials (AASHTO) approved its publication entitled "Standard Specification for Structural Supports for Highway Signs, Luminaries, and Traffic Signals," which is incorporated in 23 CFR 625 as a specification. FHWA proposed to adopt the AASHTO publication for Federal-aid application. An interim final rule adopted all of the 1985 AASHTO sign and luminaries specifications except section 7, Breakaway Supports. The SNPRM contained the results of FHWA's crash testing of previously accepted luminaire support systems and opened the docket for further comments.

Timetable:

Action	Date	FR Cite
NPRM	11/10/86	51 FR 40817
NPRM Comment Period End	05/11/87	51 FR 40817
Interim Final Rule	09/28/87	52 FR 32645
Supplemental NPRM	12/14/87	52 FR 47403
Final Action	08/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 12/14/87 (52 FR 47403)

Agency Contact: James H. Hatton, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-1329

RIN: 2125-AB56

1857. REIMBURSEMENT FOR RAILROAD WORK

Significance: Nonsignificant

Legal Authority: 23 USC 101; 23 USC 120(d); 23 USC 130; 23 USC 315

CFR Citation: 23 CFR 140

Legal Deadline: None.

Abstract: The FHWA is proposing to amend its regulation on reimbursement for railroad work to allow Federal-aid highway funds to be used to pay for various overhead and indirect construction costs incurred by railroad forces accomplishing work on Federal-aid highway projects.

DOT—FHWA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/17/86	51 FR 44996
NPRM Comment Period End	02/17/87	51 FR 44996
Final Action	04/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 12/17/86 (51 FR 44996)

Agency Contact: James A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4652

RIN: 2125-AB59

1858. NATIONAL BRIDGE INSPECTION STANDARDS; FREQUENCY OF INSPECTION AND INVENTORY

Significance: Nonsignificant

Legal Authority: 23 USC 109(h); 23 USC 116(d); 12 USC 144; 23 USC 315

CFR Citation: 23 CFR 650

Legal Deadline: None.

Abstract: The FHWA is requesting comments to a proposal to revise the National Bridge Inspection Standards (NBIS). The revised regulation would permit States to increase the maximum time interval between the inspections for certain types or groups of bridges, as opposed to retaining the mandatory 2-year interval as required by regulations currently in effect. The proposed revisions would also require that States identify those bridges having fracture critical members or bridges which warrant underwater inspection consideration. The proposed revisions would provide State highway agencies greater flexibility with which to use available inspection resources in a cost-effective manner. It is intended that the proposed revisions would encourage efficient use of resources while ensuring that the safety of the traveling public is protected.

Timetable:

Action	Date	FR Cite
NPRM	04/07/87	52 FR 11092
Notice Extension of public comments	06/03/87	52 FR 20726
NPRM Comment Period End	07/09/87	52 FR 20726
Final Action	04/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 04/07/87 (52 FR 11092)

Agency Contact: John J. Ahlskog, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4617

RIN: 2125-AB71

1859. CARGO PREFERENCE

Significance: Nonsignificant

Legal Authority: 23 USC 112; 23 USC 114; 23 USC 315; 23 USC 113; 23 USC 128; 31 USC 6506; 42 USC 3334; 42 USC 4602 et seq

CFR Citation: 23 CFR 635

Legal Deadline: None.

Abstract: The Federal Highway Administration (FHWA) is incorporating into its regulations the cargo preference requirements as mandated by the Cargo Preference Act of 1954 (Act) and its implementing regulations (46 CFR 381) developed by the Maritime Administration (MARAD). This final rule clarifies policies and procedures for the application of the Act's requirements to Federal-aid highway construction projects.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 04/00/88

Agency Contact: William Weseman, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-0392

RIN: 2125-AB73

1860. MINIMUM LEVELS OF FINANCIAL RESPONSIBILITY FOR MOTOR CARRIERS; ENVIRONMENTAL RESTORATION

Significance: Nonsignificant

Legal Authority: 49 USC 10927 note

CFR Citation: 49 CFR 387

Legal Deadline: None.

Abstract: The FHWA issued an interim final rule to redefine "environmental restoration" as that term is used in FHWA's financial responsibility regulations. This action was taken in response to a joint petition filed by the American Insurance Association (AIA) and the American Trucking Associations (ATA), and because of the current insurance crisis facing the motor carrier industry. This action made clear the motor carriers are required to provide evidence of financial responsibility to satisfy claims for damage to human health and to the environment, including necessary restoration costs, but not for potential or speculative damages for which they would not otherwise be found liable.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/23/86	51 FR 33854
Final Action	04/00/88	

Small Entity: No

Additional Information: Upon issuances of the interim final rule, the FHWA gave notice that comments would be accepted on the rulemaking action. A comment period was provided and Docket No. MC-126; Amendment No. 83-14 was established to receive comments. The FHWA will consider all comments and information received in order to determine whether to make the change permanent.

Analysis: Regulatory Evaluation 09/23/86 (51 FR 33854)

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-2981

RIN: 2125-AB77

1861. CONSTRUCTION AND MAINTENANCE; CONTRACT PROCEDURES; STANDARDIZED CONTRACT CLAUSES

Significance: Nonsignificant

Legal Authority: 23 USC 112; 23 USC 117; 23 USC 315; PL 100-17, Sec 111(c)

CFR Citation: 23 CFR 635

Legal Deadline: None. A final rule must be issued by 4/2/89.

Abstract: The FHWA is amending its regulations on contract procedures to implement the provisions of Section 111(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA). Section 111(c) of STURAA amends 23 USC 112 to require a standardized contract clause in all Federal-aid contracts unless otherwise provided for by State law. The

DOT—FHWA

Final Rule Stage

standardized contract clause is to provide for the equitable adjustment of contract terms: (1) where site conditions differ from those specified in the contract; (2) where work has been suspended by order of the contracting agency (other than a suspension of work caused by the fault of the contractor or by weather); and (3) where there are material changes in the scope of the work.

Timetable:

Action	Date	FR Cite
NPRM	12/01/87	52 FR 45645
NPRM Comment Period End	02/01/88	52 FR 45645
Final Action	10/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 12/01/87 (52 FR 45645)

Agency Contact: William A. Weseman, Chief, Construction and Maint. Division, Department of Transportation, Federal Highway Administration, 202 366-1548

RIN: 2125-AB87

1862. STATE EDUCATION AND TRAINING PROGRAM

Significance: Nonsignificant

Legal Authority: 23 USC 315; 23 USC 321(b) and (c); PL 100-17, Sec 131

CFR Citation: 23 CFR 260

Legal Deadline: None.

Abstract: The FHWA is amending 23 CFR 260 to implement Section 131 of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA) enacted on April 2, 1987. Section 131 of the STURAA amends Section 321 of Title 23, United States Code, by allowing the States to use Federal-aid funds to pay 75 percent of the cost of education and training purchased from any source including the National Highway Institute. The provisions contained in 23 CFR 260 addressing the administration of Federal-aid funds for education and training of State and local highway department employees are being revised to reflect the statutory amendment.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 04/00/88

Agency Contact: Larry Jones, National Highway Institute, Department of Transportation, Federal Highway Administration, 202 285-2779

RIN: 2125-AB92

1863. ● TRUCK SIZE AND WEIGHT; EXCEPTION TO BRIDGE FORMULA

Significance: Nonsignificant

Legal Authority: 23 USC 127; 49 USC 2311; 49 USC 2312; 49 USC 2313; 49 USC App 2316

CFR Citation: 23 CFR 658

Legal Deadline: None.

Abstract: This rulemaking action provides for an exception for tank trailers, dump trailers, and ocean transport containers to the Federal formula that specifies the maximum allowable gross weight for axle groups for vehicles operating on Interstate Highways. This action responds to Section 119 of the Surface Transportation and Uniform Relocation Assistance Act (STURAA) which amended 23 U.S.C. 127. The exception to the formula contained in section 127 provides for a greater weight to be carried on the second through fifth axles for the three types of five-axle truck tractor-semitrailer combination trucks.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: No

Additional Information: Since the final rule will contain revisions which will be issued for the purpose of complying with the statutory language mandated by section 119 of STURAA of 1987, public comment would be impracticable and unnecessary.

Analysis: Reg. Evaluation (Minimal Impact) 04/00/88

Agency Contact: Philip W. Blow, Department of Transportation, Federal Highway Administration, 202 366-4036

RIN: 2125-AC03

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Highway Administration (FHWA)

Completed Actions

1864. + TRUCK SIZE AND WEIGHT; GRANDFATHER SEMITRAILER LENGTHS

Significance: Regulatory Program

Legal Authority: PL 97-424, Sec 133; PL 97-424, Sec 411; PL 97-424, Sec 412; PL 97-424, Sec 413; PL 97-424, Sec 416

CFR Citation: 23 CFR 658

Legal Deadline: None.

Abstract: An analysis of comments to the March 1, 1985 NPRM indicates insufficient rationale to establish grandfathered semitrailer lengths in all States. A final rule establishes the grandfather semitrailer lengths for States where adequate documentation exits.

Timetable:

Action	Date	FR Cite
NPRM	03/01/85	50 FR 8342
NPRM Comment Period End	04/30/85	50 FR 8342
Final Action	01/29/88	53 FR 2597
Final Action Effective	01/29/88	53 FR 2597

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 01/29/88 (53 FR 2597)

Agency Contact: Philip W. Blow, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4036

RIN: 2125-AB26

1865. + HOURS OF SERVICE

Significance: Regulatory Program

Legal Authority: 49 USC 3102; PL 98-554, Sec 206

CFR Citation: 49 CFR 395

Legal Deadline: None.

Abstract: Section 206 of the Motor Carrier Safety Act of 1984 (Act) directs the DOT to reissue regulations

pertaining to commercial motor vehicle safety. On November 23, 1984, the FHWA published a final rule at 49 FR 46145 regarding Hours of Service in order to comply with an opinion of the United States Court of Appeals for the District of Columbia Circuit. A docket was opened (MC-99-1) in order to request comments for further consideration of revisions to the requirement of the driver's record of duty status. Pursuant to section 206 of the Act, an ANPRM was issued (1/23/85; 50 FR 2998) and again requested comments regarding the requirement for recorded hours of service. This final rule incorporated all comments received to the above mentioned published rulemaking actions. This document eliminated certain items required on the driver's record of duty status and extends the 12-hour limitation in the 100-mile radius exemption to 15 hours or permitting a 50-mile radius rule as an option with the 15-hour rule. This rulemaking is considered significant because of the potential cost savings which may result from (con't)

Timetable:

Action	Date	FR Cite
ANPRM	01/23/85	50 FR 2998
ANPRM Comment Period End	03/11/85	50 FR 2998
NPRM	05/09/86	51 FR 17214
NPRM Comment Period End	06/09/86	51 FR 17214
Comment period extended to 08/18/86	07/08/86	51 FR 24722
Final Action	10/30/87	52 FR 41718
Final Action Effective	11/30/87	52 FR 41718

Small Entity: No

Additional Information: ABSTRACT CONT: the reduction in requirements for maintaining the driver's record of duty status.

Analysis: Regulatory Evaluation 10/30/87 (52 FR 41718)

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2981

RIN: 2125-AB39

1866. + TRUCK SIZE AND WEIGHT; AUTOMOBILE TRANSPORTERS

Significance: Regulatory Program

Legal Authority: 23 USC 315; PL 97-424, Sec 133; PL 97-424, Sec 411; PL 97-424, Sec 412; PL 97-424, Sec 413; PL 97-424, Sec 416

CFR Citation: 23 CFR 658

Legal Deadline: None.

Abstract: FHWA proposed revisions to certain provisions established by the final rule on truck size and weight published at 49 CFR 23302 (06/05/84). This action establishes: (1) a definition for an automobile-transporter; (2) a minimum 75-foot overall length for a stinger-steered automobile-transporter; (3) the allowance of triple saddlemount combinations with a minimum length of 65 feet; and (4) no overall length limitation for conventional tractor-semitrailer automobile transporters when the semitrailer is 48 feet in length. Purpose of this rulemaking action was to clarify and further define certain issues contained in the June 5, 1984, final rule.

Timetable:

Action	Date	FR Cite
ANPRM	10/02/84	49 FR 38956
ANPRM Comment Period End	11/17/84	49 FR 38956
NPRM	11/25/85	50 FR 48431
NPRM Comment Period End	01/09/86	50 FR 48431
Final Action	01/29/88	53 FR 2593
Final Action Effective	02/29/88	53 FR 2593

Small Entity: No

Additional Information: A Regulatory Impact Analysis which had been prepared for the June 5, 1984, final rule on truck size and weight provisions is available for inspection in the Headquarters office of FHWA, 400 Seventh Street, SW, Washington, DC.

Analysis: Reg. Evaluation (Minimal Impact) 01/29/88 (53 FR 2593)

Agency Contact: Chester F. Phillips, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2251

RIN: 2125-AB42

1867. + ACCOMMODATION OF UTILITIES; LONGITUDINAL UTILITY USE OF FREEWAY RIGHT-OF-WAY

Significance: Regulatory Program

Legal Authority: 23 USC 109; 23 USC 116; 23 USC 315

CFR Citation: 23 CFR 645

Legal Deadline: None.

Abstract: FHWA revised its regulation on the accommodation of utility facilities and private lines on the right-of-way of Federal-aid and direct Federal highway projects to clarify requirements regarding utility use of Federal-aid highways, and modified the conditions under which certain types of utilities may be located longitudinally on Federal-aid freeways (Interstate highways). This action considered the interest expressed by the telecommunication industry to gain access to the Interstate System for installation of underground fiber optics cable systems.

Timetable:

Action	Date	FR Cite
NPRM	12/19/86	51 FR 45479
Comment Period Extended to 03/17/87	02/11/87	52 FR 4349
NPRM Comment Period End	03/17/87	52 FR 4349
Final Action	02/02/88	53 FR 2829
Final Action Effective	02/08/88	53 FR 2829

Small Entity: No

Additional Information: A general notice was published in the Federal Register on April 1, 1986 (51 FR 11055).

Analysis: Regulatory Evaluation 02/02/88 (53 FR 2829)

Agency Contact: James A. Carney, Department of Transportation, Federal Highway Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4652

RIN: 2125-AB76

1868. + UNIFORM RELOCATION ACT AMENDMENTS OF 1987; SPECIFIC PAYMENTS

Significance: Agency Priority

Legal Authority: PL 100-17, Title IV; 42 USC 4601 et seq

CFR Citation: 23 CFR 740

Legal Deadline: None.

Abstract: This rulemaking action implements those provisions of Title IV of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA) which are non-controversial. These amendments to the Uniform Relocation Act primarily address the increases in the maximum specific dollar amounts paid by Federal,

State and local agencies from project funds to persons who are forced to relocate by Federal or federally assisted projects. These revisions were issued expeditiously so that displacing agencies who are currently authorized under State law can begin to provide the additional assistance provided by law. This rulemaking action is considered significant because of the substantial public interest involved. By taking this action, the FHWA is carrying out its responsibility as lead agency as required by STURAA. Any future revisions to this rule will be incorporated in the rulemaking under RIN 2125-AB85, entitled "Uniform Relocation Act Amendments of 1987; General."

Timetable:

Action	Date	FR Cite
Final rule	12/17/87	52 FR 47994

Small Entity: No

Analysis: Regulatory Evaluation 12/17/87 (52 FR 47994)

Agency Contact: Barbara Reichart, Department of Transportation, Federal Highway Administration, **202 366-0116**

RIN: 2125-AB96

1869. TRANSFER OF FEDERAL-AID HIGHWAY FUNDS

Significance: Nonsignificant

Legal Authority: Surface Transportation Assistance Act of 1982, Sec. 116

CFR Citation: 23 CFR 160, Subpart A; 23 CFR 160, Subpart B; 23 CFR 160, Subpart C

Legal Deadline: None.

Abstract: This action was initiated to reflect the required statutory changes included in section 116 of the STAA of 1982 regarding the transfer of Interstate construction funds. Section 116 of the STAA of 1982 has been superseded by subsequent legislation. Therefore, as of 12/15/87, this rulemaking action has been terminated.

Timetable:

Action	Date	FR Cite
Terminated	12/15/87	

Small Entity: No

Agency Contact: Larry C. Hanna, Department of Transportation, Federal Highway Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0673**

RIN: 2125-AA64

1870. HIGHWAY BEAUTIFICATION: OUTDOOR ADVERTISING; TECHNICAL AMENDMENT

Significance: Nonsignificant

Legal Authority: 23 USC 131; 23 USC 315

CFR Citation: 23 CFR 750

Legal Deadline: None.

Abstract: The FHWA had proposed to amend its regulations in order to clarify existing FHWA policy that temporary political campaign signs and other signs, displays, and devices associated with Federal, State, or local elections may be permitted without violating the Highway Beautification Act. Upon further review, the FHWA has determined that no action is needed at this time. Therefore, this rulemaking action is being terminated.

Timetable:

Action	Date	FR Cite
Action terminated	12/11/87	

Small Entity: No

Agency Contact: Edward V. A. Kussy, Department of Transportation, Federal Highway Administration, 700 Seventh Street, SW, Washington, DC 20590, **202 366-0791**

RIN: 2125-AB32

1871. LABOR AND EMPLOYMENT; CONVICT LABOR AND MATERIALS

Significance: Nonsignificant

Legal Authority: 23 USC 112; 23 USC 113; 23 USC 114; 23 USC 117; 23 USC 128; 23 USC 315; 31 USC 6505; 42 USC 3334; 42 USC 4601 et seq; PL 100-17, Sec 112

CFR Citation: 23 CFR 635

Legal Deadline: None.

Abstract: FHWA amended its regulation on the use of convict labor and convict produced materials on Federal-aid highway projects to implement provisions mandated by section 112 of the Federal-Aid Highway Act of 1987 (PL 100-17). Section 112 amended section 114 of 23 USC by prohibiting the use of materials produced by convict labor on Federal-aid highway projects unless produced by convicts who are on parole, supervised release, or probation and limited in quantity not to exceed a designated prior amount produced. The regulations implementing 23 USC 114(b) are revised to reflect the statutory amendment.

Timetable:

Action	Date	FR Cite
Final Action	01/25/88	53 FR 1922
Final Action Effective	01/25/88	53 FR 1922

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 01/25/88 (53 FR 1922)

Agency Contact: William Weseman, Chief, Const. and Maintenance Division, Department of Transportation, Federal Highway Administration, **202 366-0392**

RIN: 2125-AB82

1872. CONSTRUCTION AND MAINTENANCE; CONTRACT PROCEDURES

Significance: Nonsignificant

Legal Authority: 23 USC 112; 23 USC 117; 23 USC 315; PL 100-17, Sec 111(a)

CFR Citation: 23 CFR 635

Legal Deadline: None.

Abstract: This rulemaking action revises 23 CFR Part 635, Subpart A, B, and C to implement the provisions mandated by Section 111(c) of the Surface Transportation and Uniform Relocation Assistance Act of 1987 (STURAA). Section 111(c) of STURAA amends section 112(b) of Title 23, U.S.C., to add emergency situations to the conditions under which a Federal-aid project may be awarded by a method other than competitive bidding.

Timetable:

Action	Date	FR Cite
Final Action	11/25/87	52 FR 45171
Final Action Effective	11/25/87	52 FR 45171

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 11/25/87 (52 FR 45171)

Agency Contact: William A. Weseman, Chief, Construction and Maint. Division, Department of Transportation, Federal Highway Administration, **202 366-1548**

RIN: 2125-AB88

DOT—FHWA

Completed Actions

1873. TRUCK SIZE AND WEIGHT; NATIONAL NETWORK

Significance: Nonsignificant

Legal Authority: 23 USC 127; 23 USC 315; 49 USC 2311; 49 USC 2313

CFR Citation: 23 CFR 658

Legal Deadline: None.

Abstract: FHWA was considering modifying the National Network for commercial motor vehicles by adding routes in Georgia. The National Network was established by the final rule on Truck Size and Weight published at 49 FR 23302 on June 5, 1984. It is maintained under 23 CFR 658, Appendix A, as amended. At the request of the State of Georgia, this rulemaking is terminated.

Timetable:

Action	Date	FR Cite
Action terminated	02/04/88	

Small Entity: No

Agency Contact: Philip W. Blow, Department of Transportation, Federal Highway Administration, 202 366-4036

RIN: 2125-AB98

1874. ● PHYSICAL CONSTRUCTION AUTHORIZATION

Significance: Nonsignificant

Legal Authority: 23 USC 112; 23 USC 113; 23 USC 114; 23 USC 117; 23 USC 128; 31 USC 6506; 42 USC 3334; 42 USC 4601 et seq; PL 100-17, Sec 154

CFR Citation: 23 CFR 635

Legal Deadline: None.

Abstract: This rulemaking document amends the FHWA regulation regarding the erection of certain signs on Federal-aid construction projects to implement Section 154 of the Surface Transportation and Uniform Relocation Assistance Act (STURAA) of 1987. Section 154 mandates that those States that currently have a practice of erecting signs identifying funding sources on construction projects without Federal-aid highway assistance shall be required to erect signs displaying sources and amounts of funds on all Federal-aid highway projects. The current regulations provide for the erection of only those signs that conform to the standards developed by the Secretary of Transportation. This amendment allows the erection of signs that do not presently conform to standards developed by the Secretary.

Timetable:

Action	Date	FR Cite
Final Action	01/25/88	53 FR 1920
Final Action Effective	01/25/88	53 FR 1920

Small Entity: No

Additional Information: Since the final rule contained revisions which were issued for the purpose of literally complying with the statutory language mandated by section 154 of STURAA of 1987, public comment was impracticable and unnecessary.

Analysis: Reg. Evaluation (Minimal Impact) 01/25/88 (53 FR 1920)

Agency Contact: Mr. William A. Weseman, Department of Transportation, Federal Highway Administration, 202 366-0392

RIN: 2125-AC01

1875. ● RULES OF PRACTICE AND RULEMAKING PROCEDURES FOR MOTOR CARRIERS; TECHNICAL AMENDMENTS

Significance: Nonsignificant

Legal Authority: 49 USC 2701 et seq; 49 USC 2501 et seq; 49 USC 104(c)(2); 49 USC 501 et seq; 49 USC 3101 et seq; 49 USC 1801 et seq; 49 USC 10927

CFR Citation: 49 CFR 301; 49 CFR 386; 49 CFR 389

Legal Deadline: None.

Abstract: This rulemaking action makes technical amendments to various sections of the Motor Carrier regulations: to make the handling of the delegations of authority relating to motor carrier safety consistent with other delegations of authority within the FHWA; to clarify the authority of the administrative law judge to dismiss a case; to reflect a recent internal agency reorganization with new responsibilities and terminology given to the Office of Motor Carrier Standards; to provide nomenclature changes; and to add new authority provided by the Commercial Motor Vehicle Safety Act of 1986, Title XII of Pub. L. 99-570, 100 Stat. 3207-170.

Timetable:

Action	Date	FR Cite
Final Action	01/26/88	53 FR 2035
Final Action Effective	01/26/88	53 FR 2035

Small Entity: No

Analysis: Reg. Evaluation (Minimal Impact) 01/26/88 (53 FR 2035)

Agency Contact: Thomas P. Kozlowski, Department of Transportation, Federal Highway Administration, 202 366-2981

RIN: 2125-AC02

DEPARTMENT OF TRANSPORTATION (DOT)

Prerule Stage

National Highway Traffic Safety Administration (NHTSA)

1876. + SIDE-IMPACT PROTECTION, HEAD/NECK PROTECTION, AND OCCUPANT EJECTION MITIGATION

Significance: Regulatory Program

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.214

Legal Deadline: None.

Abstract: Would propose amending the current standard to include head/neck protection and to mitigate ejection through side windows and doors.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AB85

1877. + UNIFORM TIRE-QUALITY GRADING

Significance: Agency Priority

Legal Authority: 15 USC 1423

CFR Citation: 49 CFR 575

Legal Deadline: None.

Abstract: Would include rolling resistance for tires as a substitute for top temperature resistance grade in the Uniform Tire Quality Grading Standards. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Orron Kee, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0846**

RIN: 2127-AA52

1878. + DAYTIME RUNNING LIGHTS

Significance: Agency Priority

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1403; 15 USC 1407

CFR Citation: 49 CFR 571.108

Legal Deadline: None.

Abstract: A petition was received from the Insurance Institute for Highway Safety (IIHS) on November 8, 1985. It requests that the Federal lighting regulation (FMVSS No. 108) be changed to allow installation of daytime running lights (DRLs) by original equipment manufacturers. Although the existing standard does not specifically prohibit DRLs, some changes to FMVSS No. 108 would be required to accommodate various suggested DRL configurations. NHTSA has exchanged information with Transport Canada on DRLs, and on the evaluation of effectiveness of various DRL configurations. Canada issued a proposed regulation which would require that new vehicles be equipped with DRLs. The agency would like to ensure that changes made in FMVSS No. 108 are compatible with the final technical specifications of Transport Canada. NHTSA plans to take action on the IIHS petition now that the Canadian NPRM is published. Proceeding is significant because of the importance of keeping pace with the Canadian action.

Timetable:

Action	Date	FR Cite
NPRM	03/24/87	52 FR 9316
NPRM Comment Period End	05/08/87	52 FR 9316
SNPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Ralph J. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh St., SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AB92

1879. ● + PASSENGER AUTOMOBILE AVERAGE FUEL ECONOMY STANDARD

Significance: Agency Priority

Legal Authority: 15 USC 2002

CFR Citation: 49 CFR 531.5

Legal Deadline: None.

Abstract: Mercedes Benz of North America, Inc., and General Motors Corporation have petitioned for retroactive amendment of passenger automobile corporate average fuel economy standards for Model Years (MY) 1984 and 1985 and for MY 1985, respectively. This action will consider the arguments set forth in the petitions and take appropriate further action. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Orron E. Kee, Chief, Motor Vehicle Requirements Division, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, **202 366-0846**

RIN: 2127-AC33

1880. REVIEW: SCHOOLBUS SEATING SYSTEMS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.222

Legal Deadline: None.

Abstract: This regulation was selected for review because of public interest.

Timetable:

Action	Date	FR Cite
Begin Review	06/01/85	
End Review	06/00/88	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-1574**

RIN: 2127-AA65

1881. REVIEW: SEATING SYSTEMS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1407

CFR Citation: 49 CFR 571.207

Legal Deadline: None.

Abstract: This regulation was selected for review because of costs.

Timetable:

Action	Date	FR Cite
Begin Review	05/01/86	
Preliminary evaluation report published	02/10/87	52 FR 4818
End Review	04/00/88	

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-1574**

RIN: 2127-AA69

1882. REVIEW: LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1407

CFR Citation: 49 CFR 571.108

Legal Deadline: None.

Abstract: The standard requires passenger cars sold after Oct. 1, 1985 to be equipped with center high-mounted stop lamps. The evaluation will determine the reduction of rear-impact collisions that occurred after the lamps were introduced in the vehicle fleet, as well as the cost of the lamps.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/85	
Preliminary evaluation report published	03/20/87	52 FR 9609
Interim Report	12/01/88	
End Review	10/01/89	

DOT—NHTSA **Prerule Stage**

Small Entity: Undetermined

Additional Information: The preliminary evaluation report indicated that cars equipped with center high-mounted stop lamps were 22 percent less likely to be struck in the rear while braking than cars without the lamps.

Agency Contact: Frank G. Ephraim, Director, Office of Standards Evaluation, Department of Transportation, National Highway Traffic Safety Administration, NPP-10, 400 Seventh Street, SW, Washington, DC 20590, 202 366-1574

RIN: 2127-AB76

1883. REVIEW: IMPACT PROTECTION FOR THE DRIVER FROM THE STEERING CONTROL SYSTEM

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1407

CFR Citation: 49 CFR 571.203

Legal Deadline: None.

Abstract: This review involves detailed quantitative analysis of factors limiting the performance of energy-absorbing steering assemblies in cars and an evaluation of the assemblies' fatality and injury reduction in light trucks.

Timetable:

Action	Date	FR Cite
Begin Review	06/01/86	
End Review	12/31/89	

Small Entity: Undetermined

Agency Contact: Frank G. Ephraim, Director, Office of Standards Evaluation, Department of Transportation, National Highway Traffic Safety Administration, NNP-10, 400 Seventh Street, SW, Washington, DC 20590, 202 366-1574

RIN: 2127-AB78

1884. REVIEW ROOF CRUSH RESISTANCE

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1407

CFR Citation: 49 CFR 571.216

Legal Deadline: None.

Abstract: This program was selected for review because of costs. The evaluation will study the effect of roof crush strength on the crashworthiness of passenger cars in rollover crashes.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/87	
End Review	12/31/88	

Small Entity: No

Analysis: Regulatory Evaluation 12/31/88

Agency Contact: Frank Ephraim, Director, Office of Standards Evaluation, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, 202 366-1574

RIN: 2127-AC20

1885. FLAMMABILITY OF SCHOOL BUS INTERIOR MATERIALS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Legal Deadline: None.

Abstract: Would utilize guidelines prescribed by UMTA to define flammability characteristics of school bus interior materials.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Yes

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AA44

1886. CONSUMER INFORMATION - WET STOPPING DISTANCE

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 575.105

Legal Deadline: None.

Abstract: Would develop a new rule for consumer information if tests indicate that there are significant differences in wet stopping distances among different models of cars on asphalt or concrete road surfaces.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: No test data has been developed that reliably compares stopping distances between different models of cars on wet pavement.

Agency Contact: Orron Kee, Chief, Motor Vehicle Requirements Division, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0846

RIN: 2127-AA56

1887. OCCUPANT PROTECTION IN INTERIOR IMPACT

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1407

CFR Citation: 49 CFR 571.201

Legal Deadline: None.

Abstract: This standard, which is applicable to passenger cars, light trucks and buses, and multipurpose passenger vehicles, includes requirements for padded instrument panels, seat backs, sun visors and arm rests. Its purpose is to provide impact protection for occupants. This regulation was selected for review because of costs, safety benefits, and public interest.

Timetable:

Action	Date	FR Cite
Begin Review	01/01/86	
End Review	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-1574

RIN: 2127-AB16

1888. FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 301 - FUEL-SYSTEM INTEGRITY

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1403; 15 USC 1407

DOT—NHTSA

Prerule Stage

CFR Citation: 49 CFR 571.301

Legal Deadline: None.

Abstract: This standard, which is applicable to passenger cars, light trucks, and school buses, specifies requirements for the integrity of motor vehicle fuel systems. The purpose of the standard is to reduce deaths and injuries caused by fires which result from fuel spillage after motor vehicle crashes. This evaluation follows up and expands on a prior study on passenger cars which showed that, while the regulation was effective in preventing deaths and injuries, the incidence of crash fires appeared to be increasing. This evaluation will also provide the initial assessment of the regulation as it applies to light trucks.

Timetable:

Action	Date	FR Cite
End Review	09/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 09/00/88

Agency Contact: Frank Ephraim, Director, Office of Program Evaluation, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-1574**

RIN: 2127-AB43

1889. OCCUPANT CRASH PROTECTION: DYNAMIC-TESTING PETITION

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.208

Legal Deadline: None.

Abstract: The American Seat Belt Council petitioned the agency to amend Standard No. 208 to require that automatic belts and dynamically tested manual belts meet the webbing requirements of Standard No. 209. NHTSA is currently reviewing the petition, to consider appropriate action.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Analysis: Evaluation type to be determined

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, NRM-10 400 Seventh St., SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AC00

1890. NON-PNEUMATIC TIRES FOR PASSENGER CARS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.109

Legal Deadline: None.

Abstract: Based on a petition, the agency is considering creation of a new standard for temporary-use non-pneumatic spare tires. At the present time Federal Motor Vehicle Safety Standard No. 110 prohibits the use of non-pneumatic tires.

Timetable:

Action	Date	FR Cite
Request for Comments	09/23/87	52 FR 35740
Comment Period End	12/22/87	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AC18

1891. ● BUMPER STANDARD

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 581; 49 CFR 582

Legal Deadline: None.

Abstract: Consumers Union has petitioned to restore the bumper-damage criteria to the 1982 protection level of 5mph or, if this is not possible, to require automobile dealers to provide repair cost and insurance premium information related to the bumper systems on the passenger cars that they sell. The agency has completed and published a study on the cost effects and consumer interest in bumper-damageability standards. The agency will now consider the arguments set forth in the petition and take appropriate further action.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Orron Kee, Chief, Motor Vehicle Requirements Division, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, **202 366-0846**

RIN: 2127-AC29

1892. ● BUMPER STANDARD

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 581

Legal Deadline: None.

Abstract: Subaru of America has petitioned to modify the test conditions for bumper compliance testing so that vehicles with variable height suspension would be tested at the normal, unraised height position. This action will consider the arguments set forth in the petition and take appropriate further action.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Orron E. Kee, Chief, Motor Vehicle Requirements Divison, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, **202 366-0846**

RIN: 2127-AC30

1893. ● CONSUMER INFORMATION - UNIFORM TIRE-QUALITY GRADING STANDARDS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1407; 15 USC 1421; 15 USC 1423

CFR Citation: 49 CFR 575.104(d)(1)(i)(B)(2)

Legal Deadline: None.

DOT—NHTSA **Prerule Stage**

Abstract: The Rubber Manufacturers Association has petitioned to eliminate the requirement for tire tread labels for tire quality grading information. This action will consider the arguments set forth in the petition and take appropriate further action.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Orron E. Kee, Chief, Motor Vehicle Requirements Division, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, **202 366-0846**

RIN: 2127-AC31

DEPARTMENT OF TRANSPORTATION (DOT)
National Highway Traffic Safety Administration (NHTSA)

Proposed Rule Stage

1894. + CRASHWORTHINESS RATINGS

Significance: Regulatory Program

Legal Authority: 15 USC 1401; 15 USC 1941

CFR Citation: 49 CFR Chapter 5

Legal Deadline: None.

Abstract: Ratings: Would require manufacturers to disseminate crashworthiness performance information concerning their cars to the public, to provide consumers with comparative information on the crashworthiness performance of new car models. This rulemaking is considered significant because of the impact on manufacturers, the interest shown by consumers, and the potential significant effects on the automotive marketplace.

Timetable:

Action	Date	FR Cite
NPRM	01/22/81	46 FR 7025

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 79-17. NPRM, Notice 1. Comment due date extended to October 22, 1981 by notice published April 2, 1981 (46 FR 19947; Notice 2).

Analysis: Regulatory Impact Analysis

Agency Contact: Charles Gauthier, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4805**

RIN: 2127-AA03

1895. + COMMERCIAL VEHICLE CONSPICUITY

Significance: Regulatory Program

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Legal Deadline: None.

Abstract: Would improve the conspicuity of commercial vehicles by establishing in FMVSS 108 performance requirements for the total lighting and marking system of commercial vehicles (excluding headlights).

Timetable:

Action	Date	FR Cite
ANPRM	05/27/80	45 FR 35405
Request for Comments	09/18/87	52 FR 35345
Comment Period End	11/30/87	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 80-9.

Research underway.

Analysis: Regulatory Flexibility Analysis

Agency Contact: M. Finkelstein, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-1537**

RIN: 2127-AA12

1896. + TRUCK REAR UNDERRIDE PROTECTION

Significance: Regulatory Program

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Legal Deadline: None.

Abstract: Would require protective devices to reduce vehicle penetration under the rear ends of heavy trucks and trailers (without resulting in overly severe forces being transmitted to restrained and unrestrained occupants in vehicles that crash into the devices).

Timetable:

Action	Date	FR Cite
NPRM	01/08/81	46 FR 2136

Next Action Undetermined

Small Entity: Undetermined

Additional Information: Docket No. 1-11. NPRM, Notice 8.

Research underway.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AA43

1897. + PEDESTRIAN PROTECTION

Significance: Regulatory Program

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Legal Deadline: None.

Abstract: Would reduce adult pedestrian leg injuries and child injuries through modification of the vehicle bumper area.

Timetable:

Action	Date	FR Cite
NPRM	01/22/81	46 FR 7015

Next Action Undetermined

Small Entity: Yes

Additional Information: Docket No. 78-19. NPRM, Notice 1. Research underway.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AA45

1898. + ANTHROPOMORPHIC TEST DUMMIES: SIDE-IMPACT THORAX PROTECTION

Significance: Regulatory Program

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 572

Legal Deadline: None.

Abstract: Would provide performance criteria for the adult surrogate dummies which would be required in dynamic testing of vehicles if Standard 214, Side Door Strength, is upgraded.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AA48

1899. + UNIFORM TIRE QUALITY GRADING STANDARDS - TREADWEAR AMENDMENTS

Significance: Regulatory Program

Legal Authority: 15 USC 1423

CFR Citation: 49 CFR 575

Legal Deadline: None.

Abstract: Would amend treadwear grading procedures of the Uniform Tire Quality Grading Standards to assure greater reliability of grading information for consumers. Test procedures would be amended to reduce variability. This regulation is significant because it involves important departmental policy.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
NPRM Comment Period End	11/00/88	

Small Entity: No

Analysis: Preliminary Regulatory Evaluation 09/00/88

Agency Contact: Orron Kee, Chief, Motor Vehicle Requirements Div., Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0846

RIN: 2127-AB21

1900. + SIDE-IMPACT PROTECTION: THORAX PROTECTION

Significance: Regulatory Program

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.214

Legal Deadline: None.

Abstract: Would propose amending the current standard to upgrade thoracic protection in passenger-car side impacts.

Timetable:

Action	Date	FR Cite
NPRM	01/27/88	53 FR 2239
NPRM Comment Period End	10/24/88	53 FR 2239

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AB86

1901. + HEAVY DUTY VEHICLE BRAKE SYSTEMS (FORMERLY TRUCK AND TRAILER BRAKE SYSTEMS)

Significance: Agency Priority

Legal Authority: 15 USC 1392 National Traffic & Motor Vehicle Safety Act of 1966; 15 USC 1407 National Traffic & Motor Vehicle Safety Act of 1966

CFR Citation: 49 CFR 571.121; 49 CFR 571.105

Legal Deadline: None.

Abstract: Would establish a new brake standard for all trucks, buses and trailers with a Gross Vehicle Weight Rating (GVWR) over 10,000 pounds. This standard would replace Standard No. 121, Air Brake Systems, and that portion of Standard No. 105, Hydraulic Brake Systems, that applies to vehicles with a GVWR over 10,000 pounds. It would also establish new requirements for heavy trailers having other than air-actuated brakes. In developing the standard, the agency will consider compatibility with international regulations. Research programs in support of this new standard and possible future upgradings of the standard will investigate such long-term advanced braking system concepts as antilock systems, automatic brake adjustors, load-sensing proportioning values, air driers, and retarders for heavy trucks, buses, and trailers. This rule is considered significant because of the level of public and Congressional interest. It is necessary to prevent and reduce the severity of accidents involving heavy vehicles by providing increased accident avoidance capability.

Timetable:

Action	Date	FR Cite
ANPRM	02/15/79	44 FR 9783
ANPRM	02/28/80	45 FR 13155

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 79-03. ANPRM, Notice 1; Second ANPRM, Notice 3.

Research underway.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AA00

1902. + VEHICLE CLASSIFICATION

Significance: Agency Priority

Legal Authority: 15 USC 1392; 15 USC 1407; 15 USC 2001

CFR Citation: 49 CFR 571

Legal Deadline: None.

Abstract: In response to a petition for rulemaking, the advance notice invites comment on possible amendments to the regulation with respect to the manner in which light trucks, vans, multipurpose vehicles, and certain other vehicles are classified. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	10/28/87	52 FR 208
ANPRM Comment Period End	01/18/88	52 FR 208
NPRM	08/00/88	

Small Entity: No

Agency Contact: Deborah Parker, Department of Transportation, National Highway Traffic Safety Administration,

400 Seventh Street, SW, Washington, DC 20590, 202 366-4931

RIN: 2127-AA57

1903. + VOLUNTARY TIRE REGISTRATION

Significance: Agency Priority

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1407; 15 USC 1418; 15 USC 1421

CFR Citation: 49 CFR 574

Legal Deadline: None.

Abstract: This regulation requires that independent tire dealers provide customers with a card to register newly purchased tires so that the customer may send in the completed card. These dealers were formerly required to register the tires for the customer, a requirement which has been retained for manufacturer-owned stores. The Motor Vehicle Safety and Cost Savings Authorization Act of 1982 requires that an evaluation be conducted. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
Begin Review	07/01/83	
Prelim. Evaluation Report Published	09/27/85	50 FR 188
ANPRM	12/23/86	51 FR 45916
ANPRM Comment Period End	02/06/87	51 FR 45916

Next Action Undetermined

Small Entity: No

Agency Contact: Frank Ephraim, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-1574

RIN: 2127-AB18

1904. + HEAVY TRAILER STABILITY

Significance: Agency Priority

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Legal Deadline: None.

Abstract: In response to a petition for rulemaking, the agency is proposing a new regulation to add a requirement that 102-inch wide trailers be equipped with axle tracks having a minimum axle width of 77 inches. An advanced notice of proposed rulemaking seeking comments on the safety issue raised by the petition was published on May 22, 1984 (49 FR 21551). This rulemaking is significant because of the possible substantial impact on the industry and because it is a joint venture involving two operating administrations.

Timetable:

Action	Date	FR Cite
ANPRM	05/22/84	49 FR 21551
ANPRM Comment Period End	08/20/84	49 FR 21551

Next Action Undetermined

Small Entity: Yes

Additional Information: This regulation is a joint endeavor of NHTSA and the Bureau of Motor Carrier Safety (BMCS). A departmental task force was formed in February 1985 to analyze the economic issues associated with this undertaking. Thus, further public action awaits the results of the task-force analysis, which are anticipated in 1988.

Analysis: To Be Determined

Agency Contact: Ralph J. Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AB42

1905. + OCCUPANT CRASH PROTECTION

Significance: Agency Priority

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.208

Legal Deadline: None.

Abstract: ANPRM requested comments on proposing an amendment to Standard No. 208, Occupant Crash Protection, to require Type 2 safety belts in the outboard seating positions in the rear seats of passenger cars and MPVs and trucks with GVWR of 10,000 pounds or less. This action is significant because of the recent NTSB report on lap-belt injuries and resultant public interest expected.

Timetable:

Action	Date	FR Cite
ANPRM	06/16/87	52 FR 22818
ANPRM Comment Period End	07/31/87	52 FR 22818

Next Action Undetermined

Small Entity: Undetermined

Analysis: Regulatory Impact Analysis 00/00/00

Agency Contact: Ralph J. Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, NRM-10, 400 Seventh St., SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AB91

1906. + HEAD RESTRAINTS

Significance: Agency Priority

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.202

Legal Deadline: None.

Abstract: Petition for rulemaking to require head restraints on vehicles other than passenger cars. NHTSA is currently reviewing the petition, to determine appropriate action.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Analysis: Regulatory Impact Analysis

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, NRM-10 400 Seventh St., SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC06

1907. ● + FEDERAL MOTOR VEHICLE SAFETY STANDARD (FMVSS) NO. 208, OCCUPANT CRASH PROTECTION - CHEST INJURY CRITERIA

Significance: Agency Priority

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.208

Legal Deadline: None.

Abstract: The intention is to upgrade the chest-deflection injury criteria for unrestrained occupants when vehicles are tested for Federal Motor Vehicle Safety Standard (FMVSS) No. 208 compliance with the Hybrid III Dummy. The Final Rule stated that the agency will have to resolve this issue by September 1, 1990. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC34

1908. PASSENGER-CAR BRAKE SYSTEMS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.105

Legal Deadline: None.

Abstract: Would propose a New Standard No. 135. "Passenger Car Brake System," which would replace Standard No. 105, "Hydraulic Brake System," as it applies to that vehicle type. New Standard would differ from the existing one primarily in that it contains a revised and shortened test procedure based on a draft harmonized international procedure developed by the United Nations Economic Commission for Europe (ECE).

Timetable:

Action	Date	FR Cite
NPRM	05/10/85	50 FR 19744
Extended comment period to 01/13/86	09/17/85	50 FR 37702
NPRM Comment Period End	10/07/85	50 FR 19744
SNPRM	01/14/87	52 FR 1474
SNPRM Comment Period End	10/13/87	
SECOND SNPRM	08/00/88	

Small Entity: No

Additional Information: Docket No. 85-06.

Agency Contact: R. Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AA13

1909. REARVIEW MIRROR SYSTEMS: HEAVY VEHICLES

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.111

Legal Deadline: None.

Abstract: Would amend FMVSS No. 111 to improve mirror systems for trucks, buses and multipurpose passenger vehicles with a GVWR over 10,000 pounds.

Timetable:

Action	Date	FR Cite
NPRM	11/06/78	43 FR 51657

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 71-3a. NPRM, Notice 4.

Research underway.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AA21

1910. REARVIEW MIRROR SYSTEMS: LIGHT VEHICLES

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.111

Legal Deadline: None.

Abstract: Would amend Federal Motor Vehicle Safety Standard No. 111 to improve mirror systems for trucks, buses, and multipurpose passenger vehicles with a GVWR of 10,000 pounds or less.

Timetable:

Action	Date	FR Cite
NPRM	11/06/78	43 FR 51657

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 71-3a. NPRM, Notice 4.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AA23

1911. AIR-BRAKE SYSTEMS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.121

Legal Deadline: None.

Abstract: Would revise the requirements in Standard No. 121 for parking and emergency brake functions for trailers. Based on comments to NPRM of 07/23/81 (46 FR 37952) a new NPRM may be deemed necessary.

Timetable:

Action	Date	FR Cite
NPRM	07/23/81	46 FR 37952

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 79-03. NPRM, Notice 5.

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AA27

1912. PROCEDURES FOR CONSIDERING ENVIRONMENTAL IMPACTS

Significance: Nonsignificant

Legal Authority: 42 USC 4321 et seq (National Environmental Policy Act-NEPA)

CFR Citation: 49 CFR 520

Legal Deadline: None.

Abstract: NHTSA's regulation will be reviewed and reissued, as necessary, where it conflicts with or is duplicative of the regulations of Council on Environmental Quality (CEQ), 40 CFR

Parts 1500-1508, and with DOT Order 5610.1C, each of which implements the National Environmental Policy Act (NEPA), 42 USC 4321, et seq.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Agency Contact: Kathleen C. DeMeter, Ass't Chief Counsel for General Law, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-1834

RIN: 2127-AB79

1913. VOLUNTARY VEHICLE IDENTIFICATION STANDARD (THEFT PREVENTION STANDARD)

Significance: Nonsignificant

Legal Authority: 15 USC 2033

CFR Citation: 49 CFR to be determined

Legal Deadline: None.

Abstract: NHTSA will promulgate a voluntary vehicle identification standard under which any person may elect to inscribe or affix an identifying number or symbol on major parts of any motor vehicle manufactured or owned by such person for purposes of section 511 of Title 18, United States Code, and related provisions. Compliance with this standard shall not relieve any manufacturer of motor vehicles from compliance with the requirements of the Federal motor vehicle theft prevention standard (49 CFR Part 541), or any other applicable regulation. This rulemaking supplements the statutory requirement of 15 USC 2033 by allowing consumers to protect their vehicles and parts by identifying them.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: Not Applicable

Agency Contact: Barbara Kurtz, Senior Program Analyst, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, NRM-20, 400 Seventh St., SW, Washington, DC 20590, 202 366-4808

RIN: 2127-AB93

1914. ANTHROPOMORPHIC TEST DUMMIES REPRESENTING CHILDREN

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 572

Legal Deadline: None.

Abstract: Would update the specifications of Part 572 covering the three-year-old child dummy to allow optional use of new accelerometers and a new head design.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AB94

1915. GLAZING MATERIALS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.205

Legal Deadline: None.

Abstract: Possible amendment to Standard No. 205, Glazing Materials, to require markings remain visible when glazing is installed in vehicles.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, NRM-10, 400 Seventh St., SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AB98

1916. ANTHROPOMORPHIC TEST DUMMIES REPRESENTING CHILDREN

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 572

Legal Deadline: None.

Abstract: Would add the specifications covering the 6-year-old child dummy to Part 572 to allow its use in evaluation of child restraints designated for older children.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC09

1917. ANTHROPOMORPHIC TEST DUMMIES REPRESENTING CHILDREN

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 572

Legal Deadline: None.

Abstract: Would add the specification covering the 9-month-old child test dummy to Part 572 to allow its use in evaluation of restraints designated for infants and small toddlers.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC10

1918. SUPPLEMENTAL FMVSS NO. 208 INJURY CRITERIA - FACIAL LACERATIONS, NECK INJURY, KNEE SHEAR, TIBIA AND ANKLE INJURIES

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.208

Legal Deadline: None.

Abstract: The intention to apply in Federal Motor Vehicle Safety Standard No. 208 rulemaking additional injury criteria in order to prevent facial lacerations, neck injury, knee shear, tibia, and ankle trauma was announced in Notice 39 Docket 74-14. The final rule (Notice 40) stated that the agency will issue another Notice on the additional injury criteria to gain additional information about the potential effects of adopting these criteria. Alternatives and potential costs were addressed in Notice 39.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC12

1919. MANDATORY USE OF THE PART 572(E) DUMMY IN FMVSS 208 COMPLIANCE TESTING

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.208

Legal Deadline: None.

Abstract: Petitions for reconsideration have raised the question of whether the Part 572(E) dummy's chest deflection limit of 2 in. is appropriate for belt restraints. The rulemaking will address the petitioner's issues.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC13

1920. FEDERAL MOTOR VEHICLE SAFETY STANDARDS NO. 205, GLAZING MATERIALS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.205

Legal Deadline: None.

Abstract: Based on a petition, would amend Federal Motor Vehicle Safety Standard No. 205, Glazing Materials, to revise the ball drop test (Test 12) for glass-plastic glazing. NHTSA is evaluating the petition.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC14

1921. FEDERAL MOTOR-VEHICLE SAFETY STANDARD NO. 221, SCHOOLBUS BODY JOINT STRENGTH

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1407

CFR Citation: 49 CFR 571.221

Legal Deadline: None.

Abstract: Requests comments on three items, all related to FMVSS No. 221 Schoolbus Body Joint Strength. These are: (a) possible new standard requiring minimum floor strength for large school buses over 10,000 lbs. GVWR, (b) revision of exemption provision for maintenance access panels, and (c) revision of test procedures of FMVSS No. 221.

Timetable:

Action	Date	FR Cite
ANPRM	06/15/87	52 FR 23314
ANPRM Comment Period End	08/03/87	52 FR 23314
Comment Period Extended to	10/15/87	52 FR 29873
NPRM	10/00/88	

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC19

1922. GEAR LOCK; THEFT PROTECTION

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.114

Legal Deadline: None.

Abstract: An amendment to Federal Motor Vehicle Safety Standard (FMVSS) No. 114 to prevent the inadvertent knocking out of gear of the gear shift lever and potential accidents, injuries and fatalities from vehicles rolling out of control. This amendment is in response to a petition for rulemaking relating to an inadvertent knock-out-of-gear accident resulting in a fatality. In addition, FMVSS 114 is proposed to be amended to insure that, if a steering column locking device is employed, the device cannot be activated until the key is removed and the vehicle must be in park on automatic transmission to remove the key and either reverse or first gear for manual transmissions.

Timetable:

Action	Date	FR Cite
NPRM	04/05/88	53 FR 11105
NPRM Comment Period End	05/20/88	

Small Entity: No

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC24

1923. ● INSURER REPORTING REQUIREMENTS

Significance: Nonsignificant

Legal Authority: 15 USC 2032

CFR Citation: 49 CFR 544

Legal Deadline: None.

DOT—NHTSA **Proposed Rule Stage**

Abstract: Section 612(a)(4) of the Motor Vehicle Information and Cost Savings Act provides that NHTSA shall exempt from the reporting requirements of 49 CFR 544 any insurer (rentals or leasing company) that can establish to the agency that the cost of preparing and furnishing the report is excessive in relation to the size of the business of the insurer, and that the insurer's report will not significantly contribute to carrying out the purposes of Title VI. The Preamble to 49 CFR 544 provides instructions to rental or leasing companies wishing to be exempted from the reporting requirements. This is a one-time only exemption, and is not provided for in the Final Rule.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Barbara Kurtz, Program Analyst, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, 202 366-4808

RIN: 2127-AC32

1924. ● FEDERAL MOTOR VEHICLE SAFETY STANDARD (FMVSS) NO. 208, OCCUPANT CRASH PROTECTION

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.208

Legal Deadline: None.

Abstract: Motor Vehicle Manufacturer's Association (MVMA) petitioned to amend Federal Motor Vehicle Safety Standard (FMVSS) No. 208, Occupant Crash Protection, to require that height-adjustable seats, and other adjustable seat features such as lumbar supports, be placed in the nominal design riding position specified by the manufacturer.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Not Applicable

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC36

1925. ● FEDERAL MOTOR VEHICLE SAFETY STANDARD (FMVSS) NO. 205, GLAZING MATERIALS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.205

Legal Deadline: None.

Abstract: The Taliq Corporation of Sunnyvale, CA, petitioned the agency to create a new category of glass-plastic glazing, AS-15. This proposed glazing would consist of a layer of tempered glass and a layer of plastic with the tempered glass layer on the outside surface when installed in the vehicle. This glazing would be permitted only in vehicle locations not requisite for driving visibility.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
NPRM Comment Period End	03/00/89	

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC38

DEPARTMENT OF TRANSPORTATION (DOT)
National Highway Traffic Safety Administration (NHTSA)

Final Rule Stage

1926. + SPLASH AND SPRAY SUPPRESSION DEVICES

Significance: Regulatory Program

Legal Authority: 49 USC 2314

CFR Citation: 49 CFR 583

Legal Deadline: None. Standard for new vehicles is now required to take effect one year after final rule is published.

Abstract: In accordance with the mandate of section 414 of the Surface Transportation Assistance Act of 1982, would establish minimum standards with respect to the performance of splash and spray suppression devices on truck tractors, semitrailers and trailers. Would also establish minimum standards with respect to the installation of splash and spray suppression devices on new vehicles. This regulation is significant because it is potentially controversial.

Timetable:

Action	Date	FR Cite
NPRM	04/12/85	50 FR 14632
NPRM Comment Period Extended	02/13/86	51 FR 5383
NPRM Comment Period End	04/14/86	51 FR 5383
Request for comment and Notice of Public Meetings	09/28/87	52 FR 36285
Comment Period End	11/27/87	
Final Action	04/00/88	

Small Entity: Yes

Additional Information: NHTSA's rulemaking would only affect new vehicles and equipment. However, section 414 of the Surface Transportation Assistance Act also mandates that the Department of Transportation establish minimum standards with respect to the installation of splash and spray devices for vehicles already in service. The Federal Highway Administration will conduct the rulemaking to satisfy that mandate. The Federal Highway Administration has classified its rulemaking as major. The costs of that rulemaking are expected to be much greater than NHTSA's rulemaking since (1) the population of vehicles in service is many times the annual production of new trucks, (2) a truck manufacturer will pay less per unit for each splash

and spray suppression device when ordered in large quantities, and (3) the labor time to install the devices is far less for a new truck manufacturer, since it can be done at the assembly plant. In 1984, the Surface Transportation Assistance Act was amended to change the implementation date from 1/1/85, for new vehicles and 1/1/88, for vehicles in service, to one year after publication of the Final Rule for new vehicles & 3 years later for vehicles in service.

Analysis: Preliminary Regulatory Evaluation 04/12/85 (50 FR 14632)

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AA97

1927. + POST-1986 PASSENGER CAR FUEL-ECONOMY STANDARDS

Significance: Regulatory Program

Legal Authority: 15 USC 2002

CFR Citation: 49 CFR 531

Legal Deadline: Statutory, September 1, 1988. Amendments reducing the fuel economy standard for a particular model year are required to be made by the beginning of a model year.

Abstract: General Motors (GM) and Ford have petitioned for reduction of the passenger car average fuel economy standards for Model Year 1986 and beyond. The Center for Auto Safety and the Environmental Policy Institute petitioned to raise the standards for Model Years 1987 through 1990. All of these petitions were addressed in rulemakings which reduced the standard from 27.5 miles per gallon (mpg) to 26.0 mpg for Model Years 1986 through 1988 (10/06/86, 51 FR 35594). Further rulemaking action, for Model Years 1989 and beyond, is undetermined at this time, pending potential legislative action to repeal or amend the CAFE legislation.

Timetable:

Action	Date	FR Cite
NPRM	01/22/86	51 FR 2912
NPRM Comment Period End	03/24/86	51 FR 2912
SNPRM	07/30/86	51 FR 27224

Next Action Undetermined

Small Entity: No

Agency Contact: Orron Kee, Chief, Motor Vehicle Requirements Div., Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0846**

RIN: 2127-AB75

1928. + FEDERAL MOTOR VEHICLE SAFETY STANDARD NO. 222; SCHOOLBUS SEATING AND CRASH PROTECTION

Significance: Agency Priority

Legal Authority: 15 USC 1392; 15 USC 1401; 15 USC 1407

CFR Citation: 49 CFR 571.222

Legal Deadline: None.

Abstract: Would amend Federal Motor Vehicle Safety Standard No. 222, School Bus Passenger Seating and Crash Protection, to set requirements for safety belts when belts are voluntarily installed on school buses having gross vehicle weight ratings greater than 10,000 pounds. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	10/10/85	50 FR 41368
NPRM Comment Period End	11/25/85	50 FR 41368

Next Action Undetermined

Small Entity: No

Additional Information: Notice grants a petition for rulemaking submitted by the Wayne Corporation and proposes an amendment to Federal Motor Vehicle Safety Standard No. 222. Previous title: Federal Motor Vehicle Safety Standards; Schoolbus Passenger Seating and Crash Protection.

Analysis: Regulatory Impact Analysis

Agency Contact: Robert Williams, Department of Transportation, National Highway Traffic Safety Administration, NRM-12, 400 Seventh Steet, SW, Washington, DC 20590, **202 366-4919**

RIN: 2127-AB84

1929. SEATING REFERENCE POINT/MOTOR VEHICLE DRIVER'S EYE RANGE

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571

Legal Deadline: None.

Abstract: Would update the definition of Seating Reference Point to incorporate latest industry practices.

Timetable:

Action	Date	FR Cite
ANPRM	03/08/82	47 FR 9865
NPRM	06/05/86	51 FR 20536
NPRM Comment Period End	08/04/86	51 FR 20536
Final Action	06/00/88	

Small Entity: No

Additional Information: Docket No. 82-05.

Analysis: Regulation Evaluation (Minimal) 06/05/86 (51 FR 20536)

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AA46

1930. REARVIEW MIRRORS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.111

Legal Deadline: None.

Abstract: This proposal would amend Federal Motor Vehicle Safety Standard No. 111 by establishing requirements for passenger cars to: a) reduce the blind areas by upgrading mirror visibility using improved compliance testing procedures, b) upgrade occupant protection requirements and add pedestrian protection requirements using shatter-resistant and breakaway or foldaway tests, c) set specifications for day-night reflectance requirements to reduce headlight glare, d) set specifications for convex mirror quality and use, and e) minimize obstruction of the forward view by establishing mirror location specifications. Final Rule to permit use of passenger side convex mirrors published. Final Rule responding to petitions and clarifying 1982 Final Rule published.

DOT—NHTSA **Final Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	11/06/78	43 FR 51657
Final Action to permit use of passenger side convex mirrors published	09/02/82	47 FR 38698
Final Action responding to petitions and clarifying 1982 FR published	08/26/83	48 FR 38842

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. 71-3a. NPRM, Notice 4; FR, Notice 6; FR, Notice 7.

Action to be terminated with respect to other issues not enumerated in the Abstract.

Agency Contact: R. Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AA88

1931. SEAT-BELT-ASSEMBLY ANCHORAGES

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.210

Legal Deadline: None.

Abstract: Proposes amending Standard No. 210 to harmonize the strength of the anchorage test with the United Nations Economic Commission for Europe (ECE) Regulation No. 14 and to upgrade other requirements and clarify language.

Timetable:

Action	Date	FR Cite
NPRM	02/03/87	52 FR 3293
NPRM Comment Period End	04/06/87	52 FR 3293
Final Action	09/00/88	

Small Entity: No

Analysis: Evaluation type to be determined

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AA95

1932. AIR-BRAKE SYSTEMS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.121

Legal Deadline: None.

Abstract: Would amend the brake application and release timing requirements and test devices in Federal Motor Vehicle Safety Standard No. 121 in order to better simulate the real-world performance with respect to towing and towed units, especially multitrailer combinations.

Timetable:

Action	Date	FR Cite
NPRM	05/14/85	50 FR 20113
NPRM Comment Period End	06/28/85	50 FR 20113
NPRM Comment Period Extended to 12-30-85	07/01/85	50 FR 27032
Final Action	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation (minimal) 05/14/85 (50 FR 20113)

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AB12

1933. OCCUPANT CRASH PROTECTION

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.208

Legal Deadline: None.

Abstract: Proposes an amendment to standard No. 208, Occupant Crash Protection, to upgrade the safety belt requirements for new trucks, buses, and multipurpose passenger vehicles with a gross vehicle weight rating of more than 10,000 pounds.

Timetable:

Action	Date	FR Cite
NPRM	05/24/85	50 FR 23041
NPRM Comment Period End	07/15/85	
Final Action	04/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation (Minimal) 05/24/85 (50 FR 23041)

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, NRM-10, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AB71

1934. LIGHTING SIMPLIFICATION--POTENTIAL AMENDMENTS TO SIMPLIFY FMVSS 108 LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Legal Deadline: None.

Abstract: Proposes a comprehensive review of headlighting requirements of FMVSS No. 108 which may be simplified, while being consistent with motor-vehicle safety. The agency has concentrated its efforts into five principal areas. The first is the feasibility of a standard directed toward onboard original equipment headlighting performance rather than toward performance of individual aftermarket headlamps in a laboratory environment. The second is the desirability of specifications for headlamp life. The third concerns the necessity of dimensional specifications for headlamp equipment. The fourth is the issue of headlamp aim. The fifth is the elimination of obsolete photometric requirements.

Timetable:

Action	Date	FR Cite
ANPRM	10/22/85	50 FR 42735
ANPRM Comment Period End	03/06/86	51 FR 1542
NPRM	12/29/87	52 FR 49038
NPRM Comment Period End	03/28/88	52 FR 49038
Final Action	10/00/88	

Small Entity: Undetermined

DOT—NHTSA

Final Rule Stage

Additional Information: Docket No. 85-15, Notice 1.

Docket No. 85-15, Notice 2.

Federal Register Notice (51 FR 1542) extended comments period from a closing date of Jan. 21, 1986 to March 6, 1986.

Agency Contact: Ralph Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AB87

1935. CHILD RESTRAINT SYSTEMS -- BUILT-IN CHILD RESTRAINTS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 47 CFR 571.213

Legal Deadline: None.

Abstract: Modify standard no. 213 to allow built-in child restraints and specify performance requirements for these built-in restraints.

Timetable:

Action	Date	FR Cite
NPRM	03/23/87	52 FR 9194
NPRM Comment Period End	05/22/87	
Final Action	04/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, NRM-10, 400 Seventh St., SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AB97

1936. NEW PNEUMATIC TIRES FOR PASSENGER CARS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.109

Legal Deadline: None.

Abstract: Non-substantive amendments to Federal Motor Vehicle Safety Standard No. 109 to add an inflation pressure for reinforced tires. This increase in inflation pressure will be done without an increase in the tire load capacity. This change will allow reinforced tires (extra-load tires) to operate at a higher pressure for safety and optimum vehicle handling. No cost is involved.

Timetable:

Action	Date	FR Cite
NPRM	01/14/88	53 FR 936
NPRM Comment Period End	02/29/88	53 FR 936
Final Action	10/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 10/00/88

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AC16

1937. STANDARD NO. 108, LAMPS, REFLECTIVE DEVICES, AND ASSOCIATED EQUIPMENT

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.108

Legal Deadline: None.

Abstract: Volkswagen of America petitioned to change Federal Motor Vehicle Safety Standard No. 108, Lamps, Reflective Devices, and Associated Equipment to permit an additional standardized replaceable light source for motor vehicle headlamps. The type of light source proposed was that currently used in European headlamps, the type H-4. Review of the merits of the petition found that, as used in Europe, the light source was not capable of achieving the level of performance required of U.S. light sources and NHTSA subsequently proposed a U.S. version to be known as the type HB2, which would have interchangeability and performance aspects compatible with U.S. safety needs. Comments by the U.S. and foreign lighting and vehicle manufacturers led to a supplemental notice.

Timetable:

Action	Date	FR Cite
NPRM	05/13/85	50 FR 19961
NPRM Comment Period End	06/27/85	50 FR 19961
Supplemental NPRM comment period ended 07/14/86	06/13/86	51 FR 21696
Final Action	04/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AC22

1938. POWER-OPERATED WINDOW SYSTEMS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.118

Legal Deadline: None.

Abstract: Amendments are proposed to Federal Motor Vehicle Safety Standard No. 118 to extend applicability of the standard to light trucks to broaden the safety potential, to allow lowering of power windows after the key is removed to provide more consumer convenience without degrading safety, and to change the terminology of the exterior activation device from key-locking to just locking which allows alternative locking systems, such as touch-pad locks.

Timetable:

Action	Date	FR Cite
NPRM	10/16/87	52 FR 38488
NPRM Comment Period End	11/30/87	52 FR 38488
Final Action	06/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AC25

DOT—NHTSA **Final Rule Stage**

1939. MOTOR-VEHICLE BRAKE FLUIDS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.116

Legal Deadline: None.

Abstract: Nonsubstantive amendment to Federal Motor Vehicle Safety Standard No. 116 to allow use of adhesive-type labels on fluid containers. Present standard allows only lithographed or silk-screen type labels directly on surface of containers. The latter type labels are considered more expensive for small-volume lots. No cost is involved.

Timetable:

Action	Date	FR Cite
NPRM	03/30/87	52 FR 10775
NPRM Comment Period End	06/02/87	52 FR 10775
Final Action	06/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St, SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC26

DEPARTMENT OF TRANSPORTATION (DOT) Completed Actions
National Highway Traffic Safety Administration (NHTSA)

1940. + 1990-1991 MODEL YEAR LIGHT-TRUCK FUEL-ECONOMY STANDARDS

Significance: Regulatory Program

Legal Authority: 15 USC 2002

CFR Citation: 49 CFR 533

Legal Deadline: Statutory, April 1, 1988. Light truck fuel economy standards are required to be set at least 18 months prior to the beginning of the model year(s).

Abstract: In accordance with the mandatory requirements of Section 502 (b) of the Motor Vehicle Information and Cost Savings Act, this rulemaking establishes light-truck average fuel-economy standards for Model Years 1990 and 1991.

Timetable:

Action	Date	FR Cite
NPRM	11/12/87	52 FR 43366
NPRM Comment Period End	12/28/87	52 FR 43366
Final Action	04/05/88	53 FR 11074
Final Action Effective	05/05/88	

Small Entity: Not Applicable

Analysis: Regulatory Evaluation 04/05/88

Agency Contact: Orron Kee, Chief, Motor Vehicle Requirements Div., Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, NRM-21 400 Seventh St., SW, Washington, DC 20590, 202 366-4936

RIN: 2127-AC05

1941. + PETITIONS FOR EXEMPTION FROM THE VEHICLE THEFT-PREVENTION STANDARD

Significance: Agency Priority

Legal Authority: 15 USC 2025

CFR Citation: 49 CFR 543

Legal Deadline: None. Statute requires petitions for exemption to be submitted 8 months before start of production of passenger vehicle line.

Abstract: Establishes procedures to be followed by manufacturers in preparing and submitting petitions for exemptions from the vehicle theft-prevention standard. Passenger motor-vehicle manufacturers may petition NHTSA for these exemptions for vehicle lines whose standard equipment includes an antitheft device that is likely to be as effective as compliance with the vehicle theft prevention standard in deterring and reducing vehicle theft. Procedures are also established which the agency will follow in processing these petitions and in reaching determinations on whether they should be granted. These procedures have been issued as an interim final rule for MY 1987 and as a final rule for MY 1988 and beyond.

Timetable:

Action	Date	FR Cite
NPRM	01/07/86	51 FR 715
Interim Final Rule	01/07/86	51 FR 706
NPRM Comment Period End	03/10/86	51 FR 715
Final Action	09/08/87	52 FR 33821
Final Action Effective	09/08/87	52 FR 33821

Small Entity: No

Analysis: Preliminary Regulatory Evaluation 01/07/86 (51 FR 706); Final Regulatory Evaluation 09/08/87 (52 FR 33821)

Agency Contact: Barbara Kurtz, Senior Program Analyst, Office of Market Incentives, Department of Transportation, National Highway Traffic Safety Administration, NRM-20, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4808

RIN: 2127-AB81

1942. + OCCUPANT CRASH PROTECTION: LIGHT-TRUCK SAFETY-BELT DYNAMIC TESTING

Significance: Agency Priority

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.208

Legal Deadline: None.

Abstract: Amends Standard No. 208 to require dynamic testing of manual belts in light-duty trucks.

Timetable:

Action	Date	FR Cite
NPRM	04/12/85	50 FR 14589
NPRM Comment Period End	05/28/85	50 FR 14589
Final Action	11/23/87	52 FR 44898
Final Action Effective	09/01/91	52 FR 44898

Small Entity: Undetermined

Analysis: Regulatory Evaluation 11/23/87 (52 FR 44898)

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, NRM-10

400 Seventh St., SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AC01

1943. STEERING CONTROL REARWARD DISPLACEMENT

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.204

Legal Deadline: None.

Abstract: Extends applicability of the Standard from vehicles with an unloaded weight of 4,000 pounds to vehicles with an unloaded weight of 5,500 pounds.

Timetable:

Action	Date	FR Cite
NPRM	04/04/85	50 FR 13402
NPRM Comment Period End	07/19/85	50 FR 20919
Final Action	11/23/87	52 FR 44893
Final Action Effective	09/01/91	52 FR 44893

Small Entity: No

Analysis: Regulatory Flexibility Analysis; Preliminary Regulatory Evaluation 04/04/85 (50 FR 13402); Final Regulatory Evaluation 11/23/87 (52 FR 44893)

Agency Contact: R. Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AA32

1944. MOTORCYCLE HELMETS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.218

Legal Deadline: None.

Abstract: The proposal adds new headform sizes to Federal Motor Vehicle Safety Standard No. 218.

Timetable:

Action	Date	FR Cite
NPRM	09/27/85	50 FR 39144
NPRM Comment Period End	11/26/85	50 FR 39144
Final Action	04/06/88	53 FR 11280
Final Action Effective	10/03/88	

Small Entity: No

Analysis: Preliminary Regulatory Evaluation 09/27/85 (50 FR 39144)

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AA40

1945. CONSUMER INFORMATION--STOPPING DISTANCE

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 575.101

Legal Deadline: None.

Abstract: Proposed to modify requirements for stopping-distance consumer information. A notice was published approving various alternatives concerning the requirement to provide stopping-distance information. A final rule was issued which deleted the requirement that stopping-distance information be provided to first purchasers of new passenger cars and motorcycles at the time the vehicle is delivered to the first purchaser. The agency took this action because the primary purpose of consumer information is to permit prospective purchasers to obtain as much comparative information as possible before deciding which particular model to buy. Information provided after the consumer has purchased the vehicle cannot serve that purpose.

Timetable:

Action	Date	FR Cite
NPRM	06/30/83	48 FR 30166
NPRM Comment Period End	08/05/83	48 FR 30166
Final Action	07/24/87	52 FR 27806
Final Action Effective	07/24/87	52 FR 27806

Small Entity: No

Additional Information: Docket No. 83-09. NPRM, Notice 1.

Analysis: Regulatory Evaluation 07/24/87 (52 FR 27806)

Agency Contact: Charles Gauthier, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4805**

RIN: 2127-AA50

1946. HYDRAULIC AND AIR BRAKE SYSTEMS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.105; 49 CFR 571.121

Legal Deadline: None.

Abstract: In response to a petition for rulemaking, amends the brake burnish procedures specified for vehicles over 10,000 pounds by Standards No. 105 and No. 121.

Timetable:

Action	Date	FR Cite
NPRM	06/27/83	48 FR 29560
NPRM Comment Period End	08/26/83	48 FR 29560
SNPRM published comment period ended 11/19/85	05/23/85	50 FR 21313
Final Action	03/14/88	53 FR 8190
Final Action Effective	09/12/88	

Small Entity: No

Additional Information: Docket Nos. 70-27 and 83-07. NPRM, Docket No. 70-27, Notice 26; Docket No. 83-07, Notice 1.

Analysis: Regulatory Evaluation (Minimal) 05/23/85 (50 FR 21313)

Agency Contact: R. Hitchcock, Department of Transportation, National Highway Traffic Safety Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AA92

1947. FEDERAL MOTOR-VEHICLE SAFETY STANDARD NO. 208 - OCCUPANT CRASH PROTECTION

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.208

Legal Deadline: None.

Abstract: In response to a petition from the Ford Motor Company to extend the current one car credit (for vehicles equipped with a driver side air bag and a manual lap/shoulder belt at the

passenger side) beyond the phase-in period to allow consolidation of engineering efforts to produce passenger side air bags as well as driver side air bags, an NPRM was issued on November 25, 1986 (51 FR 42598). Responses were favorable and subsequently, on March 30, 1987, a Final Rule (52 FR 10096) was issued permitting the extension of the one car credit, but limited to an additional four years beyond the end of the current phase-in period. Petition for reconsideration denied.

Timetable:

Action	Date	FR Cite
NPRM	11/25/86	51 FR 42598
NPRM Comment Period End	12/26/86	51 FR 42598
Final Action -- Denial of Petition for Reconsideration	11/05/87	52 FR 42440
Final Action Effective	11/05/87	52 FR 42440

Small Entity: Undetermined

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AC11

1948. STANDARD NO. 112, HEADLAMP CONCEALMENT DEVICES

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.112

Legal Deadline: None.

Abstract: Chrysler Corporation petitioned for a change to Federal Motor Vehicle Safety Standard No. 112, Headlamp Concealment Devices. It requested that a requirement, for no light to be projected to the left or above the final position of a headlamp beam during the operation of a concealed headlamp from closed to open or vice versa, be changed to a performance test. Agency review of the petition and standard found that the design restrictive requirement did not appear to solve a significant safety problem. The requirement was deleted rather than amended.

Timetable:

Action	Date	FR Cite
NPRM	02/23/87	52 FR 5474
NPRM Comment Period End	04/09/87	52 FR 5474
Final Action	09/23/87	52 FR 35709
Final Action Effective	10/23/87	52 FR 35709

Small Entity: Undetermined

Analysis: Regulatory Evaluation 09/23/87 (52 FR 35709)

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St, SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AC21

1949. ● FEDERAL MOTOR VEHICLE SAFETY STANDARDS (FMVSS) NOS. 201, OCCUPANT PROTECTION IN INTERIOR IMPACT AND 204, STEERING CONTROL REARWARD DISPLACEMENT

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.201; 49 CFR 571.204

Legal Deadline: None.

Abstract: Mitsubishi Motors Corporation petitioned to exclude vehicles which conform to the frontal barrier crash test requirements (Section 5.1) of Federal Motor Vehicle Safety Standard (FMVSS) No. 208, Occupant Crash Protection, from the requirements of FMVSS No. 201, Occupant Protection in Interior Impacts and FMVSS No. 204, Steering Control Rearward Displacement. Upon consideration, petition was denied.

Timetable:

Action	Date	FR Cite
Petition denied	01/13/88	53 FR 780

Small Entity: Not Applicable

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AC35

1950. ● FEDERAL MOTOR VEHICLE SAFETY STANDARD (FMVSS) NO. 301, FUEL SYSTEM INTEGRITY

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.301

Legal Deadline: None.

Abstract: TUV Rhineland petitioned the agency to use colored water in the fuel systems undergoing compliance crash testing of Federal Motor Vehicle Safety Standard (FMVSS) No. 301, Fuel System Integrity, for safety purposes. Agency review revealed no reason to grant this petition because the petitioner may use any method he chooses and agency experience does not indicate any problems with current practice using Stoddard solvent as a substitute fuel; also, water is not considered a satisfactory substitute.

Timetable:

Action	Date	FR Cite
Action terminated	01/25/88	

Small Entity: Not Applicable

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, **202 366-0842**

RIN: 2127-AC37

1951. ● FEDERAL MOTOR VEHICLE SAFETY STANDARD (FMVSS) NO. 213, CHILD RESTRAINT SYSTEM

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.213

Legal Deadline: None.

Abstract: Mr. Verne L. Freeland petitioned that Federal Motor Vehicle Safety Standard (FMVSS) No. 213, Child Restraint Systems, be amended to permit the installation of built-in child restraint systems in passenger cars. Agency review of the petition concluded that built-in child restraint systems could provide a level of safety at least equal to that provided by add-on child restraint systems and possibly could be easier to use. Accordingly, the agency will permit the use of built-in child restraints.

DOT—NHTSA

Completed Actions

Timetable:

Action	Date	FR Cite
NPRM	03/23/87	52 FR 9194
NPRM Comment Period End	05/22/87	52 FR 9194
Final Action	01/22/88	53 FR 1783
Final Action Effective	01/22/88	53 FR 1783

Small Entity: Not Applicable

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC40

1952. ● FEDERAL MOTOR VEHICLE SAFETY STANDARD (FMVSS) NO. 218, MOTORCYCLE HELMETS

Significance: Nonsignificant

Legal Authority: 15 USC 1392; 15 USC 1407

CFR Citation: 49 CFR 571.218

Legal Deadline: None.

Abstract: Amends Federal Motor Vehicle Safety Standard (FMVSS) No. 218, Motorcycle Helmets, to require that all motorcycle helmets meet the minimum performance requirements in FMVSS 218.

Timetable:

Action	Date	FR Cite
NPRM	09/27/85	50 FR 39144
NPRM Comment Period End	06/26/86	50 FR 39144
Final Action	04/06/88	53 FR 11280
Final Action Effective	10/03/88	

Small Entity: No

Agency Contact: Ralph Hitchcock, Director, Office of Vehicle Safety Standards, Department of Transportation, National Highway Traffic Safety Administration, 400 7th St., SW, Washington, DC 20590, 202 366-0842

RIN: 2127-AC41

DEPARTMENT OF TRANSPORTATION (DOT)

Federal Railroad Administration (FRA)

Prerule Stage

1953. + REVIEW OF RADIO COMMUNICATION

Significance: Agency Priority

Legal Authority: 45 USC 431; 45 USC 437

CFR Citation: 49 CFR 220

Legal Deadline: None.

Abstract: The Agency is engaged in a review of the issue of radio communication in the railroad industry. The review will evaluate possible future courses of action to enhance the safety of railroad operations involving radio communication. This review is considered significant because of public-safety considerations.

Timetable:

Action	Date	FR Cite
Notice of Special Safety Inquiry	11/04/86	51 FR 40101
Public Hearing, Washington, DC 1/27/87 to	01/29/87	

Next Action Undetermined

Small Entity: No

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0897

RIN: 2130-AA34

1954. REVIEW: REGULATORY FLEXIBILITY ACT REVIEWS

Significance: Nonsignificant

Legal Authority: PL 96-354

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: In accordance with the Regulatory Flexibility Act (RFA) review plan published in the Federal Register on June 30, 1981 (46 FR 33693), FRA has not selected any specific regulations for RFA review at this time. Instead, FRA has established a plan to develop regulatory definitions of the criteria used in the RFA for the selection of regulations to be reviewed. A notice was published in the Federal Register on August 3, 1981 (46 FR 39461) initiating a safety inquiry to evaluate the effectiveness of the safety regulatory program as it applies to small railroads.

Timetable:

Action	Date	FR Cite
Review Plan	06/30/81	46 FR 33693
Notice of Safety Inquiry Review	08/03/81	46 FR 39461

Next Action Undetermined

Small Entity: Yes

Agency Contact: Lawrence I. Wagner, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0628

RIN: 2130-AA10

1955. REVIEW OF LOCOMOTIVE CAB SAFETY

Significance: Nonsignificant

Legal Authority: 45 USC 431; 45 USC 437; 45 USC 22; 45 USC 23; 45 USC 28; 45 USC 34

CFR Citation: 49 CFR 229

Legal Deadline: None.

Abstract: The Agency is engaged in a review of the issue of locomotive cab environment. The review will evaluate possible future courses of action to enhance the safety of railroad employees who occupy locomotive cabs.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0897

RIN: 2130-AA32

DOT—FRA

Prerule Stage

1956. REVIEW: SPECIAL SAFETY INQUIRY; POWER BRAKE REGULATIONS

Significance: Nonsignificant

Legal Authority: 45 USC 431; 45 USC 437

CFR Citation: 49 CFR 232

Legal Deadline: None.

Abstract: The inquiry will obtain information to assist in evaluation of the impact of the change in the power brake regulations made in August 1982 in Docket PB-6.

Timetable:

Action	Date	FR Cite
Notice of Special Safety Inquiry	09/03/85	50 FR 35643
Notice of Change of Hearing Date	09/26/85	50 FR 39025
Public Hearing, Washington, D.C.	10/24/85	

Next Action Undetermined

Small Entity: No

Additional Information: Docket RSSI-85-1.

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0897

RIN: 2130-AA40

1957. SAFETY STANDARDS FOR CABOOSES

Significance: Nonsignificant

Legal Authority: 45 USC 431; 45 USC 438

CFR Citation: 49 CFR 237

Legal Deadline: None.

Abstract: The proposed rule would seek to establish comprehensive safety standards for cabooses.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. RSC-76-6

Analysis: Regulatory Evaluation

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0897

RIN: 2130-AA01

1958. AMENDMENTS TO REGULATIONS IMPLEMENTING SECTION 905 OF THE 4R ACT

Significance: Nonsignificant

Legal Authority: PL 94-210

CFR Citation: 49 CFR 265

Legal Deadline: None.

Abstract: This action would amend 49 CFR Part 265 to make changes necessitated by the promulgation of the Department of Transportation's comprehensive Minority Business Enterprise regulation (49 CFR Part 23). Part 265 will be revised to omit those provisions now covered in Part 23.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Evaluation

Agency Contact: William Fashouer, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0621

RIN: 2130-AA04

1959. RULES OF PRACTICE

Significance: Nonsignificant

Legal Authority: PL 96-354

CFR Citation: 49 CFR 211

Legal Deadline: None.

Abstract: Action would amend 49 CFR Part 211 to respond to the provisions of the Regulatory Flexibility Act of 1980 by defining the criteria used by FRA in determining whether any regulatory proposal or final rule will have a significant economic impact on a substantial number of small entities.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Analysis: Regulatory Evaluation 00/00/00

Agency Contact: Lawrence I. Wagner, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0628

RIN: 2130-AA07

1960. SPECIAL SAFETY INQUIRY; RAIL-HIGHWAY GRADE CROSSING SAFETY

Significance: Nonsignificant

Legal Authority: 45 USC 431; 45 USC 437

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: The inquiry will obtain information from the public to assist in evaluating possible future courses of action to enhance public safety at railroad-highway grade crossings.

Timetable:

Action	Date	FR Cite
Notice of Special Safety Inquiry	06/18/84	49 FR 24968
Public Hearing, St. Paul, Minnesota	07/16/84	
Notice of Special Safety Inquiry	12/24/84	49 FR 49961
Public Hearing, Washington, D.C. begins 01/23/85	01/24/85	
Summary Report on Hearings	07/16/85	

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. RSSI - 84-3.

Agency Contact: Philip Olekszyk, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-0897

RIN: 2130-AA27

DEPARTMENT OF TRANSPORTATION (DOT)
Federal Railroad Administration (FRA)

Proposed Rule Stage

1961. + INFORMAL SAFETY INQUIRY AND RULEMAKING; CONTROL OF ALCOHOL AND DRUG USE IN RAILROAD OPERATIONS

Significance: Regulatory Program

Legal Authority: 45 USC 431; 45 USC 438

CFR Citation: 49 CFR 219

Legal Deadline: None.

Abstract: Based on experience derived from the first year of administration of FRA's rule on Control of Alcohol and Drug Use in Railroad Operations, FRA has identified the need for additional capability to detect and control drug use that can impact on the safety of rail transportation. Accordingly, FRA is developing a proposed rule prohibiting any unauthorized use of controlled substances by employees subject to the current rule and mandating random testing of those employees for controlled substances. FRA has also conducted a special safety inquiry on the administration of the present rule and is developing a notice of proposed rulemaking to refine and enhance the existing regulatory requirements.

Timetable:

Action	Date	FR Cite
Notice of Informal Safety Inquiry	01/20/87	52 FR 2118
Public Hearing, Washington, D.C.	02/18/87	
NPRM	04/00/88	

Small Entity: No

Government Levels Affected: Federal

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Walter C. Rockey, Jr., Executive Assistant to the Associate Administrator for Safety, Department of Transportation, Federal Railroad Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0897**

RIN: 2130-AA43

DEPARTMENT OF TRANSPORTATION (DOT)
Urban Mass Transportation Administration (UMTA)

Proposed Rule Stage

1962. + CONTROL OF DRUG USE IN FEDERALLY FUNDED MASS TRANSPORTATION OPERATIONS

Significance: Regulatory Program

Legal Authority: 49 USC 1601; 49 USC 1602; 49 USC 1607; 49 USC 1618

CFR Citation: 49 CFR 653

Legal Deadline: None.

Abstract: The purpose of this proposal is to eliminate the use of dangerous drugs by operators of mass transit vehicles or other transit safety sensitive workers. The proposal would require a recipient of Federal transit grants to certify that it has established a drug program consistent with the requirements of the regulation and providing for chemical testing of safety sensitive employees on a random basis as well as for pre-employment, post-accident, and reasonable suspicion.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 12/00/88

Agency Contact: Daniel Duff, Assistant Chief Counsel for Legislation and Regulations, Department of Transportation, Urban Mass Transportation Administration, Office of the Chief Counsel, Room 9316, 400 7th St., SW, Washington, DC 20590, **202 366-4063**

RIN: 2132-AA33

1963. + IMPLEMENTATION OF SECTION 19 OF THE URBAN MASS TRANSPORTATION ACT OF 1964 AS AMENDED -- NONDISCRIMINATION

Significance: Agency Priority

Legal Authority: 49 USC 1615

CFR Citation: 49 CFR 641

Legal Deadline: None.

Abstract: The proposed regulations would unify the civil rights regulations that recipients of funds under the Urban Mass Transportation Act must meet. This rulemaking is significant because substantial public interest is anticipated. Regulations are needed to implement a statutory provision which consolidates UMTA's authority to assure effective and uniform compliance with civil rights and equal employment opportunity requirements in a manner comparable to other agencies within the Department of Transportation.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: Yes

Additional Information: Section 19 was added to the UMT Act in November 1978 by the Surface Transportation Assistance Act of 1978. UMTA plans to issue an NPRM in 1988.

Analysis: Regulatory Evaluation 10/00/88

Agency Contact: Akiro Sano, Department of Transportation, Urban Mass Transportation Administration, Office of Technical Assistance, 400 7th St., SW, Room 7412, Washington, DC 20590, **202 366-4018**

RIN: 2132-AA01

1964. + "BUY AMERICA" REQUIREMENTS OF THE SURFACE TRANSPORTATION ASSISTANCE ACT OF 1982

Significance: Agency Priority

Legal Authority: PL 97-424, Sec 165; PL 100-17, Sec 337

CFR Citation: 49 CFR 661

Legal Deadline: None.

Abstract: This rulemaking will amend UMTA's Buy America requirements to implement new statutory provisions and reflect UMTA's experience with implementing the existing regulation. It is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Yes

Additional Information: Section 337 of the Surface Transportation and Uniform

Relocation Assistance Act of 1987 amends the "Buy America" provisions of Section 165 of the Surface Transportation Assistance Act of 1982. UMTA's current "Buy America" regulation was issued as an Emergency Final Rule on September 15, 1983, 48 FR 41564.

Government Levels Affected: Local, State, Federal

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Edward J. Gill, Jr., Department of Transportation, Urban Mass Transportation Administration, Office of Chief Counsel, 400 7th St., SW, Room 9316, Washington, DC 20590, 202 366-4063

RIN: 2132-AA15

1965. + MAJOR CAPITAL INVESTMENT PROJECTS

Significance: Agency Priority

Legal Authority: 49 USC 1602; 49 USC 1604; 49 USC 1607; 49 USC 1607a-1; 23 USC 103(e)(4); 23 USC 142

CFR Citation: 49 CFR 611

Legal Deadline: None.

Abstract: This regulation would set out the process applicants for grants under the UMT Act (49 USC 1601 et seq.) and the Federal-Aid Highway Act should follow in order to be eligible for Federal financial assistance for major urban mass transportation investments. A major urban mass transportation investment is any project that involves the construction of a new fixed guideway for use by buses or rail vehicles. This regulation is significant because it involves important departmental policy.

Timetable:

Action	Date	FR Cite
Notice of Policy	05/18/84	49 FR 21284
NPRM	06/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Don Emerson, Department of Transportation, Urban Mass Transportation Administration, Office of Grants Management, 400 7th St., SW, Room 9301, Washington, DC 20590, 202 366-0096

RIN: 2132-AA22

1966. + CHARTER SERVICE AMENDMENT

Significance: Agency Priority

Legal Authority: 49 USC 1602(f); 49 USC 1608(c)

CFR Citation: 49 CFR 604

Legal Deadline: None.

Abstract: This rulemaking would amend the regulation that implements section 3(f) of the UMT Act regarding charter bus operations by UMTA recipients. The amendment would concern the ability of certain nonprofit entities to obtain handicap-accessible vehicles for charter service, or to receive service that otherwise would be unavailable to them. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Yes

Additional Information: Former title: Charter Bus Operations. On April 13, 1987, UMTA published its final rule on charter bus service. Under this regulation a recipient of UMTA funds is prohibited from providing any charter service using UMTA funded equipment or facilities if there is at least one available charter operator willing and able to provide the charter service that the recipient proposes to provide. Congress is concerned that, under the requirements of this regulation, non-profit entities may not be able to afford the services of private charter operators, or, in the case of certain organizations, obtain the necessary handicap-accessible vehicles for charter service. This amendment would address those concerns.

Affected Sectors: Multiple

Government Levels Affected: Local, State

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Theodore Munter, Department of Transportation, Urban Mass Transportation Administration, Office of Chief Counsel, 400 7th St., SW, Room 9316, Washington, DC 20590, 202 366-4063

RIN: 2132-AA32

1967. SCHOOL BUS OPERATIONS

Significance: Nonsignificant

Legal Authority: 49 USC 1602(g); 49 USC 1608(c)(6); 23 USC 103(e)(4); 23 USC 142(a); 23 USC 142(c)

CFR Citation: 49 CFR 605

Legal Deadline: None.

Abstract: This regulation provides information regarding the restrictions imposed by section 3(g) of the UMT Act on the school bus operations by UMTA recipients. UMTA plans to issue an NPRM in 1988.

Timetable:

Action	Date	FR Cite
ANPRM	10/12/82	47 FR 44795
ANPRM Comment Period End	11/26/82	
NPRM	12/00/88	

Small Entity: Yes

Additional Information: UMTA originally issued this regulation on April 1, 1976 (41 FR 14128). UMTA reviewed this regulation and issued an ANPRM that proposed three alternatives to the current regulation: (1) retain the existing regulation, (2) modify the definition of "tripper services," and (3) define "exclusive" schoolbus service.

Analysis: Regulatory Flexibility Analysis; Regulatory Evaluation 12/00/88

Agency Contact: Daniel Duff, Assistant Chief Counsel, Legislation and Regulations, Department of Transportation, Urban Mass Transportation Administration, Office of Chief Counsel, 400 7th St., SW, Room 9316, Washington, DC 20590, 202 366-4063

RIN: 2132-AA09

1968. AIR QUALITY PROCEDURES FOR USE IN FEDERAL-AID HIGHWAY AND FEDERALLY FUNDED TRANSIT PROGRAMS

Significance: Nonsignificant

Legal Authority: 23 USC 109(h); 23 USC 109(j); 23 USC 315; 42 USC 4332; 42 USC 7401; 42 USC 7506

CFR Citation: 23 CFR 770; 49 CFR 623

Legal Deadline: None.

Abstract: This regulation proposes to consolidate and amend existing air quality requirements for transportation projects into a single amended air quality regulation. The amended regulation is intended to streamline and simplify (1) the process of determining

DOT—UMTA

Proposed Rule Stage

which highway projects are exempt from the Federal assistance limitations of section 176(a) of the Clean Air Act (CAA), and (2) the conformity and priority procedures contained in 23 CFR 770. The amendments are also intended to provide more authority and flexibility to State and local agencies and to meet the objectives of the CAA in the most cost-effective and expeditious manner.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: James N. Shrouds, (202) 366-4836 of FHWA, RIN 2125-AB10.

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: A. Joseph Ossi, Department of Transportation, Urban Mass Transportation Administration, Office of Grants Management, 400 7th St., SW, Room 9301, Washington, DC 20590, **202 366-0096**

RIN: 2132-AA19

1969. CAPITAL LEASES

Significance: Nonsignificant

Legal Authority: 49 USC 1607a(j)

CFR Citation: 49 CFR 637

Legal Deadline: Statutory, November 28, 1987.

Abstract: This regulation would implement a statutory provision requiring UMTA to prescribe policies and procedures governing the eligibility for capital assistance under section 9 of the UMT Act, as amended, for leases of equipment and facilities where leasing is more cost-effective than purchase or construction.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Daniel Duff, Assistant Chief Counsel for Legislation and Regulations, Department of Transportation, Urban Mass Transportation Administration, Office of Chief Counsel, 400 7th St., SW, Room 9316, Washington, DC 20590, **202 366-4063**

RIN: 2132-AA28

1970. ROLLING STOCK PURCHASE AUDITS

Significance: Nonsignificant

Legal Authority: 49 USC 1608(j)

CFR Citation: 49 CFR 663

Legal Deadline: None.

Abstract: This regulation would implement a statutory provision that requires an independent pre-award and post-delivery audit of the purchase of transit rolling stock with UMTA assistance to assure compliance with Federal motor-vehicle safety standards, Buy America requirements, and adherence to bid specification requirements. Manufacturer certification of compliance with this requirement is not sufficient and independent inspections and auditing are required by the statute.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Daniel Duff, Assistant Chief Counsel for Legislation and Regulations, Department of Transportation, Urban Mass Transportation Administration, Office of Chief Counsel, 400 Seventh Street, SW, Room 9316, Washington, DC 20590, **202 366-4063**

RIN: 2132-AA29

1971. BUS TESTING GUIDELINES

Significance: Nonsignificant

Legal Authority: 49 USC 1608(h)

CFR Citation: 49 CFR 665

Legal Deadline: None.

Abstract: This regulation would implement a statutory provision that requires any new bus model purchased after September 30, 1989, to be tested at a facility established by the Secretary, by law, in Altoona, Pa.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Additional Information: Section 12(h) of the UMT Act, as amended, defines a "new bus model" as a "bus model which has not been used in mass-transportation service in the United States before the date of production of such model, or a bus model which has been used in such service but which is being produced with a major change in configuration or components." UMTA plans to issue an NPRM in 1988.

Analysis: Regulatory Evaluation 06/00/88

Agency Contact: Daniel Duff, Assistant Chief Counsel for Legislation and Regulations, Department of Transportation, Urban Mass Transportation Administration, Office of Chief Counsel, Room 9316, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4063**

RIN: 2132-AA30

DEPARTMENT OF TRANSPORTATION (DOT)

Urban Mass Transportation Administration (UMTA)

Final Rule Stage

1972. INNOVATIVE TECHNIQUES AND METHODS

Significance: Nonsignificant

Legal Authority: 49 USC 1603(i)

CFR Citation: 49 CFR 644

Legal Deadline: None.

Abstract: UMTA intends to withdraw this rulemaking, which would have prescribed policies and procedures for administering the grant programs for projects using innovative techniques and methods in the management and operation of public transportation services under section 4(i) of the UMT Act, as amended, because UMTA now uses a different method of project selection which does not require solicitation.

DOT—UMTA **Final Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	12/01/80	45 FR 79669
To be withdrawn	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 12/01/80 (45 FR 79669)

Agency Contact: Joseph Goodman, Department of Transportation, Urban Mass Transportation Administration, Office of Technical Assistance, 400 7th St., SW, Room 6100, Washington, DC 20590, **202 366-0240**

RIN: 2132-AA05

1973. TECHNOLOGY INTRODUCTION

Significance: Nonsignificant

Legal Authority: 49 USC 1602(a)(1)(c)

CFR Citation: 49 CFR 641

Legal Deadline: None.

Abstract: UMTA intends to withdraw this rulemaking, which would have prescribed policies and procedures for administering the grant program for projects that would introduce new technology into public-transportation services under section 3(a)(1)(C) of the UMT Act, as amended, because UMTA now uses a different method of project selection which does not require solicitation.

Timetable:

Action	Date	FR Cite
NPRM	01/19/81	46 FR 5832
To be withdrawn	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 01/19/81 (46 FR 5832)

Agency Contact: Joseph Goodman, Department of Transportation, Urban Mass Transportation Administration, Office of Technical Assistance, 400 7th St., SW, Room 6100, Washington, DC 20590, **202 366-0240**

RIN: 2132-AA07

1974. PROJECT MANAGEMENT OVERSIGHT

Significance: Nonsignificant

Legal Authority: 49 USC 1619

CFR Citation: 49 CFR 633

Legal Deadline: Statutory, September 29, 1987.

Abstract: This regulation would implement a statutory provision that permits UMTA to use a portion of the funding of its major capital programs to hire outside contractors to perform project management oversight of major capital projects, and require an UMTA grantee constructing a major capital project to prepare and, after UMTA approval, implement a project management plan.

Timetable:

Action	Date	FR Cite
NPRM	08/11/87	52 FR 29709
NPRM Comment Period End	10/13/87	52 FR 29709
Final Action	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Daniel Duff, Assistant Chief Counsel for Legislation, and Regulations, Department of Transportation, Urban Mass Transportation Administration, Office of Chief Counsel, 400 Seventh Street, SW, Room 9316, Washington, DC 20590, **202 366-4063**

RIN: 2132-AA31

DEPARTMENT OF TRANSPORTATION (DOT)
Urban Mass Transportation Administration (UMTA)

Completed Actions

1975. + ENVIRONMENTAL IMPACT AND RELATED PROCEDURES

Significance: Agency Priority

Legal Authority: 42 USC 4321 et seq; 23 USC 101 et seq; 49 USC 1601 et seq; 49 USC 1653(f)

CFR Citation: 23 CFR 771; 49 CFR 622

Legal Deadline: None.

Abstract: This regulation covers the preparation of environmental impact statements and related documents and compliance with other Federal environmental requirements under UMTA and FHWA grant programs. The changes streamline the project development process and provide increased decisionmaking authority to agency field offices. This rulemaking was significant because it involved important departmental policy; it was needed to reduce burdens associated with the environmental review process.

Timetable:

Action	Date	FR Cite
Notice and Request for Comments	04/13/81	46 FR 21620
NPRM	08/01/83	48 FR 34894
Final Action	10/28/87	52 FR 32646
Final Action Effective	11/28/87	

Small Entity: No

Analysis: Regulatory Evaluation 08/01/83 (48 FR 34894)

Agency Contact: Robert W. Stout, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-0096**

RIN: 2132-AA03

1976. + EXTENSION OF SAFETY REQUIREMENTS TO ALL FEDERALLY ASSISTED BUSES

Significance: Agency Priority

Legal Authority: 49 USC 1602; 49 USC 1607

CFR Citation: 49 CFR 637

Legal Deadline: None.

Abstract: On October 1, 1982, UMTA rescinded its policy making advanced design bus specifications (The "White Book") mandatory for its grantees, but continued to mandate certain safety requirements applicable to advanced design buses. On October 16, 1984, UMTA issued an ANPRM on whether these safety requirements should be extended to other buses financed by UMTA. UMTA intends to withdraw this rulemaking because the actions contemplated in the ANPRM are more appropriate to be considered for action by NHTSA.

Timetable:

Action	Date	FR Cite
ANPRM	10/16/84	49 FR 40426
To be withdrawn	04/00/88	

Small Entity: Undetermined

DOT—UMTA

Completed Actions

Government Levels Affected: Local, State

Agency Contact: Kenneth E. Bolton, Director of Policy, Department of Transportation, Urban Mass Transportation Administration, 400 Seventh Street, SW, Room 9300, Washington, DC 20590, **202 366-4060**

RIN: 2132-AA24

1977. + MAINTENANCE OF EQUIPMENT AND FACILITIES

Significance: Agency Priority

Legal Authority: 49 USC 1602; 49 USC 1607

CFR Citation: 49 CFR 636

Legal Deadline: None.

Abstract: UMTA has terminated this rulemaking which would have required recipients of UMTA funds to have a maintenance program and to keep certain maintenance records. UMTA has determined that the maintenance program required by UMTA Circular 5030.1A, "Section 9 Formula Grant Application Instructions," and UMTA Circular 9010.1A, "Urban Mass Transportation Project Management Guidelines for Grantees," adequately addresses UMTA's maintenance concerns and that the recordkeeping provisions of the draft rulemaking are unnecessary.

Timetable:

Action	Date	FR Cite
Action terminated	12/28/87	

Small Entity: No

Agency Contact: Kenneth F. Bolton, Department of Transportation, Urban Mass Transportation Administration, Office of Policy, UMTA, 400 Seventh Street, SW, Room 9311, Washington, DC 20590, **202 366-4060**

RIN: 2132-AA26

1978. MISCELLANEOUS AMENDMENTS - ORGANIZATION, FUNCTIONS, AND PROCEDURES

Significance: Nonsignificant

Legal Authority: 49 USC 1657; 49 USC 1659

CFR Citation: 49 CFR 601

Legal Deadline: None.

Abstract: UMTA has terminated this rulemaking, which would have reflected modifications in the organization and distribution of functions within the agency, because of certain ongoing and upcoming organizational changes.

Timetable:

Action	Date	FR Cite
Action terminated	12/10/87	

Small Entity: No

Agency Contact: Henry T. Carter, Department of Transportation, Urban Mass Transportation Administration, Office of Administration, 400 7th St., SW, Room 7423, Washington, DC 20590, **202 366-2485**

RIN: 2132-AA06

1979. SECTION 15 REPORTING REQUIREMENTS FOR SECTION 9 APPORTIONMENT GRANTS; PENALTY PROCEDURES FOR NONCOMPLIANCE

Significance: Nonsignificant

Legal Authority: 49 USC 1607; 49 USC 1611

CFR Citation: 49 CFR 630

Legal Deadline: None.

Abstract: This regulation simplifies and implements procedures to handle late reporters, missing certifications and deadhead miles in order to provide more timely Section 9 formula apportionments based on the most valid data available.

Timetable:

Action	Date	FR Cite
NPRM	05/08/86	51 FR 17144
NPRM Comment Period End	07/07/86	
Final Action	09/25/87	52 FR 36182
Final Action Effective	10/26/87	52 FR 36182

Small Entity: No

Analysis: Regulatory Evaluation 05/07/86 (51 FR 17144)

Agency Contact: Robert A. Wilson, Director, Information Services, Department of Transportation, Urban Mass Transportation Administration, Office of Grants Management, 400 7th St., SW, Room 9305, Washington, DC 20590, **202 366-1610**

RIN: 2132-AA23

DEPARTMENT OF TRANSPORTATION (DOT)

Research and Special Programs Administration (RSPA)

Prerule Stage

1980. ● + REGISTRATION OF SHIPPERS AND CARRIERS OF HAZARDOUS MATERIALS

Significance: Regulatory Program

Legal Authority: 49 USC 1804

CFR Citation: 49 CFR 171; 49 CFR 173; 49 CFR 177

Legal Deadline: None.

Abstract: DOT lacks comprehensive data on the number, volume, and other statistics characterizing the transportation of hazardous materials in commerce. Comments will be requested on the burdens and benefits associated with various alternatives that could be used to obtain such information. The registration of carriers and shippers is one such alternative.

Timetable:

Action	Date	FR Cite
ANPRM	09/00/88	

Small Entity: Undetermined

Agency Contact: Joseph S. Nalevanko, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, **202 366-4484**

RIN: 2137-AB43

1981. + OST-FAA INFORMATION RULES: STANDARDIZED REGULATORY FLEXIBILITY REQUIREMENTS

Significance: Agency Priority

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1387

CFR Citation: 14 CFR 241; 14 CFR 298; 14 CFR 399

Legal Deadline: None.

Abstract: The threshold for the aviation-information program for regulatory flexibility analysis is 60 seats or maximum payload of 18,000 pounds or less. Carriers operating aircraft under these limits are

considered small carriers. FAA, on the other hand, uses a threshold based on the operational certificate requirements (Part 121 versus Part 135) with the threshold established at 30 seats or maximum payload of 7,500 pounds for a Part 135 certificate. FAA regulatory analysis for safety, congestion, etc., centers around the lower threshold which means much of the aviation economic information that they use has to be manipulated to fit their needs. This proposal of standardizing the threshold within the Department would save considerable resources and would eliminate much confusion in the air transportation industry. Most carriers, especially the newer ones, are familiar with FAA's requirements. This rulemaking is significant because it will achieve consistency in departmental treatment.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Jack Calloway, Chief, Regulations Division, Department of Transportation, Research and Special Programs Administration, Office of Aviation Information Management, DAI-1/Room 4125 Seventh Street, SW, Washington, DC 20590, **202 366-4383**

RIN: 2137-AB16

1982. ● + HIGHWAY ROUTING STANDARDS FOR CERTAIN TYPES AND QUANTITIES OF HAZARDOUS MATERIALS

Significance: Agency Priority

Legal Authority: 49 USC 1804; 49 USC 1805

CFR Citation: 49 CFR 173.177; 49 CFR 397

Legal Deadline: None.

Abstract: Currently, except for certain radioactive materials, DOT has not promulgated uniform, national standards for the highway routing of hazardous materials. The proposal would establish such standards and provide guidance to States and localities to minimize the promulgation of State and local routing requirements that are inconsistent with the Hazardous Materials Transportation Act. This rulemaking is significant because of the safety implications.

Timetable:

Action	Date	FR Cite
ANPRM	04/07/88	53 FR 11618
ANPRM Comment Period End	10/11/88	

Small Entity: Undetermined

Agency Contact: Joseph S. Nalevanko, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, **202 366-4484**

RIN: 2137-AB42

1983. REVIEW OF COMMUTER AIR TRAFFIC AND MARKET DATA REPORTING

Significance: Nonsignificant

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1374; 49 USC 1386

CFR Citation: 14 CFR 298

Legal Deadline: None.

Abstract: Currently commuter air carriers providing scheduled passenger service file two quarterly traffic schedules. One schedule summarizes nine traffic elements while the other schedule provides the origination and destination for all the carriers' on-line passengers. The Department is considering proposing a new traffic and market data system for certificated and foreign air carriers. This system could be used for commuter air carriers, providing the Department with one automated traffic and market data system for all carriers. This system would be less burdensome for the commuter air carriers and be more efficient for the user.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Jack Calloway, Chief, Regulations Division, Department of Transportation, Research and Special Programs Administration, DAI-1 Room 4125, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4383**

RIN: 2137-AB18

1984. REVISION OF OPERATING PROCEDURES FOR MOTOR VEHICLES

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 177

Legal Deadline: None.

Abstract: Proposed simplification and recodification of the existing operating procedures for transportation of hazardous materials by motor vehicles as prescribed in Part 177. Development of driver training requirements (formerly Project 270-78).

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Project 261-78

Agency Contact: M. Morris, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AA07

1985. CONSOLIDATION AND REVISION OF REQUIREMENTS FOR THE CARRIAGE OF EXPLOSIVES BY VESSEL

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 176

Legal Deadline: None.

Abstract: Proposed consolidation and revision of requirements for the carriage of military and commercial explosives by vessel and adoption of United Nations scheme for classification and compatibility of explosives for the water mode.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Project 279-78

Agency Contact: H. Mitchell/F. Thompson (USCG), Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AA10

DOT—RSPA

Prerule Stage

1986. SPECIFICATION PACKAGES OF TYPE B AND FISSILE RADIOACTIVE MATERIALS

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 173

Legal Deadline: None.

Abstract: The Department is considering addressing the possibility of continued use and needed modifications of certain radioactive materials package designs.

Timetable:

Action	Date	FR Cite
ANPRM	04/30/88	
ANPRM Comment Period End	06/30/88	

Small Entity: Undetermined

Additional Information: Project 300-83.

Agency Contact: M. Wangler, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4545**

RIN: 2137-AA29

1987. QUALITY ASSURANCE FOR RADIOACTIVE MATERIALS SHIPPERS

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 173

Legal Deadline: None.

Abstract: The Department is considering this proposal to solicit comments on the desirability of establishing quality assurance program requirements for all shippers of radioactive materials.

Timetable:

Action	Date	FR Cite
ANPRM	05/30/88	
ANPRM Comment Period End	07/30/88	

Small Entity: Undetermined

Additional Information: Project 291-80.

Agency Contact: M. Wangler, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4545**

RIN: 2137-AA30

1988. DOT SPECIFICATION 51 PORTABLE TANKS

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173

Legal Deadline: None.

Abstract: The Department is considering revising the requirements for DOT Specification 51 Portable Tanks. Consideration will also be given to adopting certain provisions of the recommendations of the United Nations and the International Maritime Organization.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: Project 302-83.

Agency Contact: Lee Jackson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AA36

1989. AIRLINE REVENUE/NONREVENUE, FIRST CLASS/COACH PASSENGERS: REVISED DEFINITIONS

Significance: Nonsignificant

Legal Authority: 49 USC 1324; 49 USC 1373

CFR Citation: 14 CFR 241

Legal Deadline: None.

Abstract: The present definition of revenue and nonrevenue passengers for aviation reporting purposes is stated in terms of the exemptions for free and reduced-rate transportation in section 403(b) of the Federal Aviation Act of 1958. These definitions have become outmoded in the process of air-fare deregulation. In addition, first class and coach passengers are defined in terms of the type of fare paid with premium or standard fares being the benchmark for first class. With deregulation and the proliferation of new air fares in the marketplace, these definitions may also be outmoded. The DOT is considering several options for revising these definitions.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Jack Calloway, Chief, Regulations Division, Department of Transportation, Research and Special Programs Administration, Office of Aviation Information Management, DAI-1/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4383**

RIN: 2137-AB00

1990. SUBSIDIZED COMMUTER CARRIERS AND FOREIGN AIR CARRIERS: RECORDS AND RETENTION PERIODS

Significance: Nonsignificant

Legal Authority: 49 USC 1324; 49 USC 1371 to 1374; 49 USC 1377; 49 USC 1381; 49 USC 1386; 49 USC 1482

CFR Citation: 14 CFR 249

Legal Deadline: None.

Abstract: This rule would require commuter air carriers receiving subsidy to retain certain records in support of their claims for subsidy; require foreign air carriers submitting traffic and market data to retain records in support of their submissions; modify or eliminate several of the records prescribed for retention by public charter operators and overseas operators. In addition, the proposal would transfer the record retention requirements contained in Part 374a to Part 249.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Jack Calloway, Chief, Regulations Division, Department of Transportation, Research and Special Programs Administration, Office of Aviation Information Management, DAI-1/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4383**

RIN: 2137-AB04

DOT—RSPA **Prerule Stage**

1991. ● GAS DETECTION AND MONITORING IN COMPRESSOR STATION BUILDINGS

Significance: Nonsignificant

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192

Legal Deadline: None.

Abstract: Leaking gas accumulating inside an inadequately ventilated compressor station building is a serious safety problem that has caused recent deaths and injuries. This rulemaking action explores the need for additional regulations to lessen this potential for harm. Installation of gas detection and alarm systems and more specific operation and maintenance procedures for compressor stations are the alternatives being considered.

Timetable:

Action	Date	FR Cite
ANPRM	04/04/88	53 FR 10906
ANPRM Comment Period End	06/03/88	

Small Entity: No

Additional Information: National Transportation Safety Board Recommendation P-83-20 provides a basis for this action.

Agency Contact: B. Liebler, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, **202 366-4560**

RIN: 2137-AB49

DEPARTMENT OF TRANSPORTATION (DOT) — Proposed Rule Stage

Research and Special Programs Administration (RSPA)

1992. + ALIGNMENT OF AIRLINE UNIFORM SYSTEM OF ACCOUNTS AND REPORTS WITH GENERALLY ACCEPTED ACCOUNTING PRINCIPLES

Significance: Regulatory Program

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377

CFR Citation: 14 CFR 241

Legal Deadline: None.

Abstract: As part of the continuing effort to align the DOT's aviation accounting rules with generally accepted accounting principles, certain sections of the Uniform System of Accounts and Reports need to be deleted or amended. These changes would provide relief from the present requirements for most air carriers.

Timetable:

Action	Date	FR Cite
NPRM	03/24/88	53 FR 9653
NPRM Comment Period End	05/23/88	
Final Action	12/00/88	

Small Entity: No

Affected Sectors: 45 Transportation by Air

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Jack Calloway, Chief, Regulations Division, Department of Transportation, Research and Special Programs Administration, Office of Aviation Information Management, DAI-1/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4383**

RIN: 2137-AA99

1993. + CONFIDENTIALITY OF PARTS 241 AND 298 AIRLINE REPORTS

Significance: Regulatory Program

Legal Authority: 49 USC 1324; 49 USC 1373; 49 USC 1371; 49 USC 1374; 49 USC 1386

CFR Citation: 14 CFR 241; 14 CFR 298

Legal Deadline: None.

Abstract: This rule would consider whether some components of individual carrier's reports submitted under Parts 241 and 298 should be kept confidential and for how long.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	04/00/89	

Small Entity: No

Agency Contact: Jack Calloway, Chief, Regulations Division, Department of Transportation, Research and Special Programs Administration, Office of Aviation Information Management, DAI-1/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4383**

RIN: 2137-AB05

1994. + TRAINING FOR HAZARDOUS MATERIALS TRANSPORTATION

Significance: Regulatory Program

Legal Authority: 49 USC 1804

CFR Citation: 49 CFR 172

Legal Deadline: None.

Abstract: This regulation proposes to establish detailed training requirements for persons involved with the transportation of hazardous materials. Establishing more detailed training requirements should diminish the number of hazardous materials transportation incidents which can be attributed to human error. At this time, the potential cost of establishing this program is unknown.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Additional Information: Docket No. HM-126F

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Lee Jackson, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AB26

1995. + RECODIFICATION OF EXPLOSIVE REGULATIONS

Significance: Agency Priority

Legal Authority: 49 USC 1803 to 1808

CFR Citation: 49 CFR 172; 49 CFR 173

Legal Deadline: None.

Abstract: Proposed consolidation and revision of the regulations on the

classification and packaging of explosives, and the alignment of these regulations with the recommendations of the United Nations Committee of Experts on the Transport of Dangerous Goods. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Additional Information: Docket No. HM-181A

Agency Contact: Charles Ke/H. Mitchell, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4488

RIN: 2137-AA93

1996. + GAS GATHERING LINE DEFINITION

Significance: Agency Priority

Legal Authority: 49 USC 1672; 49 USC 1804

CFR Citation: 49 CFR 192.3

Legal Deadline: None.

Abstract: The existing definition of "gathering line" would be clearly defined to eliminate confusion in distinguishing these pipelines from transmission lines in rural areas. The costs should be minimal since the definition will conform to prevailing practices in government and industry. Action is significant because the definition is the subject of litigation.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: Suggested terminology is being coordinated with the Technical Pipeline Safety Standards Committee and State agencies in advance of a formal proposal for public comment.

Agency Contact: P. Cory, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4561

RIN: 2137-AB15

1997. + PROPOSALS FOR PIPELINE SAFETY

Significance: Agency Priority

Legal Authority: 49 USC 1672; 49 USC 1804; 49 USC 2002

CFR Citation: 49 CFR 191; 49 CFR 192; 49 CFR 195

Legal Deadline: None.

Abstract: Based on the numerous public comments and recommendations of the Department's two pipeline safety advisory committees, many of the proposals put forth in the ANPRM will be withdrawn. Those not withdrawn will be further evaluated in special studies or become the subject of separate rulemakings.

Timetable:

Action	Date	FR Cite
ANPRM	02/11/87	52 FR 4361
ANPRM Comment Period End	03/30/87	52 FR 4361
NPRM to be withdrawn	04/00/88	

Small Entity: Undetermined

Agency Contact: B. Liebler, Office of Pipeline Safety, Department of Transportation, Research and Special Programs Administration, 400 7th Street, SW, Washington, DC 20590, 202 366-4560

RIN: 2137-AB27

1998. + HAZARDOUS MATERIALS IN INTRASTATE COMMERCE

Significance: Agency Priority

Legal Authority: 49 USC 1802 to 1808

CFR Citation: 49 CFR 171 to 179

Legal Deadline: None.

Abstract: ANPRM invites comments on the need for, and possible consequences of, DOT extending the application of its Hazardous Materials Regulations to all intrastate transportation of hazardous materials in commerce. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	06/29/87	52 FR 24195
Comment Period Extended to 11/28/87	09/21/87	52 FR 35464
ANPRM Comment Period End	09/28/87	
NPRM	04/00/88	

Small Entity: Undetermined

Additional Information: Docket No. HM-200

Agency Contact: John Gale, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4488

RIN: 2137-AB37

1999. + PIPELINE OPERATOR QUALIFICATIONS

Significance: Agency Priority

Legal Authority: 49 USC 1672; 49 USC 2002

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None.

Abstract: Training and qualification standards would be proposed for personnel involved in the operation and maintenance of gas and hazardous liquid pipelines. Special consideration would be given to operators of small gas systems to alleviate the burden of compliance. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	03/23/87	52 FR 9189
ANPRM Comment Period End	05/07/87	52 FR 9189
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: A. Garnett, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2036

RIN: 2137-AB38

2000. ● + OPERATION AND MAINTENANCE PROCEDURES FOR GAS PIPELINES

Significance: Agency Priority

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192

Legal Deadline: None.

DOT—RSPA **Proposed Rule Stage**

Abstract: Adequate procedures for pipeline operation and maintenance, backed up by personnel training, have proven effective in minimizing the potential for accidents. Gas operators are required to have such procedures, but the existing requirements lack the clarity and specificity needed to assure a uniform, broad-based level of safety for all pipelines. Therefore, this proposal would clarify the existing requirements, make them more comprehensive, and, where appropriate, similar to the more detailed requirements applicable to the operation and maintenance of hazardous liquid pipelines. This is a significant action because of the need for adequate procedures to provide a basis for training and qualifying operator personnel.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Yes

Analysis: Regulatory Evaluation 05/00/88

Agency Contact: B. Liebler, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4560

RIN: 2137-AB44

2001. ● + PRESSURE TESTING PETROLEUM PRODUCT PIPELINES

Significance: Agency Priority

Legal Authority: 49 USC 2002

CFR Citation: 49 CFR 195

Legal Deadline: None.

Abstract: Recent accidents involving petroleum product pipelines demonstrate the potential for catastrophic losses if a large spill occurs in a populated area. Studies have shown that accidents attributable to hidden material or construction defects can be prevented by restricting operation to not more than 80 percent of a prior test or operating pressure. In this regard, significant results have been achieved by imposing such an operating restriction on those product pipelines that carry highly volatile liquids. This rule would extend this existing safety standard to all product pipelines. This rulemaking is significant because of substantial public interest in the safety implications.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: A. Garnett, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-2036

RIN: 2137-AB46

2002. ● + HAZARDOUS LIQUID PIPELINE DAMAGE-PREVENTION PROGRAM

Significance: Agency Priority

Legal Authority: 49 USC 2002(e)

CFR Citation: 49 CFR 195

Legal Deadline: None.

Abstract: Each year a large percentage of hazardous liquid pipeline accidents are caused by excavation damage. Experience has shown that excavation accident rates diminish when operators participate in "one-call" damage prevention programs. The Federal gas pipeline safety regulations now require that gas operators participate in such programs. This action would apply a similar requirement to operators of hazardous liquid pipelines. This is a significant action because of the widespread interest in the use of "one-call" programs to prevent damage to buried pipelines.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: A. Garnett, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-2036

RIN: 2137-AB47

2003. ● + MAPS AND RECORDS OF PIPELINE LOCATION AND CHARACTERISTICS; NOTIFICATION OF STATE AGENCIES

Significance: Agency Priority

Legal Authority: 49 USC 1672; 49 USC 2002

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None.

Abstract: Maintenance of appropriate information about pipelines is essential for emergency response, compliance with safety standards, and other purposes. As part of a continuing policy to adopt similar requirements for gas and hazardous liquid pipelines where appropriate for safety, this action proposes to equalize as far as possible the requirements that gas and liquid operators keep maps and records to show the location and other characteristics of pipelines. In addition, operators would be required to provide this information to State agencies upon request. This is a significant action because of Congressional and State concerns about the need for appropriate public officials to have pipeline information.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: Yes

Additional Information: National Transportation Safety Board Recommendation P-87-34 and House Report 100-445 (Nov. 17, 1987) provide the bases for this action.

Analysis: Regulatory Evaluation 08/00/88

Agency Contact: B. Liebler, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4560

RIN: 2137-AB48

2004. PRIVATE CARRIERS LICENSED TO USE RADIOACTIVE MATERIALS

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1806; 49 USC 1808

CFR Citation: 49 CFR 173; 49 CFR 177

Legal Deadline: None.

Abstract: The Department intends to propose exceptions from the regulations for private carriers which are licensed to use radioactive materials in the course of their businesses.

Timetable:

Action	Date	FR Cite
NPRM	07/01/88	
NPRM Comment Period End	08/15/88	
Final Action	11/15/88	

DOT—RSPA

Proposed Rule Stage

Small Entity: No

Additional Information: Project 298-82.

Analysis: Regulatory Evaluation 07/01/88

Agency Contact: M. Wangler, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4545**

RIN: 2137-AA28

2005. SPECIFICATION 8W AND 8WA WELDED STEEL CYLINDERS

Significance: Nonsignificant

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1808

CFR Citation: 49 CFR 171; 49 CFR 173; 49 CFR 178

Legal Deadline: None.

Abstract: Would eliminate existing Specifications 8 and 8AL and provide a consolidated specification for the manufacture of acetylene cylinders.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	11/00/88	
Final Action Effective	01/00/89	

Small Entity: No

Additional Information: Docket No. HM-23.

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: M. Morris, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AA63

2006. CONSOLIDATION OF SPECIFICATIONS FOR HIGH-PRESSURE SEAMLESS CYLINDERS AND REWRITE OF 49 CFR 173.34

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1808

CFR Citation: 49 CFR 172; 49 CFR 173

Legal Deadline: None.

Abstract: The Department will propose revision of requalification requirements for cylinders and proposed consolidation and revision of the specifications for high-pressure seamless cylinders. (Project No. 123-71).

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: No

Additional Information: Formerly entitled Review: Consolidation of Specifications for High-Pressure Seamless Cylinders.

Agency Contact: Charles H. Hochman, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4545**

RIN: 2137-AA92

2007. COLLECTION OF FINANCIAL INFORMATION FROM THE COMMUTER AIR CARRIER INDUSTRY

Significance: Nonsignificant

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1374; 49 USC 1386

CFR Citation: 14 CFR 298

Legal Deadline: None.

Abstract: DOT is proposing to collect basic financial information from the commuter carriers providing scheduled passenger service. Data would be used for fitness reviews; various economic analyses such as trust-fund revenue generation; airport and airways development; econometric modeling and regulatory cost-benefit analysis to aid aviation policy and regulatory decisions; and FAA's allocation planning for its inspection resources.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: Jack Calloway, Chief, Regulations Division, Department of Transportation, Research and Special Programs Administration, Office of Aviation Information Management, DAI-1/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4383**

RIN: 2137-AA98

2008. DELETION OF STANDARDS AFFECTING IRON AND COPPER PIPE AND OTHER MATERIALS

Significance: Nonsignificant

Legal Authority: 49 USC 1672; 49 USC 1804

CFR Citation: 49 CFR 192

Legal Deadline: None.

Abstract: This action proposes to delete the existing incorporation by reference of various documents intended for use in the design of gas pipelines. The materials to which the documents pertain are no longer generally used for gas pipelines so that reference to the documents can be deleted without affecting safety.

Timetable:

Action	Date	FR Cite
ANPRM	06/04/87	52 FR 21087
ANPRM Comment Period End	08/03/87	52 FR 21087
NPRM	04/00/88	

Small Entity: No

Additional Information: Docket No. PS-95

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: P. Cory, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4561**

RIN: 2137-AB24

2009. ENFORCEMENT OF MOTOR CARRIER FINANCIAL RESPONSIBILITY REQUIREMENTS

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1805; 49 USC 1808 to 1809; 49 USC 1655; 49 USC 1655(c); 49 USC 10927

CFR Citation: 49 CFR 171; 49 CFR 173; 49 CFR 387

Legal Deadline: None.

Abstract: This notice solicits comments on the merits of a petition for rulemaking from the National Tank Truck Carriers proposing to amend the Hazardous Materials Regulations to require shippers of hazardous materials by highway, in cargo tanks, to obtain documentary proof that the motor carrier possesses the minimum level of financial responsibility required by 49 CFR Part 387.

DOT—RSPA **Proposed Rule Stage**

Timetable:

Action	Date	FR Cite
ANPRM	05/20/87	52 FR 19116
ANPRM Comment Period End	08/18/87	

Next Action Undetermined

Small Entity: Undetermined

Additional Information: Docket No. HM-199

Agency Contact: Joseph S. Nalevanko, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4484**

RIN: 2137-AB35

2010. STANDARDS FOR CONSTRUCTION OF FIREWORKS AND NOVELTIES; APPROVAL FOR TRANSPORTATION

Significance: Nonsignificant

Legal Authority: 49 USC 1802 to 1808

CFR Citation: 49 CFR 171; 49 CFR 173

Legal Deadline: None.

Abstract: Proposes to eliminate a requirement for examination of fireworks prior to their approval for transportation by the Director, Office of Hazardous Materials Transportation.

Timetable:

Action	Date	FR Cite
NPRM	02/12/88	53 FR 4348
NPRM Comment Period End	04/04/88	

Small Entity: Undetermined

Additional Information: Formerly entitled Standards for Construction of Fireworks and Approval for Transportation.

Agency Contact: Hattie L. Mitchell, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4515**

RIN: 2137-AB36

2011. ● DETECTION AND REPAIR OF CRACKS, PITS, CORROSION, LINING FLAWS, THERMAL DETECTION FLAWS, AND OTHER DEFECTS OF TANK CAR TANKS

Significance: Nonsignificant

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1805; 49 USC 1806

CFR Citation: 49 CFR 173

Legal Deadline: None.

Abstract: This rule would require tank-car owners and repair facilities to inspect for cracks and other defects after certain tank-car repairs to assure that no defects exist. A DOT Task Force assessed tank-car inspection and repair procedures and identified two major issues on which the ANPRM seeks comment: (1) the adequacy of crack detection and (2) the ability to repair detected cracks without collateral damage.

Timetable:

Action	Date	FR Cite
ANPRM	12/08/87	52 FR 46510
ANPRM Comment Period End	02/11/88	52 FR 46510
ANPRM Comment Period Extended to 05/13/88	02/18/88	53 FR 4862

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: M. Morris/P. Olekszyk(FRA), Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AB40

2012. ● FUMIGATION

Significance: Nonsignificant

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1805

CFR Citation: 49 CFR 172; 49 CFR 173; 49 CFR 174

Legal Deadline: None.

Abstract: This proposal would revise the placarding requirements in the Hazardous Materials Regulations (HMR) to recognize the requirements of the Environmental Protection Agency (EPA) which address the placarding of commodities which have been fumigated. Those portions of the HMR which address the fumigation placard would be removed from the HMR to avoid duplication with EPA's requirements for placarding commodities which have been fumigated.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Undetermined

Agency Contact: Lee Jackson, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AB41

2013. ● CONFORMING GAS AND LIQUID PIPELINE WELDING STANDARDS: FINAL PHASE

Significance: Nonsignificant

Legal Authority: 49 USC 1672; 49 USC 2002

CFR Citation: 49 CFR 192; 49 CFR 195

Legal Deadline: None.

Abstract: As part of a continuing policy to adopt similar requirements for gas and hazardous liquid pipelines where appropriate for safety, this action would be the last of a series of rulemakings undertaken to conform the gas and liquid pipeline welding standards.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: No

Agency Contact: A. Garnett, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, **202 366-2036**

RIN: 2137-AB45

2014. ● DETERMINING THE EXTENT OF CORROSION ON EXPOSED GAS PIPELINES

Significance: Nonsignificant

Legal Authority: 49 USC 1672

CFR Citation: 49 CFR 192

Legal Deadline: None.

Abstract: Corrosion is a major cause of gas and hazardous liquid pipeline accidents. A safety standard applicable to liquid pipelines requires operators to examine exposed pipe for evidence of external corrosion and, if harmful corrosion is found, to investigate further to determine the extent of the corrosion. As part of a continuing policy to adopt similar requirements for

gas and liquid pipelines where appropriate for safety, this action proposes that exposed gas pipelines with evidence of harmful corrosion be investigated to determine the extent of the corrosion.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: Yes

Additional Information: National Transportation Safety Board Recommendation P-87-3 provides a basis for this action.

Agency Contact: B. Liebler, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, **202 366-4560**

RIN: 2137-AB50

2015. ● DOT 3AL ALUMINUM CYLINDERS; SAFETY PROBLEMS

Significance: Nonsignificant

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1805; 49 USC 1806; 49 USC 1808

CFR Citation: 49 CFR 178

Legal Deadline: None.

Abstract: Certain DOT 3AL cylinders made of aluminum alloy 6351 were discovered developing cracks during service and occasionally leaks developed resulting in loss of contents. This ANPRM is to alert and inform all persons possessing these cylinders of the problems, identify those cylinders at risk, and suggest steps to minimize risks. The ANPRM requests comments concerning ways to resolve the problems.

Timetable:

Action	Date	FR Cite
ANPRM	07/10/87	52 FR 26027
ANPRM Comment Period End	08/10/87	52 FR 26027
NPRM	12/00/88	

Small Entity: Undetermined

Agency Contact: C. Hochman, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AB51

DEPARTMENT OF TRANSPORTATION (DOT)

Research and Special Programs Administration (RSPA)

Final Rule Stage

2016. + PERFORMANCE-ORIENTED PACKAGING STANDARDS

Significance: Regulatory Program

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1808

CFR Citation: 49 CFR 171; 49 CFR 172; 49 CFR 173; 49 CFR 176; 49 CFR 178; 49 CFR 179

Legal Deadline: None.

Abstract: To develop performance-oriented packaging standards and hazardous material classification based on the United Nations Committee of Experts on the Transport of Dangerous Goods. Also includes former non-significant rulemakings entitled "Consolidation of Specifications and Establishment of Performance Standards for Specification Bags" (Docket No. HM-153), "Specifications for and use of Specification 17 Steel Drums" (Docket No. HM-182), and "Organic Peroxide Requirements" (Project 186-72). The rulemaking is significant because a large number of specifications for packaging in the Hazardous Materials Regulations would be affected by this project. To a large extent the complexity and mass of the present Hazardous Materials Regulations are due to the detailed specification-type packaging standards contained in these regulations. To replace these with standards based on the U.N. system would both simplify the present regulations and facilitate international trade.

Timetable:

Action	Date	FR Cite
ANPRM	04/15/82	47 FR 16268
Correction Document and Notice of Meeting	06/17/82	47 FR 26172
Extension of Comment Period to 01/13/83	09/16/82	47 FR 40816
ANPRM Comment Period End	01/13/83	47 FR 40816
NPRM	05/05/87	52 FR 16482
NPRM Comment Period extended to 02/26/88	09/08/87	52 FR 33906
Supplemental NPRM	11/06/87	52 FR 42772
NPRM Comment Period End	02/26/88	52 FR 33906

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. HM-181. A decision on whether to proceed with a final rule will be made following review and evaluation of comments to the docket. Comment period ended 2/26/88.

Analysis: Regulatory Flexibility Analysis; Regulatory Evaluation 05/05/87 (52 FR 16482)

Agency Contact: E. Mazzullo, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AA01

2017. + COLLECTION OF SERVICE SEGMENT DATA AND CHARTER DATA FROM FOREIGN AIR CARRIERS

Significance: Regulatory Program

Legal Authority: 49 USC 1301; 49 USC 1374; 49 USC 1381; 49 USC 1386; 49 USC 1482

CFR Citation: 14 CFR 217; 14 CFR 241

Legal Deadline: None.

Abstract: DOT has proposed a rule that would require submission to DOT of nonstop market data from foreign carriers providing scheduled service between their home countries and the United States. This information is needed to evaluate existing bilateral agreements and reciprocity between U.S. and foreign countries. In addition, international charter data currently collected from carriers would be incorporated with this reporting. This nonstop market data should replace much of the data collected by the Immigration and Naturalization Service

(INS) on Form I-92. Although there will be some start-up costs, it is anticipated that over the long run there will be substantial savings for both the industry and the government. See 2137-AB01 for companion rule for U.S. air carriers.

Timetable:

Action	Date	FR Cite
NPRM	07/15/87	52 FR 26498
NPRM Comment Period extended to 10/14/87	09/15/87	52 FR 34889
Final Action	09/00/88	

Small Entity: No

Affected Sectors: 45 Transportation by Air

Analysis: Regulatory Evaluation 07/15/87 (52 FR 26498)

Agency Contact: Jack Calloway, Chief, Regulations Division, Department of Transportation, Research and Special Programs Administration, Office of Aviation Information Management, DAI-1/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4383**

RIN: 2137-AA97

2018. + COLLECTION OF SERVICE SEGMENT DATA AND CHARTER DATA FROM U.S. AIR CARRIERS

Significance: Regulatory Program

Legal Authority: 49 USC 1324; 49 USC 1371; 49 USC 1377; 49 USC 1387

CFR Citation: 14 CFR 241

Legal Deadline: None.

Abstract: Large U.S. air carriers file detailed service segment data in ADP format for scheduled operations, while smaller carriers file a condensed version on a hardcopy form. Charter data is filed on another form. The Department has issued a rulemaking proposing to incorporate all three systems onto one automated data system by standardizing the reporting between scheduled and charter operations. Much of the data currently collected is proposed for elimination. Also, much of the data reported on the hardcopy Form 41 T-Schedules is proposed for elimination, since data for these schedules can be extracted from the automated system. Further, the foreign air carrier traffic and market reporting (2137-AA97) will be incorporated into this automated system providing a uniform traffic and market system for the Department.

Timetable:

Action	Date	FR Cite
NPRM	07/15/87	52 FR 26498
NPRM Comment Period extended to 10/14/87	09/15/87	52 FR 34889
Final Action	09/00/88	

Small Entity: No

Affected Sectors: 45 Transportation by Air

Analysis: Regulatory Evaluation 07/15/87 (52 FR 26498)

Agency Contact: Jack Calloway, Chief, Regulations Division, Department of Transportation, Research and Special Programs Administration, Office of Aviation Information Management, DAI-1/Room 4125, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4383**

RIN: 2137-AB01

2019. + REPORTING UNSAFE CONDITIONS ON GAS AND HAZARDOUS LIQUID PIPELINES AND AT LIQUEFIED NATURAL GAS FACILITIES

Significance: Regulatory Program

Legal Authority: 49 USC 1672(a); 49 USC 2002(a)

CFR Citation: 49 CFR 191; 49 CFR 192; 49 CFR 193; 49 CFR 195

Legal Deadline: Statutory, October 22, 1987. PL 99-516 (10/22/86)

Abstract: Operators would be required to report within five days of discovery any condition that could be an imminent danger or affect pipeline operational safety. The report would enable State and Federal agencies to investigate promptly. Few reports are expected, and the cost impact would be minimal.

Timetable:

Action	Date	FR Cite
NPRM	09/25/87	52 FR 36068
NPRM Comment Period End	11/09/87	
Final Action	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 09/25/87 (52 FR 36068)

Agency Contact: L. Furrow, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, **202 366-2392**

RIN: 2137-AB23

2020. + REQUIREMENTS FOR CARGO TANKS

Significance: Agency Priority

Legal Authority: 49 USC 1803 to 1808

CFR Citation: 49 CFR 173; 49 CFR 177; 49 CFR 178

Legal Deadline: None.

Abstract: The rule would modify cargo tank specifications in section 178.337-178.343 to improve clarity, quality control and safety and to provide for the manufacture of vacuum-loaded cargo tanks. It would also provide inspection, test, maintenance, repair, and requalification standards for cargo tanks. This rulemaking is being performed in conjunction with the FHWA. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	06/28/82	47 FR 27876
NPRM	09/17/85	50 FR 37767
Corrections and Clarifications	12/05/85	50 FR 49866
NPRM Comment Period End	05/22/86	
Final Action	12/00/88	

Small Entity: Undetermined

Additional Information: Docket Nos. HM-183, 183A.

Analysis: Regulatory Evaluation 09/17/85 (50 FR 37767)

Agency Contact: J. O'Steen/ J. Pena, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4545**

RIN: 2137-AA42

2021. + DATA COLLECTION AND REPORTING: HAZARDOUS MATERIALS INCIDENT REPORTS

Significance: Agency Priority

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1809

CFR Citation: 49 CFR 171

Legal Deadline: None.

Abstract: The current regulations require reports of hazardous material

incidents. The objective of this review is to determine if the current data requirements can be modified to reduce the burden on industry but still result in the collection of the information needed for the hazardous materials safety program. Although safety programs, such as the one covered by these regulations, require data in order to function properly, it is possible that the data collection can be made less burdensome. This rulemaking is significant because of substantial public interest due to safety implications.

Timetable:

Action	Date	FR Cite
ANPRM	03/16/84	49 FR 10042
NPRM	03/27/87	52 FR 9996
NPRM Comment Period End	07/29/87	
Final Action	06/00/88	

Small Entity: No

Additional Information: Docket HM-36B.

Analysis: Regulatory Evaluation 03/27/87 (52 FR 9996)

Agency Contact: M. Morris, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AA51

2022. DEFINITION OF A FLAMMABLE SOLID

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173

Legal Deadline: None.

Abstract: This proposal involved new standards for classifying a material as a flammable solid. It is being incorporated into RIN 2137-AA01, Docket HM-121.

Timetable:

Action	Date	FR Cite
ANPRM	05/07/81	46 FR 25492
Consolidation Notice	04/00/88	

Small Entity: No

Additional Information: Formerly Docket HM-178.

Agency Contact: C. Ke, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4496**

RIN: 2137-AA05

2023. USE OF INTERESTED INSPECTORS FOR CYLINDER INSPECTIONS

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 178

Legal Deadline: None.

Abstract: Proposal would result in ending of permitting "Interested" inspectors to perform inspections and testing of domestically manufactured low pressure gas cylinders.

Timetable:

Action	Date	FR Cite
NPRM	03/17/76	41 FR 1179

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. HM-74A

Agency Contact: H. Mitchell, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AA08

2024. OXIDIZING MATERIALS DEFINITION, CRITERIA AND PROPOSED REGULATIONS

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173

Legal Deadline: None.

Abstract: Development of new standards for classifying a material as an oxidizing material.This proposal is being incorporated into RIN 2137-AA01, Docket HM-181.

Timetable:

Action	Date	FR Cite
ANPRM	06/15/81	46 FR 31294
Consolidation Notice	04/00/88	

Small Entity: No

Additional Information: Formerly Docket HM-179.

Agency Contact: M. Morris/C. Schultz, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AA11

2025. ODORIZATION OF LP GAS

Significance: Nonsignificant

Legal Authority: 49 USC 1803 o 1806

CFR Citation: 49 CFR 172

Legal Deadline: None.

Abstract: NPRM solicited comments on the benefit of requiring LP gas to be odorized. Odorization would enhance its identification during transportation in commerce. Comments to the NPRM indicated that further study should be made before proceeding to a final rule.

Timetable:

Action	Date	FR Cite
NPRM	09/27/84	49 FR 38164

Next Action Undetermined

Small Entity: No

Additional Information: Docket No. HM-126E.

Analysis: Regulatory Evaluation 09/27/84 (49 FR 38164)

Agency Contact: J. Potock, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AA25

2026. TRANSPORTATION OF HAZARDOUS MATERIALS; MISCELLANEOUS AMENDMENTS

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 171 to 178

Legal Deadline: None.

Abstract: Nonsignificant regulations issued routinely and frequently as a part of an established body of technical requirements to keep those requirements operationally current. NPRM approximately every four months, with FR targeted approximately two months thereafter.

Timetable:

Action	Date	FR Cite
Periodic Update	03/19/85	50 FR 11048
NPRM	06/03/86	51 FR 19866
NPRM Comment Period End	09/04/86	51 FR 27223
Periodic Update	04/20/87	52 FR 13034

DOT—RSPA **Final Rule Stage**

Action	Date	FR Cite
Periodic Update	04/00/88	

Small Entity: Undetermined

Additional Information: Docket No. HM-166.

Analysis: Regulatory Evaluation 03/22/84 (49 FR 10780)

Agency Contact: M. Morris, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AA44

2027. MODIFICATIONS TO DOT SPECIFICATION 21PF-1 OVERPACKS

Significance: Nonsignificant

Legal Authority: 49 USC 178; 49 USC 1803; 49 USC 1804; 49 USC 1808

CFR Citation: 49 CFR 178

Legal Deadline: None.

Abstract: This rulemaking responds to a Department of Energy request that DOT improve the water resistance of overpacks used in the transportation of enriched uranium hexafluoride.

Timetable:

Action	Date	FR Cite
NPRM	08/16/84	49 FR 32774
NPRM Comment Period End	09/12/84	
Final Action	04/00/88	

Small Entity: No

Additional Information: Docket No. HM-190.

Analysis: Regulatory Evaluation 08/16/84 (49 FR 32774)

Agency Contact: M. Wangler, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-4545**

RIN: 2137-AA72

2028. LIMITATION ABOARD AIRCRAFT

Significance: Nonsignificant

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1807; 49 USC 1808

CFR Citation: 49 CFR 175

Legal Deadline: None.

Abstract: Proposes the removal of the fifty-pound limit on the quantity that may be stowed in an inaccessible location.

Timetable:

Action	Date	FR Cite
ANPRM	04/06/84	49 FR 13717
ANPRM Comment Period End	09/01/84	49 FR 13717
NPRM	02/13/85	50 FR 6013
NPRM Comment Period End	05/30/85	50 FR 6013

Next Action Undetermined

Small Entity: No

Additional Information: Further action to be determined based on NPRM comments.

Analysis: Regulatory Evaluation 02/13/85 (50 FR 6013)

Agency Contact: Ann Boylan, Transportation Reg. Specialist, Department of Transportation, Research and Special Programs Administration, 400 7th Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AA85

2029. EMERGENCY RESPONSE COMMUNICATION STANDARDS

Significance: Nonsignificant

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1805; 49 USC 1808

CFR Citation: 49 CFR 172

Legal Deadline: None.

Abstract: This proposal solicits comments on the potential benefits and consequences of requiring additional emergency response information on shipping papers and in vehicles when transporting hazardous materials.

Timetable:

Action	Date	FR Cite
ANPRM	03/16/84	49 FR 10048
Public Hearing held, Washington, D.C.	05/02/84	49 FR 10048
ANPRM Comment Period End	06/26/84	49 FR 10048
NPRM	08/20/87	52 FR 31486
NPRM Comment Period extended to 12/22/87	09/04/87	52 FR 33611
NPRM Comment Period End	09/21/87	52 FR 31486

Next Action Undetermined

Small Entity: No

Additional Information: HM-126C

Analysis: Regulatory Evaluation 08/20/87 (52 FR 31486)

Agency Contact: Lee Jackson, Department of Transportation, Research and Special Programs Administration, 400 7th Street, SW, Washington, DC 20590, **202 366-4488**

RIN: 2137-AA88

2030. HAZARDOUS MATERIALS: URANIUM HEXAFLUORIDE

Significance: Nonsignificant

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1805; 49 USC 1806; 49 USC 1807; 49 USC 1808

CFR Citation: 49 CFR 171.7; 49 CFR 173.20

Legal Deadline: None.

Abstract: RSPA proposes to amend the Hazardous Materials Regulations to permit the continued use of packagings that do not meet the requirements of the American National Standards Institute (ANSI) Standard N 14.1 - 1987, DOT Class 106 A multi-unit tank car tanks, and certain packagings not manufactured in accordance with ANSI N 14.1-87. These latter packagings will be required to be manufactured in accordance with an earlier edition of ANSI 14.1, or be manufactured and stamped in accordance with Section VIII, Division 1 of the ASME Code. RSPA has determined that these packagings, which have been used safely in the past, should be permitted to continue in use.

Timetable:

Action	Date	FR Cite
NPRM	04/11/86	51 FR 12529
NPRM Comment Period End	07/01/86	51 FR 12529
Interim Final Rule	11/18/86	51 FR 41631
Revision to Final Rule	12/24/86	51 FR 46674
Emergency Final Rule	03/12/87	52 FR 7581
NPRM New	07/06/87	52 FR 25342
Revision to Final Rule	07/06/87	52 FR 25340
Amended NPRM	04/06/88	53 FR 11320
Comment period ends	05/06/88	

Small Entity: No

Additional Information: Docket No. HM-166V.

Analysis: Regulatory Evaluation 04/11/86 (51 FR 12529)

Agency Contact: M. Wangler, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4545

RIN: 2137-AB10

2031. EXCEPTION FROM PRESSURE TESTING NON-WELDED TIE-IN JOINTS

Significance: Nonsignificant

Legal Authority: 49 USC 1672; 49 USC 1804

CFR Citation: 49 CFR 192.503(d)

Legal Deadline: None.

Abstract: The current exception from pressure testing welded tie-in joints would be expanded to include all types of tie-in joints. This change would be consistent with the intent of the original rule and would have minimal cost impact.

Timetable:

Action	Date	FR Cite
NPRM	01/15/88	53 FR 1045
NPRM Comment Period End	02/29/88	53 FR 1045
Final Action	07/00/88	

Small Entity: No

Additional Information: Docket No. PS-98.

Analysis: Regulatory Evaluation 01/15/88 (53 FR 1045)

Agency Contact: B. Liebler, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4560

RIN: 2137-AB19

2032. CONFIRMATION OR REVISION OF MAXIMUM ALLOWABLE OPERATING PRESSURE; ALTERNATE METHOD

Significance: Nonsignificant

Legal Authority: 49 USC 1672; 49 USC 1804

CFR Citation: 49 CFR 192.611(a)

Legal Deadline: None.

Abstract: This action proposes an alternate method for confirmation or revision of the maximum allowable operating pressure of pipelines previously tested to less than 90 percent of specified minimum yield strength. The alternate method would allow operators to establish a maximum allowable operating pressure in proportion to the level permitted for pipelines tested to 90 percent of specified minimum yield strength, or more, without retesting the pipeline. Considerable cost savings are expected.

Timetable:

Action	Date	FR Cite
NPRM	01/15/88	53 FR 1043
NPRM Comment Period End	03/15/88	53 FR 1043
Final Action	09/00/88	

Small Entity: No

Additional Information: Docket No. PS-97.

Analysis: Regulatory Evaluation 01/15/88 (53 FR 1043)

Agency Contact: B. Liebler, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4560

RIN: 2137-AB20

2033. MOLTEN SULFUR

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1808

CFR Citation: 49 CFR 172; 49 CFR 173

Legal Deadline: None.

Abstract: RSPA is proposing to regulate molten sulfur as a hazardous material and make it subject to the hazardous materials communications requirements.

Timetable:

Action	Date	FR Cite
NPRM	11/21/86	51 FR 42114
NPRM Comment Period End	02/19/87	51 FR 42114
Final Action	04/00/88	

Small Entity: No

Additional Information: Docket No. HM-198.

Analysis: Regulatory Evaluation 11/21/86 (51 FR 42114)

Agency Contact: John Potock, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4488

RIN: 2137-AB31

2034. STATE DESIGNATIONS OF ALTERNATIVE ROUTES FOR RADIOACTIVE MATERIALS TRANSPORTATION

Significance: Nonsignificant

Legal Authority: 49 USC 1804

CFR Citation: 49 CFR 177

Legal Deadline: None.

Abstract: Proposes to amend the Hazardous Materials Regulations to require that when a State routing agency designates an alternative route for the transportation of highway route controlled quantities of radioactive materials, the State must give written notice of such designations to RSPA. The creation of a repository for these designations would provide shippers, carriers, enforcement and emergency-response personnel, State agencies, local governments, and RSPA with definitive information concerning those alternative routes.

Timetable:

Action	Date	FR Cite
NPRM	07/16/87	52 FR 26928
NPRM Comment Period End	08/31/87	52 FR 26928
Final Action	04/00/88	

Small Entity: No

Additional Information: Docket No. HM-164A.

Analysis: Regulatory Evaluation 07/16/87 (52 FR 26928)

Agency Contact: John Gale, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4488

RIN: 2137-AB32

2035. NOTIFICATION TO RSPA OF ROUTE PLANS FOR RADIOACTIVE MATERIALS TRANSPORTATION

Significance: Nonsignificant

Legal Authority: 49 USC 1804

CFR Citation: 49 CFR 173; 49 CFR 177

Legal Deadline: None.

Abstract: Proposes to require carriers, rather than shippers, to give written notice to RSPA of route plans and other information relating to transportation of highway route controlled quantities of radioactive materials.

DOT—RSPA **Final Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	07/16/87	52 FR 26932
NPRM Comment Period End	08/31/87	52 FR 26932
Final Action	04/00/88	

Small Entity: No

Additional Information: Docket No. HM-164B.

Analysis: Regulatory Evaluation 07/16/87 (52 FR 26932)

Agency Contact: John Gale, Transportation Regulations Specialist, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4488

RIN: 2137-AB33

2036. REAR BUMPERS ON CARGO TANK TRUCKS

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1808

CFR Citation: 49 CFR 173

Legal Deadline: None.

Abstract: Proposes to provide a period of 36 months to allow operators of cargo tank trucks operated in combination with cargo tank full trailers to modify their front units by adding the required rear bumper.

This rulemaking is being performed in conjunction with the FHWA.

Timetable:

Action	Date	FR Cite
NPRM	08/08/86	51 FR 28605
NPRM Comment Period End	09/22/86	
Final Action	05/00/88	

Small Entity: No

Additional Information: Docket No. HM-183B.

Analysis: Regulatory Evaluation 08/08/86 (51 FR 28605)

Agency Contact: James O'Steen/D. Billings (FWHA), Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4545

RIN: 2137-AB34

2037. ● SHIPPERS: USE OF TANK-CAR TANKS WITH LOCALIZED THIN SPOTS

Significance: Nonsignificant

Legal Authority: 49 USC 1803; 49 USC 1804; 49 USC 1805; 49 USC 1806

CFR Citation: 49 CFR 173

Legal Deadline: None.

Abstract: This notice proposes to allow the use of railroad tank-car tanks with shell thicknesses in localized areas of less than the minimum currently allowed. The rule would require that tank shells be measured under specific conditions to ensure that the results of repairs do not further decrease shell thickness or result in a reduction in the level of safety. Under the existing rule, owners are required to bring tanks into conformance or remove them from hazardous materials service. This proposal would allow the tank cars to conform to a less stringent standard thereby avoiding the substantial costs associated with complete restoration or purchase of a new tank car, while still ensuring an adequate level of safety.

Timetable:

Action	Date	FR Cite
NPRM	12/08/87	52 FR 46511
NPRM Comment Period End	02/11/88	52 FR 46511
SNPRM Comment Period Extended to 05/13/88	02/18/88	53 FR 4862
Final Action	06/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 12/08/87 (52 FR 46511)

Agency Contact: M. Morris/P. Olekszyk(FRA), Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4488

RIN: 2137-AB39

DEPARTMENT OF TRANSPORTATION (DOT) — Completed Actions

Research and Special Programs Administration (RSPA)

2038. + STATE PIPELINE SAFETY INSPECTOR STANDARDS

Significance: Regulatory Program

Legal Authority: 49 USC 2004; 49 USC 1674

CFR Citation: 49 CFR 190

Legal Deadline: None.

Abstract: This action contemplated standards for State personnel who engage in compliance activities under the Federal/State cooperative pipeline safety program. The action is being removed from the Agenda pending legislative clarification of authority.

Timetable:

Action	Date	FR Cite
Action terminated	01/26/88	

Small Entity: No

Additional Information: At the time this agenda was prepared, future action was pending the enactment of statutory amendments needed to clarify the Department's authority in setting standards for State employees.

Agency Contact: C. DeLeon, Assistant Director for Regulations, Office of Pipeline Safety, Department of Transportation, Research and Special Programs Administration, 400 7th Street, SW, Washington, DC 20590, 202 366-1640

RIN: 2137-AB28

2039. REVISION OF THE IM TANK TABLE

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173

Legal Deadline: None.

Abstract: Contemplated revision to the IM Tank Table, by incorporating interim approvals granted, has been consolidated into RIN 2137-AA01, Docket HM-181.

Timetable:

Action	Date	FR Cite
Merged into Docket HM-181 (RIN 2137-AA01)	12/21/87	

DOT—RSPA **Completed Actions**

Small Entity: No

Additional Information: Formerly Docket HM-167A.

Agency Contact: Lee Jackson/Charles Ke, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4488

RIN: 2137-AA64

2040. REWRITE AND RECODIFICATION OF SECTION 173.34

Significance: Nonsignificant

Legal Authority: 49 USC 1803 to 1806

CFR Citation: 49 CFR 173.34

Legal Deadline: None.

Abstract: Recodification and rewrite would provide industry with regulations set up by the functions to be performed, providing a more simplified and readable regulation. Proposal would include consolidation of DOT specification seamless steel and aluminum cylinders, and requalification, maintenance, and use requirements to be provided under new Part 180. This action has been incorporated into RIN 2137-AA92, entitled "Consolidation of Specifications for High-Pressure Seamless Cylinders and Rewrite of 49 CFR 173.34."

Timetable:

Action	Date	FR Cite
Merged into RIN 2137-AA92	12/21/87	

Small Entity: No

Additional Information: Project No. 305-83

Agency Contact: M. Morris, Technical Staff, Department of Transportation, Research and Special Programs Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-4488

RIN: 2137-AA73

2041. PIPELINE SAFETY STANDARDS AND PROCEDURES; MISCELLANEOUS AMENDMENTS

Significance: Nonsignificant

Legal Authority: 49 USC 1672; 49 USC 1804

CFR Citation: 49 CFR 190 49 CFR 192

Legal Deadline: None.

Abstract: Various editoria' and other minor changes were made to the gas pipeline safety standards.

Timetable:

Action	Date	FR Cite
Final Action	01/21/88	53 FR 1633
Final Action Effective	02/22/88	53 FR 1633

Small Entity: No

Additional Information: Docket No. PS-99. Formerly entitled Transportation of Natural and Other Gas by Pipeline; Miscellaneous Amendments.

Agency Contact: B. Liebler, Department of Transportation, Research and Special Programs Administration, 400 Seventh St., SW, Washington, DC 20590, 202 366-4560

RIN: 2137-AB22

DEPARTMENT OF TRANSPORTATION (DOT)

Maritime Administration (MarAd) **Prerule Stage**

2042. + PARTICIPATION BY VESSELS BUILT WITH CONSTRUCTION-DIFFERENTIAL SUBSIDY IN THE CARRIAGE OF OIL FROM ALASKA IN THE DOMESTIC TRADE

Significance: Agency Priority

Legal Authority: 46 USC 1114(b); 46 USC 1156

CFR Citation: 46 CFR 250

Legal Deadline: None.

Abstract: This regulation now establishes conditions for MARAD approval of tanker vessels over 100,000 dwt built with CDS, for participation in the carriage of Alaskan oil from Alaska to the Panama Canal. MARAD is reassessing the need for this regulation in light of the experience in administering its provisions, its policy of allowing total repayment of CDS (46 CFR Part 276) and litigation challenging these policies. This rulemaking is significant due to substantial public interest.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Frances Olsen, Chief, Division of Trade Studies, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Room 8117, Washington, DC 20590, 202 366-2282

RIN: 2133-AA62

2043. STATISTICAL DATA FOR USE IN OPERATING-DIFFERENTIAL SUBSIDY (ODS) APPLICATION HEARINGS

Significance: Nonsignificant

Legal Authority: 46 USC 1175

CFR Citation: 46 CFR 207

Legal Deadline: None.

Abstract: Rulemaking would propose procedures that would assist preparation of standard forecasts of liner cargo (if a Final Rule covering ODS application hearing procedures is issued) in which forecast procedures would be included.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Further action dependent on disposition of RIN 2133-AA20.

Affected Sectors: 441 Deep Sea Foreign Transportation of Freight

Agency Contact: Edmond J. Fitzgerald, Director, Office of Trade Analysis and Insurance, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2400

RIN: 2133-AA16

2044. REGULATIONS AND MINIMUM STANDARDS FOR STATE, TERRITORIAL, OR REGIONAL MARITIME ACADEMIES AND COLLEGES

Significance: Nonsignificant

DOT—MarAd **Prerule Stage**

Legal Authority: 46 USC 1295

CFR Citation: 46 CFR 310

Legal Deadline: None.

Abstract: The Maritime Administration provides support to six State maritime schools for maritime education. The Federal support is outlined in agreements that have been executed between MARAD and the schools. The existing regulations will be revised to reflect changes in these agreements due to decreased federal support.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Affected Sectors: 441 Deep Sea Foreign Transportation of Freight; 442 Deep Sea Domestic Transportation of Freight; 443 Freight Transportation on the Great Lakes-St. Lawrence Seaway; 822 Colleges, Universities, Professional Schools, and Junior Colleges

Government Levels Affected: State, Federal

Agency Contact: Arthur W. Friedberg, Director, Office of Maritime Labor & Training, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-5755

RIN: 2133-AA57

DEPARTMENT OF TRANSPORTATION (DOT) — Proposed Rule Stage

Maritime Administration (MarAd)

2045. + CARGO PREFERENCE, U.S.-FLAG VESSELS: DETERMINATION OF FAIR AND REASONABLE RATES FOR BULK VESSELS

Significance: Regulatory Program

Legal Authority: 46 USC 1241(b); 46 USC 1114(b)

CFR Citation: 46 CFR 382, (New)

Legal Deadline: None.

Abstract: This regulation would require provision of rate and cost data to MARAD so it can determine fair and reasonable rates for carriage of preference cargo in bulk vessels at the request of concerned Federal agencies. MARAD would calculate guideline fair and reasonable rates using a methodology which would base those rates on a vessel's actual or constructed costs as determined from data submitted by the operator. It would establish requirements for submission of data on which the methodology would be based. This rulemaking is significant because it concerns a matter on which there is substantial public interest. It would clarify the meaning of a statutory term.

Timetable:

Action	Date	FR Cite
NPRM	08/06/85	50 FR 31735
NPRM Comment Period End	10/07/85	
NPRM Supplemental	12/17/86	51 FR 45135
SNPRM	04/00/88	

Small Entity: No

Additional Information: This rulemaking has split from an earlier rulemaking: Cargo Preference - U.S. Flag Vessels - Determination of Fair and Reasonable Rates for Liners (RIN = 2133-AA02). Cargo preference regulation was last revised in 1977 (46 CFR 381).

Affected Sectors: 441 Deep Sea Foreign Transportation of Freight

Analysis: Supplemental Draft Evaluation 12/17/86 (51 FR 45135)

Agency Contact: Arthur B. Sforza, Director, Office of Ship Operating Assistance, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2323

RIN: 2133-AA43

2046. ● + OPERATING-DIFFERENTIAL SUBSIDY FOR BULK CARGO VESSELS ENGAGED IN WORLDWIDE SERVICES; EXCLUSION OF COMMERCIAL CARGOES RESERVED FOR U.S.-FLAG CARRIERS

Significance: Regulatory Program

Legal Authority: 46 USC 1114, (Appendix)

CFR Citation: 46 CFR 252

Legal Deadline: None.

Abstract: The Maritime Administration (MARAD) has entered into operating-differential subsidy contracts (ODSA) with operators of bulk cargo vessels that provide for the subsidized carriage of commercial cargo in the oceanborne foreign commerce of the United States and between foreign ports. These ODSAs specifically exclude the carriage of statutory-preference cargoes, but are silent about the cargoes that, while not preference cargoes according to a district court decision that was affirmed by the Court of Appeals for the District of Columbia, are reserved to U.S.-flag carriers by agreement of a foreign country that is a recipient of United States foreign assistance, in the form of cash transfers or grants. MARAD intends to propose a rulemaking that states the policy of not paying ODS on these cargoes that are reserved to U.S.-flag vessels at premium rates and are not subject to foreign competition, based on the conclusion that these are not "commercial" cargoes within the contemplation of the ODSA provisions.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Edmond Fitzgerald, Director, Off. of Trade Analysis & Insurance, Department of Transportation, Maritime Administration, DOT/MARAD, 400 Seventh St., SW, Washington, DC 20590, 202 366-2400

RIN: 2133-AA66

2047. + CARGO PREFERENCE — IMPLEMENTATION OF P.L. 99-198

Significance: Agency Priority

Legal Authority: 46 USC 1241

CFR Citation: 46 CFR 381

Legal Deadline: None.

Abstract: These amendments to the existing cargo-preference regulations

will implement S1142 of P.L. 98-198, the Food Security Act of 1985, that clarifies the applicability of cargo-preference requirements to the shipment of U.S. agricultural products. It provides for an increase in the required percentage of carriage on U.S.-flag vessels of agricultural commodities not specifically exempted from cargo-preference requirements. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: 441 Deep Sea Foreign Transportation of Freight

Government Levels Affected: Federal

Analysis: Draft Evaluation 04/00/88

Agency Contact: Lewis C. Paine, Director, Office of Market Development, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-5517**

RIN: 2133-AA55

2048. RULES OF PRACTICE AND PROCEDURES FOR HEARING IN ODS APPLICATIONS

Significance: Nonsignificant

Legal Authority: 46 USC 1114(b)

CFR Citation: 46 CFR 201; 46 CFR 208; 46 CFR 251

Legal Deadline: None.

Abstract: Amendments to existing agency rules of practice and procedure and regulations governing applications for financial assistance, as well as new Part 208, that would establish a standard discovery order and standard techniques for forecasting the adequacy of U.S.-flag liner service in hearings required under the Merchant Marine Act, 1936.

Timetable:

Action	Date	FR Cite
NPRM	06/25/79	44 FR 37003
Next Action Undetermined		

Small Entity: No

Affected Sectors: 441 Deep Sea Foreign Transportation of Freight; 443 Freight Transportation on the Great Lakes-St. Lawrence Seaway

Agency Contact: Edmond J. Fitzgerald, Director, Office of Trade Analysis and Insurance, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, **202 366-2400**

RIN: 2133-AA20

2049. REQUIREMENTS FOR CONDUCTING VESSEL SUBSIDY CONDITION SURVEYS AND FOR ACCOMPLISHING SUBSIDIZED VESSEL MAINTENANCE AND REPAIRS

Significance: Nonsignificant

Legal Authority: 46 USC 1114(b); 46 USC 1173

CFR Citation: 46 CFR 272

Legal Deadline: None.

Abstract: MARAD is considering a proposal to amend its regulations concerning the requests for conducting condition surveys of subsidized vessels and accomplishing subsidized maintenance and repairs, in order to conform the regulations to reflect existing procedures of the agency and to advise the public of MARAD organizational changes.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: 441 Deep Sea Foreign Transportation of Freight

Government Levels Affected: Federal

Agency Contact: John J. Davis, Chief, Div. of Ship Management, Department of Transportation, Maritime Administration, DOT/MARAD, 400 Seventh St., SW, Washington, DC 20590, **202 366-5776**

RIN: 2133-AA64

2050. ● CAPITAL CONSTRUCTION FUND -- FEDERAL TAX AMENDMENTS

Significance: Nonsignificant

Legal Authority: 46 USC 1114(b)

CFR Citation: 46 CFR 390.391

Legal Deadline: None.

Abstract: The Maritime Administration is amending its regulations concerning the Capital Construction Fund (CCF) to give effect to amendments in the Tax Reform Act of 1986 (P.L. 99-514) relative to the operation of a CCF.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: 441 Deep Sea Foreign Transportation of Freight; 449 Services Incidental to Water Transportation; 443 Freight Transportation on the Great Lakes-St. Lawrence Seaway

Government Levels Affected: Federal

Agency Contact: Jean E. McKeever, Chief, Div. of Capital Assets Management, Department of Transportation, Maritime Administration, DOT/MARAD, 400 Seventh St., SW, Washington, DC 20590, **202 366-1905**

RIN: 2133-AA65

2051. ● GENERAL PROCEDURES FOR DETERMINING OPERATING DIFFERENTIAL SUBSIDY FOR LINER VESSELS

Significance: Nonsignificant

Legal Authority: 46 App USC 1114(b)

CFR Citation: 46 CFR 282

Legal Deadline: None.

Abstract: The Maritime Administration (MARAD) proposes to amend the procedure for determining ODS for liner vessels operating in the foreign commerce of the United States. In determining rates for wage subsidy, MARAD proposes to use the U.S./foreign cost relationship at a point in time that is one year earlier than the date now used, and would also use a different and longer period as the basis for calculating the respective currency exchange rates.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: 441 Deep Sea Foreign Transportation of Freight; 448 Water Transportation of Passengers

Government Levels Affected: Federal

Agency Contact: Arthur Sforza, Director, Office of Ship Operating Assistance, Department of Transportation, Maritime Administration, DOT/MARAD (560) 400

DOT—MarAd **Proposed Rule Stage**

Seventh Street, SW, Washington, DC 20590, **202 366-2323**

RIN: 2133-AA67

2052. ● OPERATING-DIFFERENTIAL SUBSIDY FOR BULK CARGO VESSELS ENGAGED IN WORLDWIDE SERVICE

Significance: Nonsignificant

Legal Authority: 46 App. USC 1114(b)

CFR Citation: 46 CFR 252

Legal Deadline: None.

Abstract: The Maritime Administration proposes to amend the procedure for determining ODS for bulk cargo vessels operating in the foreign commerce of the United States. In determining rates for wage subsidy, MARAD proposes to use the U.S./foreign cost relationship at a point in time that is one year earlier than the date now used, and would also use a different and longer period as the basis for calculating the respective currency exchange rates.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: 441 Deep Sea Foreign Transportation of Freight; 448 Water Transportation of Passengers

Government Levels Affected: Federal

Agency Contact: Arthur Sforza, Director, Office of Ship Operating Assistance, Department of Transportation, Maritime Administration, DOT/MARAD (560) 400 Seventh Street, SW, Washington, DC 20590, **202 366-2323**

RIN: 2133-AA68

2053. ● CARGO PREFERENCE -- U.S.-FLAG VESSELS; DEPARTMENT OF DEFENSE SPONSORED AND GENERATED OCEANBORNE CARGOES

Significance: Nonsignificant

Legal Authority: 46 USC 1241(b)

CFR Citation: 46 CFR 381

Legal Deadline: None.

Abstract: MARAD is formalizing procedures that have been adopted by one or more agencies within the Department of Defense (DOD) to accomplish compliance with two cargo preference statutes that require that minimum specified percentages of oceanborne cargoes sponsored and generated by DOD be carried on privately owned U.S.-flag commercial vessels, and is making each of these procedures applicable to all DOD agencies, where appropriate. Most of these procedures are now contained in internal DOD documents.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Affected Sectors: 441 Deep Sea Foreign Transportation of Freight; 443 Freight Transportation on the Great Lakes-St. Lawrence Seaway; 473 Arrangement of Transportation of Freight and Cargo; 971 National Security

Government Levels Affected: Federal

Agency Contact: S. Thomas Romeo, Chief, Division of National Cargo, Department of Transportation, Maritime Administration, 400 Seventh Street SW (MAR-820), Room 7209, Washington, DC 20590, **202 366-4610**

RIN: 2133-AA69

DEPARTMENT OF TRANSPORTATION (DOT) — Final Rule Stage

Maritime Administration (MarAd)

2054. + APPROVAL OF MARINE HULL UNDERWRITERS

Significance: Agency Priority

Legal Authority: 46 USC 1114(b); 46 USC 1279(b)

CFR Citation: 46 CFR 299, (New)

Legal Deadline: None.

Abstract: This notice of proposed rulemaking would establish MARAD's criteria for accepting an organization as an underwriter on any policy of insurance covering vessels under Title XI and Title VI programs or other MARAD administered aid programs. This rulemaking is significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
ANPRM	10/11/85	50 FR 41531
ANPRM Comment Period End	11/12/85	50 FR 41531
Public meeting	04/17/86	
NPRM	10/16/87	52 FR 33481
NPRM Comment Period End	12/15/87	52 FR 33481
Comment Period extended to 01/15/88	12/17/87	52 FR 48077
Final Action	04/00/88	

Small Entity: No

Analysis: Regulatory Evaluation 04/00/88

Agency Contact: William B. Ebersold, Maritime Aids Specialist, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Room 8126, Washington, DC 20590, **202 366-0364**

RIN: 2133-AA50

2055. + CARGO PREFERENCE, U.S.-FLAG VESSELS: EVALUATION OF BIDS FOR SUBSIDIZED LINER VESSELS

Significance: Agency Priority

Legal Authority: 46 USC 1241

CFR Citation: 46 CFR 381.8

Legal Deadline: None.

Abstract: This regulation would establish procedures governing the evaluation by U.S. shipper agencies of bids from subsidized U.S.-flag-liner vessel operators for the carriage of open rated civilian and military preference cargoes. This rulemaking is considered significant because of substantial public interest.

Timetable:

Action	Date	FR Cite
NPRM	02/10/86	51 FR 5015
Final Action	04/00/88	

Small Entity: No

Additional Information: On 11/11/84, MARAD issued a final rule setting forth procedures governing the evaluation by shipper agencies of bids from U.S.-flag bulk vessel operators for the carriage of dry bulk preference cargoes. Final

action awaiting final rulemaking publication by Department of Agriculture.

Government Levels Affected: Federal

Agency Contact: Arthur B. Sforza, Director, Office of Ship Operating Assistance, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2323

RIN: 2133-AA52

2056. SUSPENSION OF ODS AGREEMENTS FOR ALL OR PORTION OF THE VESSELS INCLUDED THEREIN

Significance: Nonsignificant

Legal Authority: 46 USC 1184; 46 USC 1114(b); PL 97-35

CFR Citation: 46 CFR 295, (New)

Legal Deadline: None.

Abstract: These regulations would implement Sec. 1603 of the Omnibus Budget Reconciliation Act of 1981 (P.L. 97-35), which adds a new Sec. 614 to the Merchant Marine Act, 1936 (46 App. U.S.C. 1184).

Timetable:

Action	Date	FR Cite
NPRM	08/18/83	48 FR 37449
To Be Withdrawn	04/00/88	

Small Entity: No

Additional Information: NPRM being withdrawn because the Maritime Subsidy Board final Opinion and Order in Docket S-764, that does not require CDS repayment for bulk vessels carrying preference cargoes, is a more attractive alternative for operators than ODS suspension that requires CDS repayment. Also, operator of only liner vessels to make election is in bankruptcy.

Affected Sectors: 441 Deep Sea Foreign Transportation of Freight

Agency Contact: Raymond Barberesi, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2256

RIN: 2133-AA17

2057. MARINE PROTECTION AND INDEMNITY INSURANCE INSTRUCTIONS UNDER GENERAL AGENCY AND BERTH AGENCY AGREEMENTS

Significance: Nonsignificant

Legal Authority: 46 USC 1114(b)

CFR Citation: 46 CFR 326

Legal Deadline: None.

Abstract: These amendments would reflect existing Maritime Administration (MARAD) practices, office names and addresses concerning the handling of marine protection insurance (P&I) claims by Agents under Agreements with the United States, acting by and through the Director, National Shipping Authority in MARAD, with respect to vessels under MARAD control in the National Defense Reserve Fleet.

Timetable:

Action	Date	FR Cite
NPRM	05/14/86	51 FR 17659
NPRM Comment Period End	07/14/86	
Final Action	04/00/88	

Small Entity: No

Affected Sectors: 441 Deep Sea Foreign Transportation of Freight; 442 Deep Sea Domestic Transportation of Freight

Agency Contact: Edmond J. Fitzgerald, Director, Office of Trade Analysis & Insurance, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Room 8117, Washington, DC 20590, 202 366-2400

RIN: 2133-AA51

DEPARTMENT OF TRANSPORTATION (DOT)

Maritime Administration (MarAd)

Completed Actions

2058. + CARGO PREFERENCE U.S.-FLAG VESSELS; DETERMINATION OF FAIR AND REASONABLE RATES FOR LINER VESSELS

Significance: Regulatory Program

Legal Authority: 46 USC 1241(b); 46 USC 1114(b)

CFR Citation: 46 CFR 382, (New)

Legal Deadline: None.

Abstract: Regulation requires provision of rate and cost data to MARAD so it can determine fair and reasonable rates for carriage of preference cargo at the request of concerned Federal agencies. This rulemaking was significant because it concerns a matter on which there is substantial public interest. It was needed to clarify the meaning of a statutory term.

Timetable:

Action	Date	FR Cite
NPRM	02/10/86	51 FR 5012
Final Action	10/09/87	
Final Action Effective	11/09/87	52 FR 37769

Small Entity: No

Analysis: Final Regulatory Evaluation 10/09/87 (52 FR 37769)

Agency Contact: Arthur B. Sforza, Director, Office of Ship Operating Assistance, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Washington, DC 20590, 202 366-2323

RIN: 2133-AA02

2059. REVIEW: WAR RISK INSURANCE

Significance: Nonsignificant

Legal Authority: 46 USC 1283

CFR Citation: 46 CFR 308

Legal Deadline: None.

Abstract: Final rule expands eligibility for War Risk Insurance to foreign flag vessels other than those documented under the laws of Panama, Liberia or Honduras, that are effectively U.S.-controlled vessels.

Timetable:

Action	Date	FR Cite
NPRM	10/16/87	52 FR 38386
NPRM Comment Period End	12/15/87	
Final Action	03/14/88	53 FR 8186

DOT—MarAd **Completed Actions**

Action	Date	FR Cite
Final Action Effective	04/13/88	

Small Entity: No

Affected Sectors: 44 Water Transportation; 633 Fire, Marine, and Casualty Insurance

Agency Contact: Edmond J. Fitzgerald, Director, Office of Trade Analysis & Insurance, Department of Transportation, Maritime Administration, 400 Seventh Street, SW, Room 8117, Washington, DC 20590, 202 366-2400

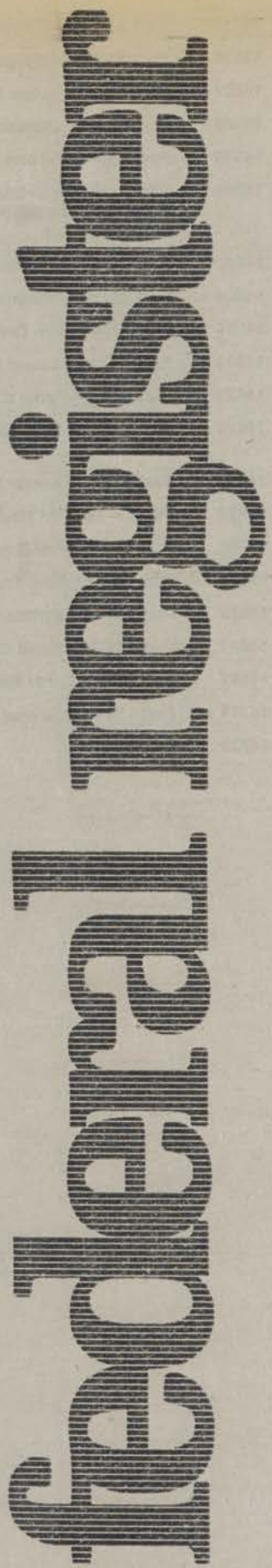
RIN: 2133-AA54

[FR Doc. 88-6846 Filed 04-22-88; 8:45 am]

BILLING CODE 4910-62-T

4-25-88
Vol. 53 No. 79

BOOK 2:
Pages 14179–14772



Book 2 of 2 Books
Monday, April 25, 1988

Unified Agenda of Federal Regulations

14180	Part XV—Department of the Treasury
14320	Part XVI—ACTION
14324	Part XVII—Agency for International Development
14328	Part XVIII—Architectural and Transportation Barriers Compliance Board
14332	Part XIX—Commission on Civil Rights
14334	Part XX—Environmental Protection Agency
14410	Part XXI—Equal Employment Opportunity Commission
14416	Part XXII—Federal Emergency Management Agency
14426	Part XXIII—Federal Mediation and Conciliation Service
14428	Part XXIV—General Services Administration
14442	Part XXV—Merit Systems Protection Board
14446	Part XXVI—National Aeronautics and Space Administration
14454	Part XXVII—National Archives and Records Administration
14460	Part XXVIII—National Foundation on the Arts and the Humanities/National Endowment for the Arts
14464	Part XXIX—National Foundation on the Arts and the Humanities/National Endowment for the Humanities
14466	Part XXX—National Science Foundation
14470	Part XXXI—Office of Management and Budget
14476	Part XXXII—Office of Personnel Management
14494	Part XXXIII—Panama Canal Commission
14498	Part XXXIV—Peace Corps
14500	Part XXXV—Pennsylvania Avenue Development Corporation
14504	Part XXXVI—Pension Benefit Guaranty Corporation

14512 Part XXXVII—Railroad Retirement Board
14520 Part XXXVIII—Selective Service System
14522 Part XXXIX—Small Business Administration
14536 Part XL—Tennessee Valley Authority
14540 Part XLI—Veterans Administration
14564 Part XLII—Department of Defense/General Services Administration/National Aeronautics and Space Administration
14580 Part XLIII—Commodity Futures Trading Commission
14584 Part XLIV—Consumer Product Safety Commission
14594 Part XLV—Farm Credit Administration
14604 Part XLVI—Federal Communications Commission
14620 Part XLVII—Federal Deposit Insurance Corporation
14628 Part XLVIII—Federal Energy Regulatory Commission, DOE
14636 Part XLIX—Federal Home Loan Bank Board
14648 Part L—Federal Maritime Commission
14656 Part LI—Federal Reserve System
14668 Part LII—Federal Trade Commission
14676 Part LIII—Interstate Commerce Commission
14682 Part LIV—National Credit Union Administration
14692 Part LV—Nuclear Regulatory Commission
14714 Part LVI—Securities and Exchange Commission
14733 Index

federal register

Monday
April 25, 1988

Part XV

Department of the Treasury

Semiannual Regulatory Agenda

DEPARTMENT OF THE TREASURY (TREAS)

DEPARTMENT OF THE TREASURY (TREAS)
Departmental Offices (DO)

DEPARTMENT OF THE TREASURY

31 CFR Subtitle A, Chs. I and II

Semiannual Agenda

AGENCY: Departmental Offices, Treasury.

ACTION: Semiannual agenda.

SUMMARY: This notice is given pursuant to the requirements of the "Regulatory Flexibility Act" (Pub. L. 96-354, September 19, 1980) and Executive Order 12291 ("Federal Regulation," February 17, 1981), which require the publication of a semiannual agenda of regulations. The semiannual agenda of the Department of the Treasury conforms to the Unified Agenda Format developed by the Regulatory Information Service Center (RISC).

FOR FURTHER INFORMATION CONTACT: For additional information about a specific Departmental Offices regulation, contact the "agency contact" listed in the specific regulatory action. For general information concerning the agenda, contact Richard S. Carro, Associate General Counsel (Legislation, Litigation, and Regulation), Room 1422, 1500 Pennsylvania Avenue, NW., Washington, DC 20220, (202) 566-2558, not a toll-free call.

Dated: February 26, 1988.

Robert B. Zoellick,

Executive Secretary.

Departmental Offices—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2060	31 CFR 10 Due Diligence Standards With Respect to Persons Practicing Before the Internal Revenue Service	1505-AA17

Departmental Offices—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2061	31 CFR 103.25 Bank Secrecy Act; Transactions with Foreign Financial Agencies	1505-AA29

Departmental Offices—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2062	31 CFR 103 Disclosure of Bank Secrecy Act Data	1505-AA25
2063	31 CFR 103 Bank Secrecy Act Reporting Requirements of the United States Postal Service	1505-AA27
2064	31 CFR 103.70 Bank Secrecy Act; Administrative Ruling System	1505-AA28

DEPARTMENT OF THE TREASURY (TREAS) — Proposed Rule Stage
Departmental Offices (DO)

2060. DUE DILIGENCE STANDARDS WITH RESPECT TO PERSONS PRACTICING BEFORE THE INTERNAL REVENUE SERVICE

Legal Authority: 5 USC 301; 31 USC 330; 31 USC 321

CFR Citation: 31 CFR 10

Legal Deadline: None.

Abstract: The proposed regulation would modify the current regulations governing practice before the Internal Revenue Service by clarifying the requirements relating to due diligence standards imposed on tax practitioners.

Timetable:

Action	Date	FR Cite
NPRM	08/14/86	51 FR 29113
Extend Public Comment Period to 11/13/86	08/27/86	51 FR 30510
NPRM Comment Period End	10/14/86	51 FR 29113

TREAS—DO **Proposed Rule Stage**

Action	Date	FR Cite
Extend public comment period to 02/13/87	11/06/86	51 FR 40340

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Mr. Leslie S. Shapiro, Director of Practice, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, 202 535-6787

RIN: 1505-AA17

DEPARTMENT OF THE TREASURY (TREAS) — Final Rule Stage
Departmental Offices (DO)

2061. ● BANK SECRECY ACT; TRANSACTIONS WITH FOREIGN FINANCIAL AGENCIES

Legal Authority: 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 to 5324

CFR Citation: 31 CFR 103.25

Legal Deadline: None.

Abstract: The proposed amendments would increase the utility of reporting under the Bank Secrecy Act by authorizing the reporting of completed as well as future transactions and preventing financial institutions from informing customers or other parties of a reporting requirement imposed under the regulations.

Timetable:

Action	Date	FR Cite
NPRM	10/26/87	52 FR 39922
NPRM Comment Period End	12/28/87	52 FR 39922
Final Action	03/00/88	
Final Action Effective	04/00/88	

Small Entity: No

Agency Contact: Jonathan J. Rusch, Assistant to the Director, Office of, Financial Enforcement, Department of the Treasury, Departmental Offices, Room 4320, Washington, DC 20220, 202 566-2516

RIN: 1505-AA29

DEPARTMENT OF THE TREASURY (TREAS) — Completed Actions
Departmental Offices (DO)

2062. DISCLOSURE OF BANK SECRECY ACT DATA

Legal Authority: 12 USC 1892b; 12 USC 1951 to 1959; 31 USC 5311 to 5324

CFR Citation: 31 CFR 103

Legal Deadline: None.

Abstract: This regulation would clarify current rules pertaining to disclosure of information reported under the Bank Secrecy Act and to add a new provision that would authorize charging of fees for costs incidental to certain disclosures to state and local government agencies.

Timetable:

Action	Date	FR Cite
NPRM	06/09/87	52 FR 21699
NPRM Comment Period End	07/08/87	52 FR 21699
Final Action	09/22/87	52 FR 35544
Final Action Effective	10/21/87	52 FR 35544

Small Entity: No

Agency Contact: Jonathan J. Rusch, Director, Office of Financial Enforcement, Department of the Treasury, Departmental Offices, Room 4320, Washington, DC 20220, 202 566-8022

RIN: 1505-AA25

2063. BANK SECRECY ACT REPORTING REQUIREMENTS OF THE UNITED STATES POSTAL SERVICE

Legal Authority: 12 USC 1892b; 12 USC 1951 to 1959; 31 USC 5311 to 5324

CFR Citation: 31 CFR 103

Legal Deadline: None.

Abstract: This document would place the United States Postal Service under the reporting requirements of the Bank Secrecy Act with respect to cash purchases of postal money orders exceeding $10,000, in response to the problem of drug money laundering through the purchase of postal money orders.

Timetable:

Action	Date	FR Cite
NPRM	09/22/87	52 FR 35562
NPRM Comment Period End	11/22/87	52 FR 39663
Final Action	01/13/88	53 FR 00776
Final Action Effective	04/12/88	53 FR 00776

Small Entity: No

Agency Contact: Jonathan J. Rusch, Director, Office of Financial Enforcement, Department of the Treasury, Departmental Offices, Room 4320, Washington, DC 20220, 202 566-8022

RIN: 1505-AA27

2064. ● BANK SECRECY ACT; ADMINISTRATIVE RULING SYSTEM

Legal Authority: 12 USC 1829b; 12 USC 1951 to 1959; 31 USC 5311 to 5324

CFR Citation: 31 CFR 103.70

Legal Deadline: None.

Abstract: This document established an administrative ruling system to facilitate dissemination of Treasury Department interpretations of the Bank Secrecy Act and its implementing regulations.

Timetable:

Action	Date	FR Cite
Final Action	09/22/87	52 FR 35545
Final Action Effective	10/21/87	52 FR 35545

Small Entity: No

Agency Contact: Jonathan J. Rusch, Assistant to the Director, Office of, Financial Enforcement, Department of the Treasury, Departmental Offices, Room 4320, Washington, DC 20220, 202 566-2516

RIN: 1505-AA28

TREAS—DO **Completed Actions**

Office of Revenue Sharing—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2065	31 CFR 51 Final Wind-Down of Revenue Sharing Program	1507-AA12

DEPARTMENT OF THE TREASURY (TREAS)
Office of Revenue Sharing (ORS)

Completed Actions

2065. FINAL WIND-DOWN OF REVENUE SHARING PROGRAM

Legal Authority: 31 USC 6701 to 6724; PL 99-272

CFR Citation: 31 CFR 51

Legal Deadline: None.

Abstract: Congress has repealed the Revenue Sharing Act effective December 31, 1986 or the adjournment sine die of the 99th Congress whichever is earlier. Some regulatory changes have been made but final changes may need to be made in the regulations in order to effectuate this repeal. No alternative to wind-down of the Program or repeal of the Act exists. The elimination of the Program will be a substantial cost-cutting action.

Timetable:

Action	Date	FR Cite
Final Action	10/02/87	52 FR 36924

Small Entity: Undetermined

Agency Contact: Thomas P. O'Malley, Department of the Treasury, Office of Revenue Sharing, Room 1458, Washington, DC 20220, 202 566-2586

RIN: 1507-AA12

[FR Doc. 88-5797 Filed 04-22-88; 8:45 am]
BILLING CODE 4810-25-T

DEPARTMENT OF THE TREASURY (TREAS)
Financial Management Service (FMS)

Fiscal Service

31 CFR Ch. II

Semiannual Agenda

AGENCY: Financial Management Service, Treasury.

ACTION: Semiannual agenda.

SUMMARY: This notice is given pursuant to the requirements of the "Regulatory Flexibility Act" (Pub. L. 96-354, September 19, 1980) and Executive Order 12291 ("Federal Regulation," February 17, 1981), which require publication of a semiannual agenda of regulations under development or review.

FOR FURTHER INFORMATION CONTACT: For additional information about a specific regulation contained in this agenda, contact the "agency contact" listed in the specific regulatory action.

SUPPLEMENTARY INFORMATION: The proposed regulations are not considered to be major regulations within the meaning of E.O. 12291 and will not have a significant impact on small entities within the meaning of the Regulatory Flexibility Act.

Dated: March 4, 1988.

W. E. Douglas,

Commissioner.

Financial Management Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2066	31 CFR 205 Revision of 31 CFR Part 205 (TDC No. 1075), Payments Between the Federal Government and Recipient Organizations	1510-AA00
2067	31 CFR 210, (Revision) Federal Payments through Financial Institutions by the Automated Clearing House Method	1510-AA09
2068	31 CFR 235 Time Limitation on Payment and Cancellation of Treasury Checks and Reclamation Actions and Claims	1510-AA11

TREAS—FMS

Financial Management Service—Prerule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2069	31 CFR 225, (Revision) Acceptance of Bonds, Notes, or Other Obligations Issued or Guaranteed by the United States as Security in Lieu of Surety or Sureties on Penal Bonds	1510-AA13

Financial Management Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2070	31 CFR 223, (Revision) Regulations Governing Surety Companies Doing Business with the United States	1510-AA12

DEPARTMENT OF THE TREASURY (TREAS)

Prerule Stage

Financial Management Service (FMS)

2066. REVISION OF 31 CFR PART 205 (TDC NO. 1075), PAYMENTS BETWEEN THE FEDERAL GOVERNMENT AND RECIPIENT ORGANIZATIONS

Significance: Agency Priority

Legal Authority: 31 USC 6503

CFR Citation: 31 CFR 205

Legal Deadline: None.

Abstract: Revision of 31 CFR 205 will implement a new funding technique for Federal programs. The regulation would require a State to pay interest on Federal funds from the time they are deposited to the State's account until the time those funds are paid out to redeem checks or warrants or make payments by other means. This new "Checks Issued-Interest Remitted" technique was developed in response to statutes in some States that require that funds reside in a bank account prior to the issuance of checks. This revision also provides for the remittance of interest by the Federal Government if a State disburses its own funds for program purposes in accordance with Federal law, regulation or Federal/State agreement.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: In addition, other cash management issues discussed by the State/Federal Cash Management Reform Task Force will be addressed in this regulation.

Government Levels Affected: Local, State, Federal

Agency Contact: Harold Blitz, (Acting) Manager, Treasury Programs Branch, Department of the Treasury, Financial Management Service, 401 14th Street, SW, Room 409A, Washington, DC 20227, **202 287-0590**

RIN: 1510-AA00

2067. FEDERAL PAYMENTS THROUGH FINANCIAL INSTITUTIONS BY THE AUTOMATED CLEARING HOUSE METHOD

Significance: Agency Priority

Legal Authority: 5 USC 5525; 12 USC 391; 31 USC 321

CFR Citation: 31 CFR 210, (Revision)

Legal Deadline: None.

Abstract: Revision of 31 CFR Part 210 will clarify the breadth of payments governed by the regulations. These include non-benefit payments such as vendor payments, miscellaneous payments. Internal Revenue Service (IRS) tax refunds, savings bonds, grants and loans. It will also include the payment of discretionary allotments of net pay of Federal employees' salaries by DD/EFT. Electronic funds thus transferred through the Federal Reserve System eliminate the possibility of checks being lost, stolen, or forged. The Federal Government's operating efficiency will be improved, productivity will be increased, and the costs associated with the current methods will be reduced.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Government Levels Affected: Local, State, Federal

Agency Contact: Sheryl Morrow, Manager, Policy and Research Branch, Department of the Treasury, Financial Management Service, 401 14th Street, SW, Room 328, Washington, DC 20227, **202 287-0308**

RIN: 1510-AA09

2068. TIME LIMITATION ON PAYMENT AND CANCELLATION OF TREASURY CHECKS AND RECLAMATION ACTIONS AND CLAIMS

Significance: Agency Priority

Legal Authority: PL 100-86, Sec 1005 Title X; 31 USC 3328; 31 USC 3334; 31 USC 3712(a)

CFR Citation: 31 CFR 235; 31 CFR 240; 31 CFR 245

Legal Deadline: Statutory, 00/00/00. The Secretary of the Treasury, using his legal authority, extended the date the amendments shall become effective to 10/01/89. The notice of the extension appears at 53 FR 3584 (02/08/88).

TREAS—FMS **Prerule Stage**

Abstract: These regulations are required under PL 100-86, Sec 1005, and they will prescribe rules and procedures necessary in order to implement the time limitation on payment and cancellation of Treasury checks and reclamation actions and claims.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Yes

Agency Contact: David A. Ingold, Chief Counsel, Department of the Treasury, Financial Management Service, 401 14th Street, SW, Room 531, Washington, DC 20227, **202 287-0673**

RIN: 1510-AA11

2069. ACCEPTANCE OF BONDS, NOTES, OR OTHER OBLIGATIONS ISSUED OR GUARANTEED BY THE UNITED STATES AS SECURITY IN LIEU OF SURETY OR SURETIES ON PENAL BONDS

Significance: Agency Priority

Legal Authority: 31 USC 9303

CFR Citation: 31 CFR 225, (Revision)

Legal Deadline: None.

Abstract: The revision will address changes to definitions in the areas of authorized depositories and acceptable securities.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Terry Boyer, Manager, Surety Bond Branch, Department of the Treasury, Financial Management Service, 401 14th Street, SW, Room 259, Washington, DC, 20227, **202 287-3915**

RIN: 1510-AA13

DEPARTMENT OF THE TREASURY (TREAS)
Financial Management Service (FMS)

Final Rule Stage

2070. REGULATIONS GOVERNING SURETY COMPANIES DOING BUSINESS WITH THE UNITED STATES

Significance: Agency Priority

Legal Authority: 31 USC 9301 to 9309

CFR Citation: 31 CFR 223, (Revision)

Legal Deadline: None.

Abstract: The revision makes editorial changes, and contains substantive changes to sections concerning business experience, collateral and reinsurance requirements. Substantive changes include: 1) a 3-year aging requirement in order to qualify for Treasury certification, 2) elimination of the alternative to use collateral for protecting excess risks, and 3) a requirement that all reinsurance on Federal bonds be placed with companies recognized by Treasury for reinsurance purposes. The proposed regulations provide provisions for exceptions to the aging and reinsurance regulations under certain circumstances. These regulations will help Treasury ensure that certified companies are capable of carrying out their surety contracts.

Timetable:

Action	Date	FR Cite
NPRM	08/05/87	52 FR 29039
NPRM Comment Period End	10/19/87	52 FR 37334
Final Action	06/30/88	
Final Action Effective	07/31/88	

Small Entity: No

Agency Contact: Terry Boyer, Manager, Surety Bond Branch, Department of the Treasury, Financial Management Service, 401 14th Street, SW, Room 259, Washington, DC 20227, **202 287-3915**

RIN: 1510-AA12

[FR Doc. 88-6196 Filed 04-22-88; 8:45 am]

BILLING CODE 4810-35-T

DEPARTMENT OF THE TREASURY (TREAS)
Bureau of Alcohol, Tobacco and Firearms (BATF)

Bureau of Alcohol, Tobacco and Firearms

27 CFR Ch. I

[Notice No. 660]

Unified Agenda of Federal Regulations

AGENCY: Bureau of Alcohol, Tobacco and Firearms (ATF), Treasury.

ACTION: General notice; Unified Agenda of Federal Regulations of regulatory projects under development, consideration, and review.

SUMMARY: Pursuant to section 5 of Executive Order 12291, entitled "Federal Regulations," ATF is publishing an agenda of proposed regulations that are expected to be issued and of proposed regulations that have been issued and an agenda of existing regulations that are being reviewed under the terms of the Executive Order, within the next six months. The latter agenda also lists regulatory projects identified for review pursuant to the ATF Regulatory Reform Program. Pursuant to section 610 of the Regulatory Flexibility Act (Pub. L. 96-354; 5 U.S.C. 610), ATF is also indicating whether a regulatory project is likely to have a significant economic impact upon a substantial number of small entities.

This general notice is designed to give the public adequate notice of the regulatory activities being contemplated by ATF.

The agenda is based on information available at the present time. The next Unified Agenda of Federal Regulations will be published in the **Federal Register** of October 1988.

FOR FURTHER INFORMATION CONTACT: For information about any particular regulatory project, contact the person

TREAS—BATF

listed in the subheading "Agency Contact," for the regulatory project.

For general information about this general notice, contact Lori Weins, Wine and Beer Branch, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW., Washington, DC 20226; (202) 566-7626.

Issuance

By Direction of the Secretary of the Treasury, this general notice reads as set forth below.

Dated: February 5, 1988.

Stephen E. Higgins,

Director.

Bureau of Alcohol, Tobacco and Firearms—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2071	27 CFR 4 Recodification of 27 CFR Part 4	1512-AA17
2072	27 CFR 4.29 Grape Harvest Labeling for Wine	1512-AA31
2073	27 CFR 4 Labeling and Advertising of Wine, Distilled Spirits and Malt Beverages; Appearance of Athletes and Depiction of Athletic Events	1512-AA50
2074	27 CFR 250 Recodification of 27 CFR Part 250 as 27 CFR Part 26	1512-AA69
2075	27 CFR 4.24 Non-Generic Designations of Grape Wine Having Geographical Significance	1512-AA71
2076	27 CFR 27 Recodification of 27 CFR Part 251 as 27 CFR Part 27	1512-AA72
2077	27 CFR 4.73 Standards of Fill for Wine and Distilled Spirits	1512-AA77
2078	27 CFR 5.39 Label Disclosure for Brandy Treated with Wood	1512-AA81
2079	27 CFR 55 Fireworks Regulations	1512-AA52
2080	27 CFR 285 27 CFR Part 285, Manufacture of Cigarette Papers and Tubes	1512-AA33

Bureau of Alcohol, Tobacco and Firearms—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2081	27 CFR 19.11 Implementation of the "Wine Impact Bill"	1512-AA06
2082	27 CFR 9 American Viticultural Areas	1512-AA07
2083	27 CFR 5.22 Standard of Identity for Vodka	1512-AA10
2084	27 CFR 197 Nonbeverage Drawback	1512-AA20
2085	27 CFR 240.180 to 240.400 Recodification of Wine Regulations (Subparts A to O)	1512-AA42
2086	27 CFR 4 Labeling and Advertising of Wine, Distilled Spirits and Malt Beverages; Use of the Word Light (Lite)	1512-AA48
2087	27 CFR 240 Materials and Processes for the Production and Treatment of Wine	1512-AA61
2088	27 CFR 4 Winegrape Varietal Designations	1512-AA67
2089	27 CFR 4.35 Winemaking Terminology	1512-AA70
2090	27 CFR 7 Use of Terms in the Labeling and Advertising of Malt Beverages Having an Alcohol Content of Less Than .5% by Volume	1512-AA73
2091	27 CFR 4.32 Labeling and Advertising of Wine, Distilled Spirits, and Malt Beverages; Disclosure of FD & C Yellow No. 6	1512-AA76
2092	27 CFR 25 Operation of a Retail Beer Dealership for on-premises consumption at a Brewery	1512-AA78
2093	27 CFR 72 Amendments to the Gun Control Act of 1968	1512-AA75
2094	27 CFR 178 Restrictions on Manufacture, Importation and Sale of Armor Piercing Ammunition	1512-AA79
2095	27 CFR 178 Simplified Recordkeeping for Low-volume Firearms Dealers	1512-AA80
2096	27 CFR 270.11 Manufacturer's Identification on Tobacco Products Packages	1512-AA28

Bureau of Alcohol, Tobacco and Firearms—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2097	27 CFR 5.22(b)(1)(iii) Change in Standard of Identity for Straight Whiskies of the Same Type	1512-AA32
2098	27 CFR 5 Listing of Principal Place of Business on Distilled Spirits Labels	1512-AA74

DEPARTMENT OF THE TREASURY (TREAS)
Bureau of Alcohol, Tobacco and Firearms (BATF)

Proposed Rule Stage

ALCOHOL

2071. RECODIFICATION OF 27 CFR PART 4

Significance: Agency Priority

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4

Legal Deadline: None.

Abstract: To revise the wine labeling and advertising regulations; where applicable, to incorporate production regulations; and due to statutory amendments requested, may result in a legislative submission.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Additional Information: Additional Agency Contact: Ed Reisman

Agency Contact: James Hunt, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7626**

RIN: 1512-AA17

2072. GRAPE HARVEST LABELING FOR WINE

Significance: Agency Priority

Legal Authority: 27 USC 205E; 27 USC 205F

CFR Citation: 27 CFR 4.29

Legal Deadline: None.

Abstract: Late harvest designations, based on the Brix (percent by weight) level of the grapes at harvest would indicate to consumers that the grapes used to produce the wine were left on the vine for express purpose of increasing the sugar content. The designations would indicate additional techniques and processes were used in the production of the wine.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Agency Contact: James Hunt, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7626**

RIN: 1512-AA31

2073. LABELING AND ADVERTISING OF WINE, DISTILLED SPIRITS AND MALT BEVERAGES; APPEARANCE OF ATHLETES AND DEPICTION OF ATHLETIC EVENTS

Significance: Agency Priority

Legal Authority: 27 USC 205e to f

CFR Citation: 27 CFR 4; 27 CFR 5; 27 CFR 7

Legal Deadline: None.

Abstract: Discusses present policy on prohibition of active athletes and requests comments on whether the policy should be relaxed, retained, expanded to include all celebrities. On athletic events, comments are requested if the present prohibition should be expanded to include any athletic event, regardless of when the participants are shown consuming, or preparing to consume, alcohol beverages.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: James Ficaretta, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7626**

RIN: 1512-AA50

2074. RECODIFICATION OF 27 CFR PART 250 AS 27 CFR PART 26

Significance: Agency Priority

Legal Authority: 26 USC 7651 to 7652; PL 85-859; 26 USC 5314; 26 USC 7805

CFR Citation: 27 CFR 250

Legal Deadline: None.

Abstract: As part of the recodification of Part 250, we plan to simplify, consolidate and or eliminate as many sections of regulations as possible placing particular emphasis on reducing the number of recordkeeping requirements, forms, and customs responsibilities. Wherever possible, we plan to utilize a proprietor's commercial records in lieu of requiring the proprietor to submit public use forms. These changes to Part 250 should considerably reduce the burden hours on industry.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Agency Contact: Richard Langford, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20026, **202 566-7531**

RIN: 1512-AA69

2075. NON-GENERIC DESIGNATIONS OF GRAPE WINE HAVING GEOGRAPHICAL SIGNIFICANCE

Significance: Agency Priority

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4.24

Legal Deadline: None.

Abstract: This proposal expands the list of names officially recognized under 27 CFR Part 4, as being non-generic for the purposes of labeling and advertising of wine. This proposal is the result of petitions from numerous foreign countries for ATF recognition of non-generic wine designations which, in their view, denote distinctive national products. This proposal is also an outgrowth of one of the commitments made by the United States, in the Exchange of Letters of July 26, 1983 with the Commission of the European Communities, to work within the regulatory framework of 27 CFR Part 4, to prevent erosion of non-generic designations of geographic significance. For practical reasons it is being proposed that only "examples" of non-generic designations be listed in Part 4 while a complete list of all non-generic designations be listed in a new Part 12.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Lilia Vannett, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building,

1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 535-6245**

RIN: 1512-AA71

2076. RECODIFICATION OF 27 CFR PART 251 AS 27 CFR PART 27

Significance: Agency Priority

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 27; 27 CFR 251

Legal Deadline: None.

Abstract: To update and clarify regulations relating to the Importation of Distilled Spirits, Wines and Beer and to incorporate related ATF Rulings into the regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Agency Contact: **Robert Petrangelo**, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7531**

RIN: 1512-AA72

2077. STANDARDS OF FILL FOR WINE AND DISTILLED SPIRITS

Significance: Agency Priority

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4.73; 27 CFR 5.47

Legal Deadline: None.

Abstract: ATF is considering amending the standard of fill requirements for wine and distilled spirits. Based, in part, on a petition it has received, the Bureau wishes to gather information by inviting comments from the public and industry concerning the existing standards of fill.

Timetable:

Action	Date	FR Cite
ANPRM	06/24/87	52 FR 26385
ANPRM Comment Period Extended	08/21/87	
ANPRM Comment Period End	08/24/87	
ANPRM Extended Comment Period Ends	10/23/87	
NPRM	12/00/88	

Small Entity: No

Agency Contact: **James Ficaretta**, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, **202 566-7626**

RIN: 1512-AA77

2078. ● LABEL DISCLOSURE FOR BRANDY TREATED WITH WOOD

Significance: Agency Priority

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5.39

Legal Deadline: None.

Abstract: ATF is proposing to amend the regulations in 27 CFR Part 5 concerning the wording, and placement, of the disclosure statement for brandy treated with wood.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: **James Ficaretta**, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington, DC 200226, **202 566-7626**

RIN: 1512-AA81

FIREARMS

2079. FIREWORKS REGULATIONS

Significance: Agency Priority

Legal Authority: 18 USC Chapter 40

CFR Citation: 27 CFR 55

Legal Deadline: None.

Abstract: Information gathering on Safe Handling of Explosive Materials in the Fireworks industry is necessary due to accidental explosions causing death. Injuries and property damage have occurred at fireworks manufacturing and assembling plants. Damage has been in the millions of dollars and some regulatory changes are needed. This notice to gather information is to determine changes needed and potential costs.

Timetable:

Action	Date	FR Cite
General Notice	06/08/84	49 FR 23872
NPRM	04/00/88	

Small Entity: No

Agency Contact: **Larry White**, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7591**

RIN: 1512-AA52

TOBACCO PRODUCTS

2080. 27 CFR PART 285, MANUFACTURE OF CIGARETTE PAPERS AND TUBES

Significance: Agency Priority

Legal Authority: 26 USC 7805 (68A Stat 917)

CFR Citation: 27 CFR 285

Legal Deadline: None.

Abstract: To reduce or eliminate administrative and recordkeeping burdens under 27 CFR Part 285.

Timetable:

Action	Date	FR Cite
ANPRM	09/01/84	
ANPRM Comment Period End	10/02/84	
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: **Mary Wood**, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7531**

RIN: 1512-AA33

DEPARTMENT OF THE TREASURY (TREAS)
Bureau of Alcohol, Tobacco and Firearms (BATF)

Final Rule Stage

ALCOHOL

2081. IMPLEMENTATION OF THE "WINE IMPACT BILL"

Significance: Agency Priority

Legal Authority: 26 USC 5010

CFR Citation: 27 CFR 19.11; 27 CFR 19.37 to 19.40; 27 CFR 19.42; 27 CFR 19.346; 27 CFR 19.372; 27 CFR 19.402; 27 CFR 19.505; 27 CFR 19.566; 27 CFR 19.681; 27 CFR 19.748; 27 CFR 19.763; 27 CFR 19.764; 27 CFR 19.778 to 19.780; 27 CFR 170.681 to 170.691; 27 CFR 197.105; ...

Legal Deadline: None.

Abstract: Restores the tax system which existed for distilled spirits products containing wine or alcoholic flavoring materials prior to the enactment of the Distilled Spirits Tax Revision Act of 1979; also permits spirits bottled for industrial purposes to be transferred in bond between distilled spirits plants.

Timetable:

Action	Date	FR Cite
NPRM	03/27/87	52 FR 9873
NPRM Comment Period End	06/25/87	
Final Action	06/00/88	

Small Entity: No

Agency Contact: Richard Langford, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7531**

RIN: 1512-AA06

2082. AMERICAN VITICULTURAL AREAS

Significance: Agency Priority

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 9

Legal Deadline: None.

Abstract: Establishes grape-growing regions as American viticultural areas for purposes of labeling and advertising of wine.

Timetable:

Ben Lomond Mountain, CA (contact Robert White)
NPRM 04/27/87 (52 FR 13844)
NPRM Comment Period End 05/27/87
Final Action 12/09/87 (52 FR 46589)

Cayuga Lake, NY (contact Jim Ficaretta)
NPRM 09/16/87 (52 FR 34927)
NPRM Comment Period End 10/16/87
Final Action 06/00/88

Middle Rio Grande Valley, NM (contact Ed Reisman)
NPRM 05/26/87 (52 FR 19535)
NPRM Comment Period End 06/29/87
Final Action 04/00/88

Sierra Foothills, CA (contact Lori Weins)
NPRM 05/26/87 (52 FR 19532)
NPRM Comment Period End 07/27/87
Final Action 11/18/87 (52 FR 44103)

Stags Leap District, CA (contact Jim Ficaretta)
NPRM 02/11/87 (52 FR 4350)
NPRM Comment Period End 04/13/87
Final Action 06/00/88

Warren Hills, NJ (contact Steve Simon)
NPRM 09/29/87 (52 FR 36432)
NPRM Comment Period End 11/13/87
Final Action 06/00/88

Western Connecticut Highlands, CT (contact Ed Reisman)
NPRM 08/11/87 (52 FR 29705)
NPRM Comment Period End 09/25/87
Final Action 06/00/88

Wild Horse Valley, CA (contact Ed Reisman)
NPRM 09/16/87 (52 FR 34924)
NPRM Comment Period End 11/02/87
Final Action 10/00/88

Small Entity: No

Agency Contact: See supplemental timetable, American Viticultural Areas, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7626**

RIN: 1512-AA07

2083. STANDARD OF IDENTITY FOR VODKA

Significance: Agency Priority

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5.22

Legal Deadline: None.

Abstract: Considers clarifying the standard of identity for vodka by revoking Revenue Ruling 56-98 which permits the use of small quantities of sugar or citric acid in vodka; or would propose a new class and type of vodka which contains trace amounts of sugar or citric acid.

Timetable:

Action	Date	FR Cite
ANPRM	01/11/82	47 FR 1148
ANPRM Comment Period End	07/11/82	
NPRM	02/19/86	51 FR 6009
NPRM Comment Period End	05/20/86	
Final Action	09/00/88	

Small Entity: No

Agency Contact: David Brokaw, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Riod Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7626**

RIN: 1512-AA10

2084. NONBEVERAGE DRAWBACK

Significance: Agency Priority

Legal Authority: 26 USC 5131 et seq

CFR Citation: 27 CFR 197

Legal Deadline: None.

Abstract: To update, clarify, simplify, and recodify the regulations relating to drawback of tax on distilled spirits used in the manufacture of non-beverage products.

Timetable:

Action	Date	FR Cite
NPRM	07/29/87	52 FR 28286
NPRM Comment Period End	10/29/87	
Final Action	12/00/88	

Small Entity: Yes

Additional Information: SMALL BUSINESSES CONT: This regulation affects approximately 500 entities.

Agency Contact: Steve Simon, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7626**

RIN: 1512-AA20

2085. RECODIFICATION OF WINE REGULATIONS (SUBPARTS A TO O)

Significance: Agency Priority

Legal Authority: 26 USC 7805

CFR Citation: 27 CFR 240.180 to 240.400

Legal Deadline: None.

Abstract: To update, simplify, and clarify regulations relating to wine; and to incorporate ATF rulings into the Regulations.

Timetable:

Action	Date	FR Cite
NPRM	03/07/86	51 FR 8098
NPRM Comment Period End	07/07/86	
NPRM Comment Period Extended	07/08/86	51 FR 24719
NPRM Extended Comment Period Ends	12/31/86	
Final Action	06/00/88	

Small Entity: No

Agency Contact: James Hunt, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, 202 566-7626

RIN: 1512-AA42

2086. LABELING AND ADVERTISING OF WINE, DISTILLED SPIRITS AND MALT BEVERAGES; USE OF THE WORD LIGHT (LITE)

Significance: Agency Priority

Legal Authority: 27 USC 205e to f

CFR Citation: 27 CFR 4; 27 CFR 5; 27 CFR 7

Legal Deadline: None.

Abstract: "Light (Lite)" was addressed to a limited extent in Notice No. 362 (45 FR 83530). However, subsequent to its publication ATF was petitioned by the Center for Science in the Public Interest (CSPI), requesting mandatory caloric labeling on all alcohol beverages, as well as the establishment of upper limits on calories in products labeled as "light (lite)." Comments will be requested on CSPI's petition as well as other issues involving use of the term "light (lite)."

Timetable:

Action	Date	FR Cite
NPRM	08/12/86	51 FR 28836
NPRM Comment Period End	11/10/86	
NPRM Comment Period Reopened	11/14/86	51 FR 41355
NPRM Reopened Comment Period Ends	12/31/86	
Final Action	08/00/88	

Small Entity: No

Agency Contact: James Ficaretta, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, 202 566-7626

RIN: 1512-AA48

2087. MATERIALS AND PROCESSES FOR THE PRODUCTION AND TREATMENT OF WINE

Significance: Agency Priority

Legal Authority: 27 USC 5382

CFR Citation: 27 CFR 240

Legal Deadline: None.

Abstract: Updates, clarifies, and simplifies the regulations relating to the production and treatment of wine.

Timetable:

Action	Date	FR Cite
NPRM	09/24/84	49 FR 37527
NPRM Comment Period Extended	01/22/85	50 FR 2832
NPRM Comment Period End	01/23/85	
Extended NPRM Comment Period Ends	03/01/85	
Final Action	12/00/88	

Small Entity: No

Additional Information: This was formerly part of RIN 1512-AA12 Materials and Processes for the Production and Treatment of Wine.

Agency Contact: Robert White, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, 202 566-7626

RIN: 1512-AA61

2088. WINEGRAPE VARIETAL DESIGNATIONS

Significance: Agency Priority

Legal Authority: 27 USC 205(e)

CFR Citation: 27 CFR 4

Legal Deadline: None.

Abstract: This proposal would establish standardized lists of winegrape varietal names which may be used on domestic wine labels. In addition we are proposing a method by which new names may be added to the list. These standardized lists will assure more accurate and truthful identification of the wine.

Timetable:

Action	Date	FR Cite
NPRM	02/04/86	51 FR 4392
NPRM Comment Period End	04/07/86	
NPRM Comment Period Extended	04/08/86	51 FR 11944
NPRM Extended Comment Period Ends	07/07/86	
Final Action	06/00/88	

Small Entity: No

Agency Contact: Charles Bacon, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, 202 566-7569

RIN: 1512-AA67

2089. WINEMAKING TERMINOLOGY

Significance: Agency Priority

Legal Authority: 27 USC 205(e)

CFR Citation: 27 CFR 4.35

Legal Deadline: None.

Abstract: ATF is proposing to define words denoting winemaking operations for use on wine labels in conjunction with the name and address of the bottler. This project partially fulfills the requirements of the court order in Wawskiewicz v. Department of the Treasury, 480 F. Supp. 739 (D.D.C. 1979), aff'd. in part, rev'd in part, 670 F.2d 296.

Timetable:

Action	Date	FR Cite
NPRM	05/29/86	51 FR 19361
NPRM Comment Period End	09/26/86	
Final Action	12/00/88	

Small Entity: No

Agency Contact: David Brokaw, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, 202 566-7626

RIN: 1512-AA70

TREAS—BATF **Final Rule Stage**

2090. USE OF TERMS IN THE LABELING AND ADVERTISING OF MALT BEVERAGES HAVING AN ALCOHOL CONTENT OF LESS THAN .5% BY VOLUME

Significance: Agency Priority

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 7

Legal Deadline: None.

Abstract: ATF is proposing to incorporate into the regulations two Rulings (Rev. Rul. 57-322 and ATF Rul. 85-11) regarding the use of the terms "Non-Alcoholic," "Alcohol-Free," "Near Beer," and "Cereal Beverage" in the labeling and advertising of Malt Beverages.

Timetable:

Action	Date	FR Cite
NPRM	10/30/86	51 FR 39666
NPRM Comment Period End	01/28/87	
Final Action	07/00/88	

Small Entity: No

Agency Contact: Jim Ficaretta, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7626**

RIN: 1512-AA73

2091. LABELING AND ADVERTISING OF WINE, DISTILLED SPIRITS, AND MALT BEVERAGES; DISCLOSURE OF FD & C YELLOW NO. 6

Significance: Agency Priority

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 4.32; 27 CFR 5.32; 27 CFR 7.22

Legal Deadline: None.

Abstract: ATF is proposing to amend the regulations by requiring the mandatory disclosure of FD & C Yellow No. 6 on labels of alcoholic beverages, because of evidence indicating the possibility of allergic-type reactions to the color additive. As in the case of FD & C Yellow No. 5, which also requires label disclosure under existing regulations FD & C Yellow No. 6 is used infrequently in the production of alcoholic beverages being limited to mostly cocktails, liqueurs, and other specialty products.

Timetable:

Action	Date	FR Cite
NPRM	09/04/87	52 FR 33603
Final Action	07/00/88	

Small Entity: No

Agency Contact: James Ficaretta, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, **202 566-7626**

RIN: 1512-AA76

2092. OPERATION OF A RETAIL BEER DEALERSHIP FOR ON-PREMISES CONSUMPTION AT A BREWERY

Significance: Agency Priority

Legal Authority: 26 USC 5411

CFR Citation: 27 CFR 25

Legal Deadline: None.

Abstract: ATF is proposing to establish criteria and procedures for operating a retail beer dealership for on-premises consumption at a brewery. This proposal is the result of a petition submitted by Mr. Bill Owens, proprietor of Buffalo Bill's Brewery, located in Hayward, CA.

Timetable:

Action	Date	FR Cite
NPRM	08/31/87	52 FR 32814
NPRM Comment Period End	10/30/87	
Final Action	06/00/88	

Small Entity: Yes

Agency Contact: John Linthicum, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, **202 566-7626**

RIN: 1512-AA78

FIREARMS

2093. AMENDMENTS TO THE GUN CONTROL ACT OF 1968

Significance: Agency Priority

Legal Authority: PL 99-308; PL 99-360

CFR Citation: 27 CFR 72; 27 CFR 178; 27 CFR 179

Legal Deadline: None.

Abstract: Implements changes required by Public Law 99-308 (Firearms Owners Protection Act of 1986), and amendments thereto (Public Law 99-360).

Timetable:

Action	Date	FR Cite
NPRM	10/29/86	51 FR 39635
Interim Final Rule	10/29/86	51 FR 39612
NPRM Comment Period End	01/27/87	
NPRM Comment Period Extended	01/28/87	52 FR 2865
NPRM Extended Comment Period Ends	02/27/87	
Final Action	12/00/88	

Small Entity: No

Agency Contact: Dan Crowley, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7591**

RIN: 1512-AA75

2094. RESTRICTIONS ON MANUFACTURE, IMPORTATION AND SALE OF ARMOR PIERCING AMMUNITION

Significance: Agency Priority

Legal Authority: 18 USC 926

CFR Citation: 27 CFR 178

Legal Deadline: None.

Abstract: ATF is amending regulations to implement provisions of Public Law 99-408. The amended regulations will restrict the manufacture, importation and sale of armor piercing ammunition.

Timetable:

Action	Date	FR Cite
NPRM	01/16/87	52 FR 2053
Interim Final Rule	01/16/87	52 FR 2048
NPRM Comment Period End	04/16/87	
Final Action	12/00/88	

Small Entity: No

Agency Contact: Daniel Crowley, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, **202 566-7591**

RIN: 1512-AA79

TREAS—BATF

Final Rule Stage

2095. SIMPLIFIED RECORDKEEPING FOR LOW-VOLUME FIREARMS DEALERS

Significance: Agency Priority

Legal Authority: 18 USC 926

CFR Citation: 27 CFR 178

Legal Deadline: None.

Abstract: ATF is proposing to simplify recordkeeping procedures for sales or other dispositions of firearms by low-volume dealers.

Timetable:

Action	Date	FR Cite
NPRM	02/12/87	52 FR 4509
NPRM Comment Period End	05/13/87	
Final Action	12/00/88	

Small Entity: No

Agency Contact: Daniel crowley, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington, DC 20226, **202 566-7626**

RIN: 1512-AA80

TOBACCO PRODUCTS

2096. MANUFACTURER'S IDENTIFICATION ON TOBACCO PRODUCTS PACKAGES

Significance: Agency Priority

Legal Authority: 26 USC 5723

CFR Citation: 27 CFR 270.11; 27 CFR 270.212; 27 CFR 275.163; 27 CFR 275.170; 27 CFR 275.172; 27 CFR 275.174; 27 CFR 290.11; 27 CFR 290.181; 27 CFR 290.185; 27 CFR 290.241 to 290.267; 27 CFR 295.42

Legal Deadline: None.

Abstract: To liberalize requirements relating to manufacturer identification on tobacco products packages and to make other miscellaneous changes.

Timetable:

Action	Date	FR Cite
NPRM	01/12/87	52 FR 1207
NPRM Comment Period End	03/13/87	
Final Action	06/00/88	

Small Entity: No

Agency Contact: Cliff Mullen, ATF Specialist, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7531**

RIN: 1512-AA28

DEPARTMENT OF THE TREASURY (TREAS)

Bureau of Alcohol, Tobacco and Firearms (BATF)

Completed Actions

2097. CHANGE IN STANDARD OF IDENTITY FOR STRAIGHT WHISKIES OF THE SAME TYPE

Significance: Agency Priority

Legal Authority: 27 USC 205

CFR Citation: 27 CFR 5.22(b)(1)(iii); 27 CFR 19.346(b)

Legal Deadline: None.

Abstract: Current regulations do not provide for distilled spirits plant proprietors to mingle and still designate as straight whiskies of the same type produced at different distilleries or produced by different distillers. This project will allow such whiskies to be labeled as straight as long as the whiskies are produced within the same state. Their only alternative is to leave the regulations as they are and to not allow such whiskies to be mingled and designated as straight. We do not anticipate any extra costs to result from this change in regulations. This change will result in greater flexibility for distilled spirits plant proprietors.

Timetable:

Action	Date	FR Cite
NPRM	05/08/84	49 FR 19333
NPRM Comment Period End	07/06/84	
NPRM Comment Period Extended	07/13/84	49 FR 30538
Extended NPRM Comment Period Ends	10/29/84	
Final Action	10/28/87	52 FR 41419

Small Entity: No

Agency Contact: Robert White, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7626**

RIN: 1512-AA32

2098. LISTING OF PRINCIPAL PLACE OF BUSINESS ON DISTILLED SPIRITS LABELS

Significance: Agency Priority

Legal Authority: 26 USC 7805; 27 USC 205

CFR Citation: 27 CFR 5; 27 CFR 19

Legal Deadline: None.

Abstract: Will allow producers of distilled spirits who operate more than one distilled spirits plant to use a principal place of business as the address shown on labels in lieu of listing the actual place of production, provided the producer establishes a coding system for identifying where the product was actually bottled.

Timetable:

Action	Date	FR Cite
NPRM	01/23/86	51 FR 37605
NPRM Comment Period End	12/24/86	
Final Action	11/03/87	52 FR 42100

Small Entity: No

Agency Contact: Jim Hunt, ATF Coordinator, Department of the Treasury, Bureau of Alcohol, Tobacco and Firearms, Ariel Rios Federal Building, 1200 Pennsylvania Avenue, NW, Washington DC 20226, **202 566-7626**

RIN: 1512-AA74

[FR Doc. 88-5798 Filed 04-22-88; 8:45 am]

BILLING CODE 4810-31-T

DEPARTMENT OF THE TREASURY (TREAS)
Comptroller of the Currency (OCC)

Comptroller of the Currency

12 CFR Ch. I

Semiannual Agenda of Regulatory Actions

AGENCY: Office of the Comptroller of the Currency, Treasury.

ACTION: Semiannual agenda of regulations.

SUMMARY: As required by the Regulatory Flexibility Act and Executive Order 12291, the Office of the Comptroller of the Currency (Office) has prepared this semiannual agenda of its rules and regulations currently under review and scheduled for review. Regulatory actions taken since the publication of the Office's previous semiannual agenda on October 26, 1987 (52 FR 40699) are also included. It is expected that this semiannual agenda will enable the public to be more aware of, and allow it to more effectively participate in, the Office's regulatory activity.

ADDRESS: The mailing address for all contacts: Office of the Comptroller of the Currency, 490 L'Enfant Plaza East, SW., Washington, DC 20219.

FOR FURTHER INFORMATION CONTACT: For general information about this semiannual agenda, contact Nancy Lowther, Financial Analyst, Legislative and Regulatory Analysis Division, (202) 447-1177.

For additional information about a particular item on this semiannual agenda, contact the individual identified as the contact person.

SUPPLEMENTARY INFORMATION: The Office has determined that none of the rulemakings discussed in this semiannual agenda requires a regulatory flexibility analysis; all entries have been determined not to have a "significant impact on a substantial number of small entities," and therefore are not subject to the provisions of the Act. Additionally, none of the rules is a "major" rule as defined by Executive Order 12291. Executive Order 12291 defines a "major" rule as one likely to result in:

(1) An annual effect on the economy of $100 million or more;

(2) A major increase in costs or prices for consumers, individual industries, Federal, State, or local government agencies, or geographic regions; or

(3) Significant adverse effects on competition, employment, investment, productivity, innovation, or on the ability of United States-based enterprises to compete with foreign-based enterprises in domestic or export markets.

Dated: February 22, 1988.

Robert L. Clarke,

Comptroller of the Currency.

Comptroller of the Currency—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2099	12 CFR 9 Fiduciary Powers of National Banks and Collective Investment Funds	1557-AA04
2100	12 CFR 19 Rules of Practice and Procedure	1557-AA43
2101	12 CFR 4.19 Production of Documents and Testimony in Litigation Where the Comptroller or the Office is Not a Party	1557-AA57
2102	12 CFR 11, (New Subsection) Securities Exchange Act Disclosure Rules	1557-AA58
2103	12 CFR 3 Minimum Capital Ratios; Issuance of Directives	1557-AA61
2104	12 CFR 16 Securities Offering Disclosure Rules	1557-AA65
2105	12 CFR 9 Fiduciary Powers of National Banks and Collective Investment Funds	1557-AA66
2106	12 CFR 4 Supervision of Bank Operations	1557-AA67
2107	12 CFR 5.33 Merger, Consolidation, Purchase and Assumption	1557-AA71
2108	12 CFR 32 Lending Limits	1557-AA72
2109	12 CFR 12 Recordkeeping and Confirmation Requirements for Securities Transactions	1557-AA75
2110	12 CFR 4 Description of Office, Procedures, Public Information	1557-AA77

Comptroller of the Currency—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2111	12 CFR 5 Rules, Policies, and Procedures for Corporate Activities	1557-AA00
2112	12 CFR 35 Agricultural Loan Loss Amortization	1557-AA73
2113	12 CFR 21 Minimum Security Devices and Procedures and Reports of Crimes and Suspected Crimes	1557-AA74
2114	12 CFR 1 Investment Securities Regulation	1557-AA78

TREAS—OCC

Comptroller of the Currency—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2115	12 CFR 18 Annual Financial Disclosures to Shareholders	1557-AA44
2116	12 CFR 1 Investment Securities Regulation	1557-AA60
2117	12 CFR 29 Real Estate Lending	1557-AA69
2118	12 CFR 32.8 Lending Limits; Substitute Lending Limit for Banks with Agricultural or Oil and Gas Loans	1557-AA76

DEPARTMENT OF THE TREASURY (TREAS)

Comptroller of the Currency (OCC)

Proposed Rule Stage

2099. FIDUCIARY POWERS OF NATIONAL BANKS AND COLLECTIVE INVESTMENT FUNDS

Legal Authority: Sec 1, 77 Stat 668; 12 USC 92a; 12 USC 481

CFR Citation: 12 CFR 9

Legal Deadline: None.

Abstract: Comments in response to a prior rulemaking Final Rule Docket No. 80-16 (46 FR 71571) published October 29, 1980 included recommendations that additional amendments should be made to 12 CFR Part 9. The OCC believes that the issues raised by the commenters can best be addressed through a comprehensive review of its regulations concerning national bank fiduciary powers and collective investment funds. The OCC requested comments from the public as to the desirability and feasibility of a comprehensive review of its trust regulations pertaining to collective investment funds, including specific matters which should be addressed. In view of the favorable disposition of litigation impacting on the fiduciary powers of national banks and collective investment funds (Investment Company Institute v. Clarke, 789 F.2d 175 (2d Cir. 1986), cert. denied, 55 U.S.L.W. 3316 (U.S. Nov. 4, 1986); Investment Company Institute v. Conover, 790 F.2d 925 (D.C. Cir. 1986), cert. denied, 55 U.S.L.W. 3316 (U.S. Nov. 4, 1986); Investment Company Institute v. Clarke, 793 F.2d 220 (9th Cir. 1986), cert. denied, 55 U.S.L.W. 3316 (U.S. Nov. 4, 1986); Investment Company Institute v. Clarke, No.

Timetable:

Action	Date	FR Cite
ANPRM	06/25/82	47 FR 27833
ANPRM Comment Period End	09/23/82	47 FR 27833
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	
Final Action	12/00/88	

Small Entity: No

Additional Information: ABSTRACT CONTINUED: 86-3725 (W.D.N.C. August 25, 1986), appeal withdrawn by stipulation, Jan. 6, 1987), the project has been reactivated. The effect on small entities will be considered in the development of this rulemaking.

Agency Contact: **Donald N. Lamson,** Assistant Director, Department of the Treasury, Comptroller of the Currency, Securities & Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1954**

RIN: 1557-AA04

2100. RULES OF PRACTICE AND PROCEDURE

Legal Authority: 12 USC 1817(j); 12 USC 1818; 12 USC 1820; 15 USC 781(h); 15 USC 781(i); 15 USC 78o-4(c); 15 USC 78u; 15 USC 78w; 5 USC 554 to 557; PL 95-630; 12 USC 3102; 12 USC 3108(a)

CFR Citation: 12 CFR 19

Legal Deadline: None.

Abstract: The proposed regulation will set forth amendments to the hearing rules for administrative hearings. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	
Final Action	12/00/88	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Brenda Curry, Senior Attorney, Legislative and Regulatory Analysis Division, (202) 447-1632, 490 L'Enfant Plaza East, SW, Washington, DC 20219.

Agency Contact: **Robert L. Davis,** Assistant Director, Department of the Treasury, Comptroller of the Currency, Enforcement and Compliance Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1818**

RIN: 1557-AA43

2101. PRODUCTION OF DOCUMENTS AND TESTIMONY IN LITIGATION WHERE THE COMPTROLLER OR THE OFFICE IS NOT A PARTY

Legal Authority: 5 USC 301; 12 USC 481; 5 USC 552(b)(8)

CFR Citation: 12 CFR 4.19; 12 CFR 4.18(c); 12 CFR 7.6025(c); 12 CFR 4.18(a); 12 CFR 4.18(b)

Legal Deadline: None.

Abstract: This rule governs the release by the OCC of confidential documents, especially reports of examination, and testimony for use in litigation in which the OCC is not a party. The OCC is considering changing the rule to spell out the exact requirements for a request for such release, and the situations under which release might be authorized. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Lester N. Scall, Senior Trial Attorney, Department of the Treasury, Comptroller of the Currency, Litigation Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1893

RIN: 1557-AA57

2102. SECURITIES EXCHANGE ACT DISCLOSURE RULES

Legal Authority: 15 USC 78

CFR Citation: 12 CFR 11, (New Subsection)

Legal Deadline: None.

Abstract: The proposed rule would require that more detailed and meaningful information be provided to shareholders and the OCC concerning banks' loan portfolios, including loans to borrowers in foreign countries experiencing liquidity problems, other sources of income and exposure to risks. This will assist shareholders in evaluating proposals for mergers, consolidations, acquisitions and similar matters and will assist the OCC in administering and enforcing the Securities Exchange Act of 1934 as it applies to national banks. The OCC considered not proposing the additional amendments or proposing them as a general guide rather than a rule. However, the OCC determined it was appropriate to propose the additional requirements as amendments to Part 11 because the OCC believes the proposed requirements will help to clarify the types of disclosures which the OCC, shareholders and the public would consider material in analyzing various Exchange Act filings and statements. The proposed rule will also include amendments to update Part 11 to conform with recent amendments by the Securities and Exchange Commission to its Securities Exchange Act Disclosure Rules. The (CONT)

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	
Final Action	10/00/88	

Small Entity: No

Additional Information: ABSTRACT CONTINUED: effect on small entities will be considered in the development of this rulemaking.

Agency Contact: Michael C. Dugas, Attorney, Department of the Treasury, Comptroller of the Currency, Securities & Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1954

RIN: 1557-AA58

2103. MINIMUM CAPITAL RATIOS; ISSUANCE OF DIRECTIVES

Significance: Regulatory Program

Legal Authority: 12 USC 1 et seq; 12 USC 93a; 12 USC 161; 12 USC 1818; 12 USC 3907; 12 USC 3909

CFR Citation: 12 CFR 3

Legal Deadline: None.

Abstract: The proposed guidelines provide for a common framework of capital adequacy measurement to remove a source of competitive inequality for banks operating internationally. However, the OCC believes the risk-based capital ratio is a useful tool for measuring capital adequacy at all national banks. The framework of measurement is mainly directed to the credit risk of balance sheet and off-balance sheet assets as they relate to bank capital. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
ANPRM	03/27/86	51 FR 10602
ANPRM Comment Period End	06/25/86	51 FR 10602
NPRM	06/17/87	52 FR 23045
NPRM Comment Period End	08/17/87	52 FR 23045
NPRM	03/15/88	53 FR 8550
NPRM Public Comment Period	05/13/88	
Final Action	09/00/88	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACTS: Ed Irmler, Associate Director, Economic and Policy Analysis Division, (202) 447-1924; Larry Senter, National Bank Examiner, Commercial Activities Division, (202) 447-1164; C. Stewart Goddin, Senior International Economic Advisor, Multinational and Regional Bank Division, (202) 447-1747; 490 L'Enfant Plaza East, S.W., Washington, D.C. 20219.

Agency Contact: Sanford Brown, Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1880

RIN: 1557-AA61

2104. SECURITIES OFFERING DISCLOSURE RULES

Legal Authority: 12 USC 1 et seq; 12 USC 1818; 12 USC 93a

CFR Citation: 12 CFR 16

Legal Deadline: None.

Abstract: This regulation contains the OCC's disclosure requirements for securities offerings by national banks. The OCC is considering revisions which would clarify the coverage of the rule, specify the OCC's enforcement authority in connection with the rule, liberalize nonpublic offering requirements, provide for more meaningful disclosure requirements in public offerings, revise financial information requirements to be more consistent with 12 CFR Part 11, and where practicable, incorporate by reference provisions of 12 CFR Part 11. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: Michael C. Dugas, Attorney, Department of the Treasury, Comptroller of the Currency, Securities & Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1954

RIN: 1557-AA65

2105. FIDUCIARY POWERS OF NATIONAL BANKS AND COLLECTIVE INVESTMENT FUNDS

Legal Authority: 12 USC 92a

CFR Citation: 12 CFR 9

Legal Deadline: None.

Abstract: The OCC proposes to amend this regulation to clarify the requirements concerning national bank fiduciary investment of uninvested or undistributed cash in fiduciary accounts. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	
Final Action	09/00/88	

Small Entity: No

Agency Contact: Barrett Aldemeyer, Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA66

2106. SUPERVISION OF BANK OPERATIONS

Legal Authority: 12 USC 1 et seq; 12 USC 481; 5 USC 552

CFR Citation: 12 CFR 4

Legal Deadline: None.

Abstract: The proposed regulation will set forth amendments to the existing description of supervision of bank operations by the Office of the Comptroller of the Currency. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	
Final Action	09/00/88	

Small Entity: No

Agency Contact: James F. E. Gillespie, Jr., Senior Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L' Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA67

2107. MERGER, CONSOLIDATION, PURCHASE AND ASSUMPTION

Legal Authority: 12 USC 1 et seq; 12 USC 93a; 12 USC 181; 12 USC 214a; 12 USC 215; 12 USC 215a; 12 USC 1828(c); 15 USC 78

CFR Citation: 12 CFR 5.33; 12 CFR 11.590

Legal Deadline: None.

Abstract: The OCC proposes to amend 12 CFR 5.33 to set forth the OCC's merger proxy statement filing requirements for banks that do not have a class of equity securities registered under the Securities Exchange Act of 1934 ("Exchange Act"), and to specify the disclosure that is required of such banks for various types of merger transactions. This proposal may also include an amendment to relevant portions of 12 CFR 11.590 so as to clarify the OCC's merger proxy requirements for Exchange Act registered banks and to ensure that these requirements will be consistent with those to be proposed at 12 CFR 5.33. These actions are expected to assist bank merger applicants in preparing their merger proxy materials, which are subject to OCC review and clearance pursuant to the OCC's merger procedures. The effect on small entities will be considered in development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	
Final Action	11/00/88	

Small Entity: Undetermined

Agency Contact: Laura Plaze, Attorney, Department of the Treasury, Comptroller of the Currency, Securities & Corporate Practices Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1954**

RIN: 1557-AA71

2108. LENDING LIMITS

Legal Authority: 12 USC 1 et seq; 12 USC 84; 12 USC 93a

CFR Citation: 12 CFR 32

Legal Deadline: None.

Abstract: The OCC is considering several amendments to the lending limits regulation to simplify, clarify and improve that regulation. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	
Final Action	10/00/88	

Small Entity: Undetermined

Agency Contact: James F. E. Gillespie, Jr., Senior Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA72

2109. ● RECORDKEEPING AND CONFIRMATION REQUIREMENTS FOR SECURITIES TRANSACTIONS

Legal Authority: 12 USC 24; 12 USC 92a

CFR Citation: 12 CFR 12

Legal Deadline: None.

Abstract: This rulemaking will update 12 CFR Part 12 in light of the final regulations issued July 24, 1987 (52 FR 27910) by the Department of the Treasury as required by the Government Securities Act of 1986. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	09/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Agency Contact: John Kerr, National Bank Examiner, Department of the Treasury, Comptroller of the Currency, Investment Securities, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1901**

RIN: 1557-AA75

2110. ● DESCRIPTION OF OFFICE, PROCEDURES, PUBLIC INFORMATION

Legal Authority: 12 USC 1 et seq; 5 USC 552; EO 12600

CFR Citation: 12 CFR 4

Legal Deadline: None.

Abstract: This proposed regulation implements recent amendments to the Freedom of Information Act (FOIA). The amendments concern Exemption 7 of the FOIA (relating to law

TREAS—OCC **Proposed Rule Stage**

enforcement records) and the provisions of the FOIA concerning fees and fee waivers. In addition, the proposed regulation implements Executive Order 12600, which deals with predisclosure notification procedures for confidential commercial information. This proposed regulation also makes technical changes to the OCC's existing FOIA regulation. The proposed regulation, and the OCC's FOIA regulations in general, affect public disclosure of information by the OCC. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	07/00/88	
Final Action	10/00/88	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Dean DeBuck, Freedom of Information Officer, (202) 447-1800, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20219.

Agency Contact: Sanford Brown, Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA77

DEPARTMENT OF THE TREASURY (TREAS) — Final Rule Stage
Comptroller of the Currency (OCC)

2111. RULES, POLICIES, AND PROCEDURES FOR CORPORATE ACTIVITIES

Significance: Agency Priority

Legal Authority: 12 USC 1 et seq

CFR Citation: 12 CFR 5

Legal Deadline: None.

Abstract: The OCC is engaged in a continuing review of its rules, policies, and procedures governing corporate activities. The OCC proposes to make several miscellaneous technical amendments to this regulation to cause the regulation to conform to recent adjustments to OCC procedures and statutory changes for processing corporate filings; to centralize the OCC's distribution of forms and instructions for corporate activities filings; to provide clarification of the OCC's ability to impose conditions on transactions between a bank and its subsidiaries; and to outline the applicants' responsibility for accurate and complete filings. These proposals are expected to benefit national banks and the OCC by removing burdensome and costly regulatory requirements, while maintaining the OCC's ability to render an informed decision on the proposed activity; to eliminate public confusion about the availability of forms and instructions; and to enhance distribution efficiency. The effect on small entities is considered in the development of each rulemaking.

Timetable:

Action	Date	FR Cite
Technical Amendments	04/00/88	
Forms Distribution	06/00/88	
Operating Subsidiaries	06/00/88	
Applicants' Responsibility	08/00/88	

Small Entity: No

Agency Contact: Randall J. Miller, Director for Licensing Policy and Systems, Department of the Treasury, Comptroller of the Currency, Bank Organization & Structure Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1184**

RIN: 1557-AA00

2112. ● AGRICULTURAL LOAN LOSS AMORTIZATION

Legal Authority: 12 USC 1 et seq; 12 USC 93a; Title VIII of the Competitive Equality Banking Act of 1987

CFR Citation: 12 CFR 35

Legal Deadline: Statutory, November 9, 1987.

Abstract: This regulation implements Title VIII of the Competitive Equality Banking Act of 1987 which permits agricultural banks to amortize losses on qualified agricultural loans. The regulation describes the procedures and standards applicable to banks desiring to amortize losses under that statute. It also describes the manner in which such amortizations are to be done. This regulation will not have significant impact on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/02/87	52 FR 41959
Final Action	05/00/88	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACTS: Jon A. Nagy, National Bank Examiner, Commercial Activities Division, (202) 447-1164; or Lance Cantor, Analyst, Special Supervision, (202) 447-1719, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20219.

Agency Contact: James F. E. Gillespie, Jr., Senior Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA73

2113. ● MINIMUM SECURITY DEVICES AND PROCEDURES AND REPORTS OF CRIMES AND SUSPECTED CRIMES

Legal Authority: 12 USC 1 et seq; 12 USC 93a; 12 USC 1818; 12 USC 1881 to 1884

CFR Citation: 12 CFR 21

Legal Deadline: None.

Abstract: This regulation revises upward the reporting thresholds for reports of known or suspected crimes involving national banks. This regulation will not have significant impact on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/11/88	53 FR 7881
Interim Final Rule Comment Period End	05/10/88	
Final Action	08/00/88	

Small Entity: No

TREAS—OCC

Final Rule Stage

Agency Contact: Joel Miller, Attorney, Department of the Treasury, Comptroller of the Currency, Enforcement and Compliance Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1818

RIN: 1557-AA74

2114. ● INVESTMENT SECURITIES REGULATION

Legal Authority: PL 97-35, Sec 1342(a); 12 USC 1; 12 USC 24(7); PL 98-473, Title I

CFR Citation: 12 CFR 1

Legal Deadline: None.

Abstract: The OCC is amending 12 CFR Part 1 to make two nonsubstantive changes in the regulation. The first change in the regulation incorporates the existing statutory authority of national banks to underwrite and deal in obligations of the African Development Bank and the Inter-American Investment Corporation. The second change deletes from the regulation an outdated and unnecessary provision describing procedures for banks to request OCC rulings. This final rule will not have a significant economic impact on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
Final Action	06/00/88	
Final Action Effective	06/00/88	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Owen Carney, Director, Investment Securities, (202) 447-1901, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20219

Agency Contact: Jonathan Rushdoony, Senior Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1880

RIN: 1557-AA78

DEPARTMENT OF THE TREASURY (TREAS)
Comptroller of the Currency (OCC)

Completed Actions

2115. ANNUAL FINANCIAL DISCLOSURES TO SHAREHOLDERS

Significance: Regulatory Program

Legal Authority: 12 USC 93a; 12 USC 161; 12 USC 1818

CFR Citation: 12 CFR 18

Legal Deadline: None.

Abstract: This final regulation revises certain disclosure requirements of the OCC. It requires all national banks to prepare an annual disclosure statement. This statement would include two consecutive years' comparative financial statements. The information to be disclosed is currently publicly available from the Call Report. The bank would have the option of including a narrative discussion of matters they deem important. The bank would notify shareholders along with the annual meeting notice and depositors and potential depositors via a lobby poster in the main office and each branch. Banks currently subject to 12 CFR 11 may use their F-2 form. This final rule will not have a significant economic impact on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
ANPRM	07/13/84	49 FR 28566
ANPRM Comment Period End	10/11/84	49 FR 28566
NPRM	10/30/85	50 FR 45372
NPRM Comment Period End	02/28/86	51 FR 04504
NPRM	06/22/87	52 FR 23456
NPRM Public Comment Period End	08/21/87	52 FR 23457
Final Action	02/10/88	53 FR 03863
Final Action Effective	03/11/88	53 FR 03863

Small Entity: No

Agency Contact: Emily R. McNaughton, National Bank Examiner, Department of the Treasury, Comptroller of the Currency, Commercial Examinations Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1165

RIN: 1557-AA44

2116. INVESTMENT SECURITIES REGULATION

Legal Authority: 12 USC 1 et seq; 12 USC 24(7)

CFR Citation: 12 CFR 1

Legal Deadline: None.

Abstract: The Office proposes to amend this regulation to provide adequate safeguards for the purchase of mortgage-backed securities by national banks for their own accounts. The proposal will require that issues of such securities, in order to be eligible for purchase by national banks, must satisfy the Office's standards of investment quality and marketability. The proposal is considered a desirable alternative to leaving national banks without guidance in this area. The effect on small entities will be considered in the development of this rulemaking.

Timetable:

Action	Date	FR Cite
Withdrawn	02/00/88	

Small Entity: Undetermined

Additional Information: ADDITIONAL AGENCY CONTACT: Owen Carney, Director, Investment Securities Division, 202 447-1901, 490 L'Enfant Plaza East, SW, Washington, DC 20219.

Agency Contact: Jonathan Rushdoony, Senior Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, 202 447-1880

RIN: 1557-AA60

2117. REAL ESTATE LENDING

Legal Authority: 12 USC 1 et seq; 12 USC 93a; 12 USC 371; 12 USC 1701j-3

CFR Citation: 12 CFR 29; 12 CFR 30; 12 CFR 34

Legal Deadline: None.

Abstract: This final rule will revise 12 CFR 29 on adjustable-rate mortgages to conform disclosure requirements with Regulation Z, 12 CFR 226. Coverage of

the regulation will be limited to consumer credit, and secondary market authority will be expanded. Obsolete portions of 12 CFR 30 on due-on-sale clauses will be be rescinded. The revised adjustable-rate mortgages regulations and remaining regulations on due-on-sale clauses will then be transferred to 12 CFR 34 so that all substantive regulations on real estate lending will be found in the same place. This final rule will not have significant impact on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
NPRM	10/02/87	52 FR 36953
NPRM Comment Period End	11/02/87	52 FR 36953
Final Action	03/11/88	53 FR 7885

Small Entity: No

Agency Contact: Ellen C. Starr, Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA69

2118. ● LENDING LIMITS; SUBSTITUTE LENDING LIMIT FOR BANKS WITH AGRICULTURAL OR OIL AND GAS LOANS

Legal Authority: 12 USC 1 et seq; 12 USC 84; 12 USC 93a

CFR Citation: 12 CFR 32.8

Legal Deadline: None.

Abstract: The OCC is amending the portion of its regulation on national bank lending limits dealing with the substitute lending limit for banks with charged-off agricultural and oil and gas loans. This final rule extends the period for eligible "special category charge-offs" and, also, the period of the substitute lending limit so as to make those periods consistent with the recently amended policy on capital forbearance. This final rule is intended to provide further temporary relief from lending limit restrictions for national banks with charge-offs of agricultural and oil and gas loans. This final rule will not have significant impact on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
Final Action	02/03/88	53 FR 2997
Final Action Effective	02/03/88	53 FR 2997

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Jon A. Nagy, National Bank Examiner, Commercial Activities Division, (202) 447-1164, 490 L'Enfant Plaza East, S.W., Washington, D.C. 20219.

Agency Contact: James F. E. Gillespie, Jr., Senior Attorney, Department of the Treasury, Comptroller of the Currency, Legal Advisory Services Division, 490 L'Enfant Plaza East, SW, Washington, DC 20219, **202 447-1880**

RIN: 1557-AA76

[FR Doc. 88-5799 Filed 04-22-88; 8:45 am]

BILLING CODE 4810-33-T

DEPARTMENT OF THE TREASURY (TREAS)
United States Customs Service (CUSTOMS)

Customs Service

19 CFR Ch. I

Semiannual Agenda

AGENCY: Customs Service, Treasury.

ACTION: Semiannual agenda.

SUMMARY: In response to Pub. L. 96-354, the "Regulatory Flexibility Act," and Executive Order 12291, "Federal Regulations," Customs has prepared and is publishing for public information a list of regulations either under development or under review.

FOR FURTHER INFORMATION CONTACT: For additional information regarding the substance of any particular regulatory project described in the agenda, please communicate with the person identified as the "Agency Contact." All agency contact persons are located at U.S. Customs Service Headquarters, the address of which is noted below. Comments or inquiries of a general nature about the agenda itself should be directed to Gertrude A. Bresnahan, Regulations and Disclosure Law Branch, Office of Regulations and Rulings, Headquarters, U.S. Customs Service, Room 2324, 1301 Constitution Avenue, NW., Washington, DC 20229 (202-566-8237).

SUPPLEMENTARY INFORMATION:

Background

Public Law 96-354, the "Regulatory Flexibility Act" (RFA) and Executive Order (E.O.) 12291 of February 17, 1981, "Federal Regulations," require semiannual publication, in April and October of each year, or an agenda of regulations which are "likely to have a significant economic impact on a substantial number of small entities" and "major" regulations, respectively. The RFA and E.O. 12291 also require agencies to include in their agendas currently effective rules which are under agency review. Customs agenda includes a brief abstract of each regulatory project ("project") being considered, an indication of whether the project will have an RFA impact, the section(s) of the Code of Federal Regulations affected, the legal authority for the action being taken, the name, title, and telephone number of an agency contact and, where applicable, an approximate timetable of completing action on any project for which Customs has published a notice of proposed rulemaking. In addition, the status of projects referred to in previously published agendas is shown. It has been determined that none of the projects listed as being under development meets the standards required of a "major" regulation provided in E.O. 12291.

General statutory authority for the development or review of regulations relating to Customs matters is found in section 301, title 5, United States Code (5 U.S.C. 301), and in sections 66 and 1624, title 19, United States Code (19 U.S.C. 66, 1624). When appropriate, additional specific statutory authority is indicated as the legal authority for the project.

Dated: February 19, 1988.

Harvey B. Fox,

Director, Office of Regulations and Rulings.

TREAS—CUSTOMS

United States Customs Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2119	19 CFR 19 Customs Warehouses; Duty-Free Stores	1515-AA22

United States Customs Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2120	19 CFR 134 Country of Origin Marking	1515-AA59

United States Customs Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2121	19 CFR 6 Air Commerce Regulations	1515-AA47
2122	19 CFR 4 Customs User Fees	1515-AA50
2123	19 CFR 141 Entry of Consolidated Shipments	1515-AA56
2124	19 CFR 4 Harbor Maintenance Fee	1515-AA57
2125	19 CFR 113 Continuous Importation and Entry Bond Secured by Corporate Sureties	1515-AA60
2126	19 CFR 6.14 Air Ambulance Operators -- Overflight Exemptions	1515-AA62
2127	19 CFR 4.7a Unique Bill of Lading	1515-AA63

United States Customs Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2128	19 CFR 12 Semiconductor Chip Products	1515-AA51
2129	19 CFR 24 Formal Entry User Fee	1515-AA53
2130	19 CFR 141 Liens by Customs Brokers	1515-AA58

DEPARTMENT OF THE TREASURY (TREAS)

Prerule Stage

United States Customs Service (CUSTOMS)

2119. CUSTOMS WAREHOUSES; DUTY-FREE STORES

Legal Authority: 19 USC 1556; 19 USC 1565; 19 USC 1623

CFR Citation: 19 CFR 19; 19 CFR 144

Legal Deadline: None.

Abstract: Consideration of various actions in regard to administration of duty-free stores. Actions range from abolition of stores to their designation as class of bonded warehouse and/or increased regulation. Actions necessary due to need for increased efficiency of store administration by Customs and to address enforcement problems related to stores. Public comment requested on actions under consideration, as well as store operations in general. Work Plan 83-1 approved.

Timetable:

Action	Date	FR Cite
ANPRM	07/21/83	48 FR 33318
ANPRM Comment Period End	09/19/83	
Notice of Status	07/07/86	51 FR 24535
Pending Congressional Action	00/00/00	

Small Entity: No

Agency Contact: John R. Holl, Operation Officer, Department of the Treasury, United States Customs Service, Room 2426, 1301 Constitution Avenue, NW, Washington, DC 20229, 202 566-5354

RIN: 1515-AA22

DEPARTMENT OF THE TREASURY (TREAS)
United States Customs Service (CUSTOMS)

Proposed Rule Stage

2120. COUNTRY OF ORIGIN MARKING

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1304; 19 USC 1624

CFR Citation: 19 CFR 134

Legal Deadline: None.

Abstract: Amendment to the Customs Regulations relating to the requirement that every imported article of foreign origin, or its container, shall be legibly and conspicuously marked to indicate to an ultimate purchaser in the U.S., the English name of the country of origin of the article. Proposal would require that whenever the full or abbreviated name of a country or place other than the country of origin, or a symbol readily associated with a country or place other than the country of origin appears anywhere on a foreign article or its container, then the actual country of origin of the article must be marked on the article or its container in close proximity to each reference to the country or place not the country of origin, or a hang tag or sticker affixed to a highly conspicuous portion of the article.

Timetable:

Action	Date	FR Cite
NPRM in Treasury Review	02/22/88	
NPRM	04/00/88	

Small Entity: No

Agency Contact: Lorrie Rodbart, Attorney, Department of the Treasury, United States Customs Service, Room 2343, 1301 Constitution Avenue, NW, Washington, DC 20229, **202 566-5765**

RIN: 1515-AA59

DEPARTMENT OF THE TREASURY (TREAS)
United States Customs Service (CUSTOMS)

Final Rule Stage

2121. AIR COMMERCE REGULATIONS

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1624; 19 USC 1644; 49 USC 1509

CFR Citation: 19 CFR 6

Legal Deadline: None.

Abstract: Revises rules relating to the entry and clearance of aircraft and the transportation of persons and cargo by aircraft. Sets forth the general Customs requirements applicable to all air commerce.

Timetable:

Action	Date	FR Cite
NPRM	07/26/85	50 FR 30455
NPRM Comment Period End	10/24/85	
TD In Treasury Review	01/22/88	
Final Action	06/00/88	

Small Entity: No

Agency Contact: Larry L. Burton, Attorney, Department of the Treasury, United States Customs Service, Room 2417, 1301 Constitution Avenue, NW, Washington, DC 20229, **202 566-5706**

RIN: 1515-AA47

2122. CUSTOMS USER FEES

Legal Authority: 19 USC 66; 19 USC 1202; 19 USC 1624; 31 USC 9701; PL 99-272

CFR Citation: 19 CFR 4; 19 CFR 6; 19 CFR 24; 19 CFR 111; 19 CFR 123; 19 CFR 145

Legal Deadline: Statutory, July 7, 1986.

Abstract: Amends Customs Regulations to provide for payment of specific fees to Customs for the processing of persons, aircraft, vehicles and merchandise arriving in the U.S. as well as for the payment of an annual fee by Customs brokers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/11/86	51 FR 21152
Final Rule Pending internal decision	05/01/88	
Final Action	09/00/88	

Small Entity: Undetermined

Agency Contact: Denise Crawford, Operations Officer, Department of the Treasury, United States Customs Service, Room 4133, 1301 Constitution Avenue, NW, Washington, DC 20229, **202 566-9425**

RIN: 1515-AA50

2123. ENTRY OF CONSOLIDATED SHIPMENTS

Legal Authority: 19 USC 66; 19 USC 1448; 19 USC 1484; 19 USC 1624

CFR Citation: 19 CFR 141; 19 CFR 178

Legal Deadline: None.

Abstract: Amendment to the Customs Regulations relating to entry procedures for consolidated shipments of imported merchandise. The amendment would ensure that if individual shipments of merchandise having various consignees are consolidated into a large shipment, the entry would not be made by a broker, or at a port of entry, designated by the consignee named in the master bill of lading or master air waybill if any individual bill of lading or individual air waybill within that shipment specifies a different broker, or port of entry, for making entry, or that entry will be made by the actual owner or purchaser.

Timetable:

Action	Date	FR Cite
NPRM	11/04/87	52 FR 42310
NPRM Comment Period End	02/18/88	53 FR 30
Final Action	08/00/88	

Small Entity: No

Additional Information: After consideration of the comments received in response to the previous notice proposing this change, and meetings with affected persons, it has been determined that many people did not understand the proposal. Accordingly, the document has been modified and it should be republished to allow all affected persons an opportunity to submit comments before any final decisions are made.

Agency Contact: William Rosoff, Attorney, Department of the Treasury, United States Customs Service, Room 2414, 1301 Constitution Avenue NW, Washington, DC 20229, **202 566-5856**

RIN: 1515-AA56

TREAS—CUSTOMS

Final Rule Stage

2124. HARBOR MAINTENANCE FEE

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 81a to 81u; 19 USC 1202; 19 USC 623; 19 USC 1624; 31 USC 9701; PL 99-272; PL 99-509; PL 99-662

CFR Citation: 19 CFR 4; 19 CFR 24; 19 CFR 146; 19 CFR 178

Legal Deadline: Statutory, April 1, 1987.

Abstract: Amendments to the Customs Regulations to implement provisions of the Water Resources Development Act of 1986 which authorizes Customs to assess a harbor maintenance fee of 0.04 percent (.0004) on the value of commercial cargo loaded on or unloaded from a commercial vessel at a port unless specifically exempted from the fee. Proceeds of the fee are deposited in a trust fund for the U.S. Army Corps of Engineers to use for the improvement and maintenance of U.S. ports and harbors.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/30/87	
Interim Final Rule Public Comment Period End	08/28/87	
Final Action	10/15/87	
Comments being analyzed	02/08/88	
Next action pending development of new penalty guidelines and OMB approval of new reporting forms	05/00/88	

Small Entity: Undetermined

Agency Contact: Tracy Denning, Department of the Treasury, United States Customs Service, Room 4118, 1301 Constitution Ave., NW, Washington, DC 20229, **202 566-8301**

RIN: 1515-AA57

2125. CONTINUOUS IMPORTATION AND ENTRY BOND SECURED BY CORPORATE SURETIES

Legal Authority: 19 USC 66; 19 USC 1484; 19 USC 1551; 19 USC 1565; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 113

Legal Deadline: None.

Abstract: Amendment to the Customs Regulations to provide that a continuous importation and entry bond secured by a corporate surety may only be filed with Customs under cover of a letter signed by an authorized officer or agent of that surety. Such an amendment would protect the Government from unnecessary delays in receiving payment from sureties of an importer's liabilities, for which the surety is also responsible, when the surety denies liability because it claims to have no record of the bond upon which the demand is made.

Timetable:

Action	Date	FR Cite
NPRM	09/18/87	52 FR 35274
NPRM Comment Period End	11/17/87	
Final Action	06/00/88	

Small Entity: No

Agency Contact: William Lawlor, Attorney, Department of the Treasury, United States Customs Service, Room 2417, 1301 Constitution Avenue, NW, Washington, DC 20229, **202 566-5706**

RIN: 1515-AA60

2126. ● AIR AMBULANCE OPERATORS -- OVERFLIGHT EXEMPTIONS

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1202; 19 USC 1624; 49 USC 1474; 49 USC 1509

CFR Citation: 19 CFR 6.14

Legal Deadline: None.

Abstract: Amendment to the Customs Regulations to ease restrictions on air ambulance flights.

Timetable:

Action	Date	FR Cite
TD in Customs Review	01/26/88	
Interim Final Rule	06/00/88	

Small Entity: No

Agency Contact: Glenn Ross, Operations Officer, Department of the Treasury, United States Customs Service, Room 4416, 1301 Constitution Avenue, NW, Washington, DC 20229, **202 566-5607**

RIN: 1515-AA62

2127. ● UNIQUE BILL OF LADING

Legal Authority: 5 USC 301; 19 USC 66; 19 USC 1624; 46 USC 3; 46 USC 91; 46 USC 2103

CFR Citation: 19 CFR 4.7a

Legal Deadline: None.

Abstract: Amendment to the Customs Regulations to require that each bill of lading which accompanies a shipment of imported cargo carried by vessel possess a unique 12 character identifier. This identifier will serve to distinguish the particular bill of lading from other bills of lading issued by that carrier or issuer and from bills issued by others. The identifier is designed to enable Customs Automated Commercial System to more accurately track the progress of cargo from its arrival to its release.

Timetable:

Action	Date	FR Cite
NPRM	12/09/87	52 FR 46602
NPRM Comment Period End	02/08/88	
Comments being analyzed	02/22/88	
Final Action	06/00/88	

Small Entity: No

Agency Contact: Robin Landis, Operations Officer, Department of the Treasury, United States Customs Service, Room 4140, 1301 Constitution Avenue, NW, Washington, DC 20229, **202 566-8151**

RIN: 1515-AA63

DEPARTMENT OF THE TREASURY (TREAS)
United States Customs Service (CUSTOMS)

Completed Actions

2128. SEMICONDUCTOR CHIP PRODUCTS

Legal Authority: 17 USC 910; 19 USC 66; 19 USC 1202; 19 USC 1337; 19 USC 1623; 19 USC 1624

CFR Citation: 19 CFR 12

Legal Deadline: None.

Abstract: Implements Semiconductor Chip Protection Act by amending Customs Regulations to require persons seeking exclusion of infringing semiconductor chip products to first obtain a court order enjoining, or an order of the U.S. International Trade Commission excluding the importation of the products. Customs will then enforce the court order or exclusion orders.

Timetable:

Action	Date	FR Cite
NPRM	07/29/86	51 FR 27057
NPRM Comment Period End	09/29/86	
TD In Treasury Review	07/06/87	
Final Action TD 87-132	10/21/87	52 FR 39217
Final Action Effective	11/20/87	

Small Entity: No

Agency Contact: Samuel Orandle, Attorney, Department of the Treasury, United States Customs Service, Room 2343, 1301 Constitution Avenue, NW, Washington, DC 20229, **202 566-5765**

RIN: 1515-AA51

2129. FORMAL ENTRY USER FEE

Significance: Agency Priority

Legal Authority: PL 99-514

CFR Citation: 19 CFR 24

Legal Deadline: Statutory, December 1, 1986.

Abstract: Amends Customs Regulations to implement a provision of the Omnibus Budget Reconciliation Act of 1986 which authorizes Customs to assess a merchandise processing user fee on formal entries of imported merchandise.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/01/86	51 FR 43188
NPRM Comment Period End	01/30/87	
Final Rule Pending Legislative Amendment	02/22/88	
No further action expected Further action depends on future legislation	03/23/88	

Small Entity: Undetermined

Agency Contact: Thomas Banner, Operations Officer, Department of the Treasury, United States Customs Service, 1301 Constitution Ave., NW, Room 4108, Washington, DC 20229, **202 535-4136**

RIN: 1515-AA53

2130. LIENS BY CUSTOMS BROKERS

Legal Authority: 19 USC 66; 19 USC 1448; 19 USC 1484; 19 USC 1624

CFR Citation: 19 CFR 141; 19 CFR 171

Legal Deadline: None.

Abstract: Amendment to the Customs Regulations to implement a statutory provision which allows brokers to file liens for freight, charges, or contribution in general average, until proof has been produced that the lien has been satisfied or discharged. Imported merchandise cannot be released from Customs custody until the lien has been satisfied or discharged.

Timetable:

Action	Date	FR Cite
NPRM	02/25/86	51 FR 6555
NPRM Comment Period End	04/28/86	
TD under development	08/00/87	
Final Action TD 88-7	02/19/88	53 FR 4961
Final Action Effective	03/21/88	

Small Entity: No

Agency Contact: Jerry Laderberg, Attorney, Department of the Treasury, United States Customs Service, Room 2343, 1301 Constitution Avenue, NW, Washington, DC 20229, **202 566-5765**

RIN: 1515-AA58

[FR Doc. 88-5800 Filed 04-22-88; 8:45 am]

BILLING CODE 4820-02-T

DEPARTMENT OF THE TREASURY (TREAS)
Internal Revenue Service (IRS)

Internal Revenue Service

26 CFR Ch. I

Improving Government Regulations; Semiannual Agenda of Regulations

AGENCY: Internal Revenue Service, Treasury.

ACTION: Semiannual agenda of regulations.

SUMMARY: This semiannual agenda lists the regulations that the Internal Revenue Service will be developing from April 1, 1988, through March 31, 1989. Determinations with respect to the agenda were made as of January 31, 1988. The purpose of this semiannual agenda is to give the public adequate notice of regulatory activities of the Internal Revenue Service.

FOR FURTHER INFORMATION CONTACT: Cynthia E. Grigsby, Legislation and Regulations Division, Office of the Chief Counsel, Internal Revenue Service, 1111 Constitution Avenue, NW., Washington, DC 20224, Attention: CC:LR (202-566-4336), not a toll-free call.

SUPPLEMENTARY INFORMATION:

General

Section 5 of Executive Order 12291 and section 602 of the Regulatory Flexibility Act both require that a semiannual agenda of regulations under development and review be published in the **Federal Register**. The next semiannual agenda of the Internal Revenue Service will be published in the **Federal Register** in October of 1988.

TREAS—IRS

Description

This Semiannual Agenda of Regulations lists all projects within the Internal Revenue Service (I.R.S.) as of January 31, 1988, for the development of regulations to appear in the Code of Federal Regulations. This agenda lists existing regulations under development by the Legislation and Regulations Division, the Employee Plans and Exempt Organizations Division, the General Litigation Division and the Office of Associate Chief Counsel (International) of the Office of Chief Counsel, I.R.S. The following information is provided for each regulation project: The title; priority status; its effect, if any, on small business; the part of the Code of Federal Regulations affected; the legal authority for issuing the regulation; a brief description of the problem to be addressed in the regulation; and a timetable of action taken and to be taken. Under additional information there is provided the control number of the project within the Chief Counsel's Office, and the names and telephone numbers of the drafting and reviewing attorneys.

By direction of the Secretary of the Treasury.

Lawrence B. Gibbs,

Commissioner of Internal Revenue.

Internal Revenue Service—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2131	05 USC 0552 Statement of Procedural Rules--Miscellaneous Amendments	1545-AJ53
2132	26 USC 0061 Taxation, valuation, and reporting of "frequent flyer" or similar bonus payments	1545-AK02
2133	26 USC 0145 Qualified 501 (c) (3) bonds	1545-AJ39
2134	26 USC 0146 State volume cap for tax-exempt bonds	1545-AJ37
2135	26 USC 0168 Modification of ACRS	1545-AJ38
2136	26 USC 0263A (f) Capitalization of certain interest expenses-- Notice of Proposed Rulemaking	1545-AK01
2137	26 USC 0336 Certain stock sales and distributions treated as asset transfers	1545-AK29
2138	26 USC 0338 Treatment of an affiliated group of corporations as a selling consolidated group for purposes of elective recognition under section 338 (h) (10)	1545-AK31
2139	26 USC 0383 Special limitations on certain credit and loss carryovers	1545-AK26
2140	26 USC 0832 Treatment of salvage and reinsurance in determining losses of property and casualty insurance companies	1545-AK49
2141	26 USC 0834 Interest deduction under section 834(c)(5)	1545-AL07
2142	26 USC 0861 Income Tax - Interest and Dividends of 80-20 Companies	1545-AJ58
2143	26 USC 0876 Exclusion of possession source income from gross income of certain individuals and treatment of corporations organized in Guam, Samoa or CNMI	1545-AJ80
2144	26 USC 0883 Income Tax - Reciprocal Exemptions for Certain Transportation Income	1545-AJ57
2145	26 USC 0887 Four percent tax on gross transportation income and ECI	1545-AJ60
2146	26 USC 0901 Amendment of Section 1.901-2(e)(3)	1545-AJ90
2147	26 USC 0952 Subpart F - Use of Deficits	1545-AJ71
2148	26 USC 0954 Subpart F FPHC Definitions	1545-AJ61
2149	26 USC 1441 Revised Withholding Tax Regulation to Modify "As soon as Practical" Requirements	1545-AL19
2150	26 USC 1503(d) Dual Resident Companies Limitation on Consolidated Losses	1545-AJ54
2151	26 USC 6038A Information with respect to certain foreign-owned corporations	1545-AJ56
2152	26 USC 6039E Information Regarding Resident Status	1545-AJ93
2153	26 USC 7654 Cover Over of Income Taxes	1545-AL18
2154	26 USC 7702 Definition of life insurance contract	1545-AL08
2155	26 USC 9999 Statement of Procedural Rules--Amendments to Statement of Procedural Rules--1981-1	1545-AD55

Internal Revenue Service—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2156	26 USC 0001 Income Tax--Deduction for Bus Operating Authorities and Freight	1545-AJ18
2157	26 USC 0042 Low Income Housing Credit Recapture Rule	1545-AL12
2158	26 USC 0055 Income Tax--Alternative Minimum Tax	1545-AE80
2159	26 USC 0055 Alternative minimum tax for individuals	1545-AJ86
2160	26 USC 0056 Net Book Income Adjustment for U.S. Branches of Foreign Corporations	1545-AK22
2161	26 USC 0056 Net Book Income Adjustment for U.S. Branches of Foreign Corporations	1545-AK23
2162	26 USC 0056 Income Tax--Inventory Adjustment for the Alternative Minimum Tax	1545-AL02
2163	26 USC 0057 Income Tax-Minimum Tax. Item of Tax Preference for Intangible Drilling Costs Incurred in Drilling Oil, Gas or Geothermal Wells	1545-AA34
2164	26 USC 0058 Tax Benefit Rule for Corporate Add-On Minimum Tax under the Internal Revenue Code of 1954	1545-AK20
2165	26 USC 0067 2-Percent Floor on Miscellaneous Itemized Deductions	1545-AJ49
2166	26 USC 0072 Loans Treated as Distributions	1545-AE41

TREAS—IRS

Internal Revenue Service—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2167	26 USC 0079 Update and gender-neutralize mortality table used to determine permanent group-term life insurance benefits	1545-AK50
2168	26 USC 0089 Nondiscrimination Rules for Non-Pension Employee Benefit Plans	1545-AI78
2169	26 USC 0103 To Provide Regulations Under Section 147 (b)--Relating to Limitation on Maturity of Private Activity Bonds	1545-AE69
2170	26 USC 0103 Regulations Relating to Federally Guaranteed Bonds	1545-AG84
2171	26 USC 0103 Definition of "Reissuance" Under Section 103	1545-AI65
2172	26 USC 0103A To Revise Definition of Areas of Chronic Economic Distress for Purposes of Mortgage Subsidy Bonds	1545-AG88
2173	26 USC 0108 Income Tax--Discharge of Indebtedness	1545-AA67
2174	26 USC 0111 Income Tax--Part 1--Income Tax Regulations Under Section 111 Relating to Inclusion of Tax Benefit Items	1545-AH17
2175	26 USC 0117 Exclusion of qualified scholarships and fellowships from gross income	1545-AJ87
2176	26 USC 0117 (d) Qualified Tuition Reductions	1545-AI13
2177	26 USC 0119 (d) Income Tax--Tax Treatment of Faculty Housing	1545-AJ21
2178	26 USC 0130 Income Tax--Part 1 Personal Injury Liability Assignments	1545-AF39
2179	26 USC 0132 Income Tax--Prizes and Awards	1545-AJ19
2180	26 USC 0141 Income tax--Definition of "private activity bond"	1545-AJ34
2181	26 USC 0142 Tax-exempt bonds for residential rental projects	1545-AJ66
2182	26 USC 0144 Income tax--Student Loan Bonds	1545-AJ42
2183	26 USC 0148 Arbitrage restrictions on tax-exempt bonds; Rebate requirement	1545-AJ67
2184	26 USC 0148 General Arbitrage Restrictions of Tax-exempt bonds	1545-AJ81
2185	26 USC 0162 Income Tax--To Provide Better Definitions in the Area of Political Advertising & Grassroots Lobbying	1545-AA79
2186	26 USC 0162 (g) Definition of Related Violation	1545-AK83
2187	26 USC 0168 Income Tax--Normalization Requirement for Public Utility Property	1545-AA88
2188	26 USC 0170 Income Tax -- to Provide Regulations Relating to Contributions to Private Foundations	1545-AI09
2189	26 USC 0170 Final Regulations relating to the charitable contributions deduction in the context of bargain sales	1545-AJ85
2190	26 USC 0170 Deductions in excess of $5000 claimed by a subchapter C Corporation for charitable contributions of certain property	1545-AL09
2191	26 USC 0183 Election to Postpone Determination with Respect to the Presumption That an Activity is Engaged In for Profit	1545-AG27
2192	26 USC 0195 Income Tax--To Add Provisions Relating to Start-Up Expenditures	1545-AB02
2193	26 USC 0216 Provisions Relating to Cooperative Housing Corporations	1545-AJ96
2194	26 USC 0219 Income Tax -- Part 1, Excise Tax -- Part 54, Individual Retirement Accounts after TRA '86	1545-AK47
2195	26 USC 0246A Income Tax-Debt-Financed Portfolio Stock	1545-AH39
2196	26 USC 0263 A (f) Temporary Regulation--Capitalization of Certain Interest Expenses	1545-AK03
2197	26 USC 0274 Income Tax--To Add Provisions Relating to Foreign Conventions (as Amended by Section 4 of Public Law 96-608)	1545-AB04
2198	26 USC 0280G Notice of Proposed Rulemaking Relating to Restrictions on Golden Parachute Payments	1545-AH49
2199	26 USC 0302 Waiver of Family Attribution by Entities	1545-AF13
2200	26 USC 0336 Cross-reference--Recognition of gain or loss on liquidating sales and distributions of property (TRA 1986; sections 631 to 633)	1545-AK90
2201	26 USC 0338 Income Tax -- Application of Installment Method of Reporting and Mandatory application of MADSP formula for qualified stock purchases under section 338 (h) (10)	1545-AK25
2202	26 USC 0367 Transfer of Intangibles subject to Section 367 or 482 of the Code	1545-AJ91
2203	26 USC 0367 (b) Foreign Liquidations and Reorganizations (NPRM)	1545-AJ78
2204	26 USC 0367 (e) Regulations under section 367 (e)	1545-AL34
2205	26 USC 0367 (e) Regulations under section 367 (e)	1545-AL35
2206	26 USC 0368 Income Tax--Cross-reference-reorganizations involving financially troubled thrift institutions	1545-AB29
2207	26 USC 0368 Corporate Reorganization Amendments - Bankruptcy Tax Act of 1980	1545-AK33
2208	26 USC 0382 Income Tax--Limitation on Corporate Net Operating Loss Deduction	1545-AI99
2209	26 USC 0382 Computation of section 382 limitation	1545-AK27
2210	26 USC 0401 Defined Benefit Plan Terminations and the Reversion of Assets	1545-AF81
2211	26 USC 0401 (k) Cash or Deferred Arrangements (Tax Reform Act of 1986)	1545-AI79
2212	26 USC 0401 (L) Income Tax -- Part 1-- Application of Nondiscrimination rules to integrated plans	1545-AI86
2213	26 USC 0401 (m) Nondiscrimination requirements for employer matching contributions and employee contributions	1545-AI80
2214	26 USC 0401(a)(26) Income Tax - - Part 1--Additional Participation Requirements	1545-AK46
2215	26 USC 0401(a)(4) Study of Need for Special Antidiscrimination Rules for Pension, Etc. Plans of State and Local Governments	1545-AK44
2216	26 USC 0403 Nondiscrimination and other Rules Applicable to Section 402(b) Annuities	1545-AI90
2217	26 USC 0404 Income Tax--Employee Stock Ownership Plan Loan Payments	1545-AD77
2218	26 USC 0408 Study of Need for Regulations Relating to Simplified Employee Pensions as Affected by the Tax Reform Act of 1986	1545-AK45

TREAS—IRS

Internal Revenue Service—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2219	26 USC 0409 Income Tax--Requirements for Tax Credit Employee Stock Ownership Plans, Employee Plan Credit, and Defined Contribution Plan Voting Rights	1545-AD82
2220	26 USC 0409 Inc. Tax -- Part 1; Estate Tax -- Part 20, Employee Stock Ownership Plan rules Affected by TRA 1986	1545-AI87
2221	26 USC 0410(b) Coverage and separate lines of business rules	1545-AK41
2222	26 USC 0411 Rules Clarifying the Income Tax Regulations, Part 1, with Respect to Service Computation Under Pension, etc. Plans	1545-AE39
2223	26 USC 0411 Income Tax-Part I - Reduction of Accrued Benefits To Qualify for a Standard Termination of a Single Employer Defined Benefit Pension Plan	1545-AI46
2224	26 USC 0411 Inc. Tax -- Part 1 -- Benefit Accrual Beyond Normal Retirement Age	1545-AI85
2225	26 USC 0412 Income Tax-Part 1 - Variance From Minimum Funding Standard	1545-AI55
2226	26 USC 0414 Income Tax--Definitions and Special Rules; Service for Predecessor	1545-AD87
2227	26 USC 0414 Definition of "Highly Compensated Employee" and "Compensation"	1545-AI91
2228	26 USC 0414 (r) Definition of line of business	1545-AL23
2229	26 USC 0414(q) Definition of "highly compensated employee" and "compensation"	1545-AK40
2230	26 USC 0415 Limitations on Contributions and Benefits Under Qualified Plans	1545-AK42
2231	26 USC 0419 Treatment of Funded Welfare Benefit Plans	1545-AG14
2232	26 USC 0442 Inc. Tax--Part 1--Amendment of section 1.442-1 to Provide Simplified Procedures for Changes of Annual Accounting Period by Certain Exempt Organizations	1545-AI68
2233	26 USC 0453 Income Tax -- Gain or Loss on the Disposition of an Installment Obligation	1545-AB41
2234	26 USC 0453 Income Tax--Installment Sales Between Related Parties	1545-AB45
2235	26 USC 0453 Income Tax--Installment Sales Revision Act of 1980, Regulations Relating to Wrap-Around Mortgages	1545-AB46
2236	26 USC 0453 Income Tax Regulations--Part I. Installment Sales by Nontaxable Entities	1545-AF73
2237	26 USC 0453 Income Tax Regulations--Part 1--Special Rules Relating to Installment Obligations That Are Readily Tradable or Payable on Demand	1545-AG37
2238	26 USC 0457 Income Tax -- Deferred Compensation Plans of State and Local Governments and Tax-Exempt Organizations	1545-AI89
2239	26 USC 0460 Accounting for long-term contracts	1545-AJ28
2240	26 USC 0461 (h) Income Tax Regulations--The Economic Performance Requirement	1545-AH32
2241	26 USC 0465 Extension of the At-Risk Rules	1545-AF86
2242	26 USC 0465 Aggregation of Certain Activities for Purposes of the At-Risk Rules	1545-AI02
2243	26 USC 0465 Extension of At Risk Limitations to Real Property	1545-AK08
2244	26 USC 0469 Essential issues in connection with limitations on losses and credits from passive activities	1545-AK18
2245	26 USC 0469(k) Limitations on Passive Activity Losses and Credits	1545-AK62
2246	26 USC 0472 Inventory Computed by Use of Consumer or Producer Price Indexes	1545-AF65
2247	26 USC 0474 Simplified Dollar-value LIFO Method for Certain Small Businesses	1545-AK64
2248	26 USC 0514 Income Tax--Unrelated Trade or Business Income	1545-AE00
2249	26 USC 0585 Bad debt reserves of financial institutions	1545-AJ31
2250	26 USC 0595 Treatment of Foreclosed Property by Certain Creditors	1545-AF00
2251	26 USC 0612 Income Tax--Restoration of Depletion Deductions on Bonus and Advanced Royalties in Certain Cases	1545-AB69
2252	26 USC 0643 Property Distributed in Kind and Treatment of Multiple Trusts (Sec: 81 and 82 of The Tax Reform Act of 1984)	1545-AI06
2253	26 USC 0643 Clarification of Section 1.643 (a)-3 relating to the Inclusion of Capital Gain in Distributable Net Income	1545-AI31
2254	26 USC 0672 Income Taxation of Trusts and Estates	1545-AJ20
2255	26 USC 0679 Income Tax--Procedure & Administration--Foreign Trusts Having U.S. Beneficiaries	1545-AB79
2256	26 USC 0702 Income Tax - Application of effective date for new rules regarding deductions for meal, travel, and entertainment to partnerships and S corporations	1545-AK80
2257	26 USC 0704 To Provide Special Rules Concerning Related Party Loans in the Case of Partnership Allocations Attributable to Nonrecourse Debt	1545-AI66
2258	26 USC 0704 (c) Allocations of Income Gain, Loss, and Deduction with Respect to Property Contributed to a Partnership	1545-AG98
2259	26 USC 0706 Income Tax--Items Allocated to Portion of Year Partner Held Interest	1545-AB81
2260	26 USC 0707 Income Tax--Treatment of Payments to Partners Not Acting in Their Capacity as Partners	1545-AG83
2261	26 USC 0707 Amendment of Income Tax Regulations with Respect to Treatment of Disguised Sales by Partners	1545-AH22
2262	26 USC 0724 Contributions to a Partnership of Unrealized Receivables, Inventory Items or Capital Loss Property	1545-AG85
2263	26 USC 0752 Partner's Share of Partnership Liabilities	1545-AH26
2264	26 USC 0809 Imputed Earnings Rate for Mutual Life Insurance Companies	1545-AG63
2265	26 USC 0846 Income Tax Regulations--Discounting of unpaid losses of property and casualty insurance companies	1545-AJ51
2266	26 USC 0861 Apportionment of Expenses in the FSC and DISC Contexts	1545-AK78
2267	26 USC 0863 Transportation Income Source Rules	1545-AJ68

TREAS—IRS

Internal Revenue Service—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2268	26 USC 0863 Proposed Income Tax Regulations under the Tax Reform Act of 1986 -- Source of income rules for income derived from space and ocean activities including telecommunications	1545-AJ84
2269	26 USC 0863 (a) Allocation of Gross Income Attributable to Interest rate swaps under section 863 (a)	1545-AL25
2270	26 USC 0864 (d) Related Person Factoring Income	1545-AH85
2271	26 USC 0865 Source rules for personal property sales	1545-AJ83
2272	26 USC 0871 Repeal of 30 Percent Withholding by the Tax Reform Act of 1984	1545-AG66
2273	26 USC 0871(i) Exemptions from withholding of NRA's and Foreign Corporations	1545-AJ59
2274	26 USC 0882 Untimely Filing by Foreign Corporations	1545-AJ74
2275	26 USC 0884 Branch Profits Tax (General Rule and Definitions) and 2nd Level Withholding Taxes	1545-AJ73
2276	26 USC 0887 Imposition of Tax on Gross Transportation Income of Nonresident Aliens and Foreign Corporations	1545-AK76
2277	26 USC 0892(c) Income Tax--Income of Foreign Governments and of International Organizations	1545-AJ79
2278	26 USC 0897 Income Tax--Partnership Rules Regarding Taxation of Foreign Investment in U.S. Real Property Interests	1545-AB98
2279	26 USC 0897 Temporary Regulations--Nonrecognition of Corporate Distributions and Reorganizations Under the Foreign Investment in Real Property Tax Act	1545-AF17
2280	26 USC 0897 Notice of Proposed Rulemaking--Nonrecognition of Corporate Distributions and Reorganizations Under the Foreign Investment in Real Property Tax Act	1545-AK79
2281	26 USC 0904(f) Treatment of Separate Limitation Losses	1545-AL17
2282	26 USC 0905 Income Tax--Procedure & Administration--Taxpayer's Obligation to File a Notice of Redetermination of Foreign Tax and Civil Penalties for Failure to File	1545-AC06
2283	26 USC 0907 Amendment of Regulations Under Section 907 of the Internal Revenue Code of 1954 to Conform Them to Section 211 of the Tax Equity and Fiscal Responsibility Act of 1982	1545-AE34
2284	26 USC 0932 Coordination of U.S. and Virgin Islands taxes	1545-AJ55
2285	26 USC 0932 Source Rules within the Virgin Islands	1545-AL40
2286	26 USC 0936(h) Amendment of Section 936(h) with respect to Election of Product	1545-AK77
2287	26 USC 0953(c) Special Rule for Foreign Captive Insurance Companies	1545-AJ70
2288	26 USC 0985 Functional Currency	1545-AL24
2289	26 USC 0988 Section 988(d) - Integrated Hedging Rules for Foreign Exchange gain or loss	1545-AL15
2290	26 USC 0988 Taxation of Exchange Gain or Loss on Foreign Currency denominated transactions	1545-AL16
2291	26 USC 0989 (c) Transition rule for qualified business units using a net worth method of accounting for taxable years beginning before January 1, 1987	1545-AL29
2292	26 USC 1031 Rules Relating to the Inapplicability of Section 1031 to Partnership Interests and the Limitation on the Period During Which Like Kind Exchanges May Be Made	1545-AH43
2293	26 USC 1059 Income Tax--Notice of Proposed Rulemaking - Amendment of Regulations Relating to Basis Reductions for Non-Taxed Portion of Extraordinary Dividends to Reflect TRA 1984	1545-AH41
2294	26 USC 1060 Income Tax--Special Allocation Rules for certain asset acquisitions	1545-AJ06
2295	26 USC 1092 Income Tax--Tax Straddles	1545-AC21
2296	26 USC 1248 Income Tax--Gain from Sale or Exchange of Stock in Foreign Corporations	1545-AC31
2297	26 USC 1253 Income Tax--To Clarify Tax Treatment of Transfers of Franchises, Trademarks, & Trade Names	1545-AC34
2298	26 USC 1256 (e) Hedging Exception to Mark-to-Market Rules for Section 1256 Contracts, Deferral of Certain Straddle Losses, and Wash-Sale and Short-Sale Principles Applicable to Certain Straddle Transactions	1545-AI59
2299	26 USC 1276 Disposition Gain Representing Accrued Market Discount Treated as Ordinary Income; Deferral of Interest Deduction Allocable to Accrued Market Discount	1545-AH82
2300	26 USC 1286 Income Tax-Treatment of Stripped Bonds and Stripped Coupon	1545-AH75
2301	26 USC 1361 Income Tax--Treatment of Obligations Which Purport to Represent Debt as a Second Class of Stock	1545-AC37
2302	26 USC 1362 Amendment of Income Tax Regulations Under Code Sections 1362 and 1363 Relating to the Election, Revocation, and Termination of an S Corporation	1545-AE26
2303	26 USC 1366 Income Tax--Pass-Thru of S Corporation Items to Shareholders	1545-AE85
2304	26 USC 1367 Income Tax--Rules Relating to Adjustment to Basis of Stock of Shareholders of S Corporation and to Determination of Basis of Property Distribution by Corporation	1545-AE88
2305	26 USC 1371 Income Tax--Application of Subchapter C Rules to S Corporations	1545-AE90
2306	26 USC 1374 Cross-reference--Application of section 1374 built-in gain tax to C corporation's electing S corporation status	1545-AK93
2307	26 USC 1377 Income Tax--Definitions and Special Rules Pertaining to S Corporation	1545-AE94
2308	26 USC 1446 Withholding Tax on Payments from Partnerships to Foreign Partners	1545-AL30
2309	26 USC 1502 Investment Adjustments Under the Consolidated Return Regulations	1545-AC47
2310	26 USC 1502 Income Tax--Application of Section 465 At Risk Limitations to Members that Join in Filing Consolidated Returns	1545-AC55
2311	26 USC 1502 Income Tax--Deletion of the requirement of section 1.1502-47 (d) (12) (v) (C) that, in applying tacking rule, profitable and loss life activities not be separated	1545-AI98
2312	26 USC 1502 Cross-reference--Consolidated return investment adjustments with respect to an acquired subsidiary's built-in gains or losses	1545-AK94
2313	26 USC 1502 Consolidated Returns	1545-AL44
2314	26 USC 1504 Income Tax--Includibility in an Affiliated Group of Subsidiaries Formed to Comply with Foreign Laws	1545-AC58

TREAS—IRS

Internal Revenue Service—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2315	26 USC 1504 Income Tax -- Amendment of Regulations Under Section 1504 (a) of the Code, as Amended by Section 60 of the Tax Reform Act of 1984, Defining "Affiliated Group"	1545-AH09
2316	26 USC 2001 Estate and Gift Taxes, Income Taxes-Unified Credit in Lieu of Exemptions, Unified Rate Schedule for Estate and Gift Taxes Situs of Foreign Partnerships for Estate Taxation	1545-AC60
2317	26 USC 2032 Estate Tax--Valuation of Certain Farm, etc. Real Property	1545-AC62
2318	26 USC 263A Capitalization of Certain Pension, etc. Costs	1545-AI92
2319	26 USC 2653 (b) Estate Tax--Generation skipping transfer tax	1545-AJ11
2320	26 USC 3121 Amendment of the Employment Tax Regulations Under Code Section 3121 to Conform to Section 321 of the Social Security Amendments of 1983	1545-AF91
2321	26 USC 3306 Treatment of Certain Deferred Compensation and Salary Reduction Arrangements	1545-AF97
2322	26 USC 3405 Employment Tax--Withholding from Pensions, Annuities, and Other Deferred Income	1545-AE98
2323	26 USC 3405 (d) (13) Withholding on Certain Deferred Payments Outside the United States	1545-AL31
2324	26 USC 3406 To Provide Regulations Relating to Backup Withholding Under Section 3406	1545-AE20
2325	26 USC 4041 Election to have certain diesel fuel taxes imposed on sales to retailers	1545-AJ13
2326	26 USC 4051 Excise Tax--Retailers Excise Taxes on Motor Vehicles	1545-AF61
2327	26 USC 4052 Excise Tax - Excise Tax on Heavy Trucks, Truck Trailers and Semitrailers, and Tractors	1545-AI51
2328	26 USC 453C Certain indebtedness treated as payment on installment obligations	1545-AJ27
2329	26 USC 4611 Income tax, excise tax, and environmental tax--Imposition of taxes on petroleum, certain chemicals, and corporations and additional excise taxes on certain fuels	1545-AJ23
2330	26 USC 4940 Income Tax--Excise Tax--Procedure and Administration--Various Private Foundation Provisions	1545-AG18
2331	26 USC 4943 Foundation Excise Tax-Excess Business Holdings	1545-AG49
2332	26 USC 4980 Excise Tax -- Part 54, Reversion of qualified plan assets to employer	1545-AI82
2333	26 USC 4991 Excise Tax--With Respect to the Definition of Taxable Crude Oil	1545-AD00
2334	26 USC 5881 Excise Tax on "greenmail"	1545-AL47
2335	26 USC 6011 Electronic filing of tax returns	1545-AL01
2336	26 USC 6031 Nominee Reporting of Partnership Information	1545-AJ98
2337	26 USC 6033 Amendment of Section 1.6033-2(g)(5) Relating to Returns by an Integrated Auxiliary of a Church	1545-AI52
2338	26 USC 6039D Returns, etc. on Certain Fringe Benefit Plans	1545-AI22
2339	26 USC 6045 Income Tax--Information Reporting on Real Estate Transactions	1545-AL06
2340	26 USC 6046A Income Tax Regulations relating to Returns as to Interests in Foreign Partnerships	1545-AK75
2341	26 usc 6049 Income Tax--To require issuers of certificates of deposit to furnish issue price to brokers	1545-AK36
2342	26 USC 6050M Treatment of net capital losses of regulated investment companies and real estate investment trusts-relationships between chapter 44 excise taxes and taxable income	1545-AJ04
2343	26 USC 6050M Reporting requirements pertaining to returns relating to persons receiving contracts from Federal executive agencies	1545-AJ05
2344	26 USC 6166 Estate Tax--Procedure and Administration--Deferral and Installment Payment of Estate Tax	1545-AD23
2345	26 USC 6224 Statement of Procedural Rules to Provide Procedures for Partnership-Level Proceedings with Respect to Partnership Items	1545-AI08
2346	26 USC 6244 Determination of the Tax Treatment of Subchapter S Items at the Corporate Level	1545-AE96
2347	26 USC 6311 Procedure and Administration Regulations--Payment of Taxes by Check or Money Order and Liability of Financial Institutions for Unpaid Taxes	1545-AI24
2348	26 USC 6323 Electronic filing of notice of Federal tax lien	1545-AK96
2349	26 USC 6325 Procedure and Administration--Release of Liens, Notice Before Levy, Property Exempt from Levy Redemption of Levied Real Property and Amount of Damages in Case of Wrongful Levy	1545-AE82
2350	26 USC 6404(e) Procedure and Administration - Abatement of Interest	1545-AK71
2351	26 USC 6501 Procedure and Administration Regulations--Extension of the Period for Assessment of Tax in Certain Circumstances	1545-AI23
2352	26 USC 6621 Essential issues in connection with differential interest rates	1545-AK06
2353	26 USC 6659 Procedure & Administration--Addition to Tax in the Case of Valuation Overstatements and Understatements, and Increase in the Negligence Penalty	1545-AD39
2354	26 USC 6700 Penalty for Promoting Abusive Tax Shelters	1545-AE99
2355	26 USC 6701 Penalty for Aiding and Abetting in the Understatement of Tax Liability	1545-AF01
2356	26 USC 6867 Income Tax--Presumption of Jeopardy in the Case of Illegal Activity Cash	1545-AE30
2357	26 USC 7425 Forfeiture of land sales contract with respect to discharge of Federal tax lien	1545-AK24
2358	26 USC 7425 Redemptions of Real Property Under IRC 7425 - Excess Expenses	1545-AL20
2359	26 USC 7609 Procedure and Administration - Suspension of Statues of Limitations in Absence of Third-Party Recordkeeper Response to Summons	1545-AK72
2360	26 USC 860A Income tax--essential issues relating to real estate mortgage investment conduits	1545-AJ35
2361	42 USC 0664 Proposed Amendments to the Procedure and Administration Regulations under the Child Support Enforcement Amendments of 1984 Relating to the Reduction of Tax Overpayments by Amounts Etc	1545-AH99

TREAS—IRS

Internal Revenue Service—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2362	26 USC 0025 To Provide Regulations Relating to Mortgage Credit Certificates	1545-AH06
2363	26 USC 0025 Income Tax--Information Reporting for Mortgage Credit Certificates	1545-AI39
2364	26 USC 0028 Credit for Clinical Testing Expenses for Certain Drugs for Rare Diseases or Conditions	1545-AF64
2365	26 USC 0032 Income Tax--Notice to Employees or Earned Income Credit	1545-AJ44
2366	26 USC 0042 Low-income housing credit	1545-AJ65
2367	26 USC 0042 Low-income housing credit for federally assisted buildings acquired during l0-year period	1545-AK92
2368	26 USC 0042 Low-Income Housing Credit for Federally-Assisted Buildings acquired during 10-year period	1545-AL05
2369	26 USC 0044 Income Tax--Credit for Increasing Research Activities	1545-AA07
2370	26 USC 0046 Income Tax--The Investment Credit for Qualified Progress Expenditures	1545-AA13
2371	26 USC 0047 Income Tax--Tax Treatment of Mass Assets for Investment Credit Purposes	1545-AA10
2372	26 USC 0047 Amendment of Income Tax Regulations Under Sections 47, 48 and 196 Relating to Basis Adjustment to Reflect Investment Tax Credit	1545-AF06
2373	26 USC 0048 Income Tax--Increase in Investment Tax Credit for Qualified Rehabilitation Expenditures	1545-AA12
2374	26 USC 0048 Income Tax--Definition of Films That Are "Topical or Otherwise Essentially Transitory in Nature"	1545-AA22
2375	26 USC 0048 Income Tax--Special Rules Added by Sec 223(c) of Crude Oil Windfall Profit Tax Act 1980, Relating to Reduction of Credit Where Property Is Financed by Subsidized ETC	1545-AA26
2376	26 USC 0056 Corporate alternative minimum tax book income adjustment	1545-AJ14
2377	26 USC 0056 Income Tax--Inventory Adjustment for the Alternative Minimum Tax	1545-AL03
2378	26 USC 0058 Tax Benefit Rule for Corporate Add-On Minimum Tax under the Internal Revenue Code of 1954	1545-AK21
2379	26 USC 0061 Income Tax--Nonqualified Salary Reduction Agreements	1545-AA35
2380	26 USC 0061 Income Tax--Taxation of Fringe Benefits and Exclusions from Gross Income for Certain Fringe Benefits	1545-AH73
2381	26 USC 0067 2-Percent Floor on Miscellaneous Itemized Deductions	1545-AJ48
2382	26 USC 0071 Treatment of Transfer of Property between Spouses, Tax Treatment of Alimony and Separate Maintenance Payments, and Dependency Exemption in the Case of Child of Divorced Parents	1545-AI49
2383	26 USC 0101(d) Income Tax Regulations--Mortality tables to be used to determine amount held by insurer with respect to a beneficiary	1545-AK14
2384	26 USC 0103 Income Tax--Exemption for Industrial Development Bonds for Water Facilities	1545-AA49
2385	26 USC 0103 Income Tax--To Define the Term "Principal User of a Facility"	1545-AA56
2386	26 USC 0103 Income Tax--Mortgage Subsidy Bonds	1545-AA63
2387	26 USC 0103 To Provide Regulations Requiring Certain Debt Obligations To Be Issued in Registered Form	1545-AE18
2388	26 USC 0103 To Provide Regulations Under Section 103(k) and (l)-- Relating to Public Approval and Information Reporting Requirements for Private Activity Bonds	1545-AE24
2389	26 USC 0103 Regulations Relating to $40 Million Small Issue Limit on Tax-Exempt Bonds Per Taxpayer	1545-AH19
2390	26 USC 0103 Income Tax--To Clarify the Definition of Property Which Is a Pollution Control Facility	1545-AK10
2391	26 USC 0103 (b) To Provide Regulations Relating to the Tax Exemption of Obligations to Finance Mixed-Use Residential Rental Property	1545-AH68
2392	26 USC 0103 (c) Amendment of Regulations Relating to Arbitrage on Nonpurpose Obligations to Reflect Section 624 of TRA of 1984	1545-AH07
2393	26 USC 0120 Income Tax--Prepaid Legal Expenses	1545-AD62
2394	26 USC 0125 Income Tax--Tax Treatment of Cafeteria Plans	1545-AD63
2395	26 USC 0126 Income Tax-Exclusion from Income of Certain Cost-Sharing Payments Under Government Programs	1545-AA73
2396	26 USC 0131 Income Tax--Part I Exclusion from Gross Income for Certain Foster Care Payments	1545-AF52
2397	26 USC 0149 Information reporting for tax-exempt bonds	1545-AJ63
2398	26 USC 0162 (k) Continuation Coverage Requirements of Group Health Plans	1545-AI93
2399	26 USC 0163 Income Tax Regulations--Limitations on deductions for nonbusiness interest	1545-AK17
2400	26 USC 0165 Income Tax Regulations--Tax Straddles Relating to Section 108 of the Tax Reform Act of 1984	1545-AG57
2401	26 USC 0168 Income Tax--Accelerated Cost Recovery System	1545-AA87
2402	26 USC 0168 Tax-Exempt Entity Leasing	1545-AH76
2403	26 USC 0168 Tax-exempt entity leasing	1545-AJ36
2404	26 USC 0170 Deductions in Excess of $5,000 Claimed for Certain Charitable Contributions of Property and Information Reporting by Donees Who Make Certain Dispositions of Donated Property	1545-AG86
2405	26 USC 0219 Individual Retirement Plans and Simplified Employee Pensions	1545-AD59
2406	26 USC 0219 Individual Retirement Plans, Simplified Employee Pensions, and Qualified Voluntary Employee Contributions	1545-AD66
2407	26 USC 0263A Capitalization and inclusion in inventory costs of certain expenses	1545-AK05
2408	26 USC 0263A Practical capacity	1545-AK56
2409	26 USC 0267 Regulations Under Section 267 of the Code to Reflect Section 174 of the Tax Reform Act of 1984 Relating to Losses, Expenses, and Interest in Transactions Between Related Taxpayers	1545-AG11
2410	26 USC 0269 Income Tax--Personal Service Corporations	1545-AF11
2411	26 USC 0274 Income Tax--Deductibility of Gifts by Employers	1545-AB06
2412	26 USC 0274 (d) Income Tax--Substantiation requirements with respect to listed property and substantiation requirements relating to the taxation of fringe benefits	1545-AJ40

TREAS—IRS

Internal Revenue Service—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2413	26 USC 0280A Income Tax--Deductions for Expenses Attributable to Business Use of Homes, Rental of Vacation Homes	1545-AB09
2414	26 USC 0280F Limitations on Amount of Depreciation and Investment Tax Credit for Luxury Automobiles and Certain Other Property	1545-AG99
2415	26 USC 0304 Affiliated Groups	1545-AL41
2416	26 USC 0336 Income Tax--Part 1 Temporary Regulations-Recognition of gain or loss liquidating sales and distributions of property (TRA 1986, sections 631 to 633)	1545-AJ01
2417	26 USC 0336 Certain stock sales and distributions treated as asset transfers	1545-AK30
2418	26 USC 0338 Deemed Sale Price When Certain Stock Purchases Are Treated as Asset Acquisitions	1545-AF29
2419	26 USC 0338 Income Tax-Elections Under Section 338, as Added by Section 224 of the Tax Equity and Fiscal Responsibility Act of 1982 as Amended by the Technical Corrections Act of 1982	1545-AF38
2420	26 USC 0338 Regulations Under Section 338 (h) (10) as Added to the Code by Section 306 of the Technical Corrections Act of 1982, Relating to Special Elective Recognition of Gain or Loss	1545-AF93
2421	26 USC 0338 Income Tax--Application of Section 338 to Stock and Asset Acquisitions in the International Context	1545-AG13
2422	26 USC 0338 Questions and Answers Relating to Domestic Matters under Section 338 of the Internal Revenue Code of 1954 - Cross Reference to the Temporary Regulations	1545-AH88
2423	26 USC 0338 Statements of Election and due Dates	1545-AI53
2424	26 USC 0338 Income Tax-Application of Installment Method of Reporting and Mandatory application of MADSP formula for qualified stock purchases under section 338 (h) (10)	1545-AJ07
2425	26 USC 0338 Treatment of an affiliated group of corporations as a selling consolidated group for purposes of elective recognition under section 338 (h) (10)	1545-AK32
2426	26 USC 0355 Income Tax--Distribution of Stock and Securities of a Controlled Corporation	1545-AB20
2427	26 USC 0358 Income Tax--Triangular Reorganizations, Basis and Other Consequences	1545-AB21
2428	26 USC 0367 Income Tax--Treatment of Exchanges Described in Section 367 (b)	1545-AB26
2429	26 USC 0367 Amendment of the Income Tax Regulations under Section 367 of the Code (transfers to foreign corporations) to reflect section 131 of the Tax Reform Act of 1984 (P.L. 98-369)	1545-AK74
2430	26 USC 0367 (b) Foreign Liquidations and Reorganizations (Temporary Regulations)	1545-AJ76
2431	26 USC 0367(b) Income Tax--Part 1--Temporary-Whether Earnings and Profits Should be Allocated to an Acquiring CFC from an Acquired CFC Following a Non-Recognition Transaction	1545-AI32
2432	26 USC 0368 Income Tax--Temporary Regulations--Reorganizations Involving Financially Troubled Thrift Institutions	1545-AB28
2433	26 USC 0368 Income Tax--Exchange Funds	1545-AB31
2434	26 USC 0382 Income Tax--Ownership Change	1545-AJ00
2435	26 USC 0382 Computation of Section 382 Limitation	1545-AK87
2436	26 USC 0382 Limitation to groups filing consolidated returns	1545-AL36
2437	26 USC 0383 Special limitations on certain credit and loss carryovers	1545-AK28
2438	26 USC 0401 Income Tax--Refund of Mistaken Contributions	1545-AD68
2439	26 USC 0401 Certain Cash or Deferred Arrangements	1545-AD72
2440	26 USC 0401 Income Tax--Required Distributions from Qualified Plans and Individual Retirement Accounts and Partial Rollovers of Individual Retirement Accounts	1545-AE95
2441	26 USC 0401 Notice, Election, and Consent Rules under the Retirement Equity Act of 1984	1545-AH80
2442	26 USC 0402 Income Tax--Treatment of Certain Lump Sum Distributions	1545-AD73
2443	26 USC 0404A Income Tax--Deduction for Certain Foreign Deferred Compensation Plans	1545-AD81
2444	26 USC 0408 Annual Information Reports by Trustees and Issuers of Individual Retirement Plans	1545-AF83
2445	26 USC 0410 Retirement Equity Act Changes to Participation, Vesting, etc. Rules	1545-AH03
2446	26 USC 0411 Income Tax--Coordination of Vesting and Nondiscrimination Requirements for Qualified Plans	1545-AD83
2447	26 USC 0411 Survivor benefits, distribution restrictions and various other issues under the Retirement Equity Act of 1984	1545-AH01
2448	26 USC 0411 Income Tax-Part 1 - Reduction of Accrued Benefits To Qualify for a Standard Termination of a Single Employer Defined Benefit Pension Plan	1545-AI48
2449	26 USC 0411 Income Tax - Part 1 - Minimum Vesting Standards	1545-AI88
2450	26 USC 0412 Income Tax--Excise Tax Regulations--Funding for Qualified Plans	1545-AD84
2451	26 USC 0414 Income Tax--Definitions & Special Rules	1545-AB35
2452	26 USC 0414 Income Tax--Employees of an Affiliated Service Group	1545-AD90
2453	26 USC 0414 Income Tax Regulations--Affiliated Service Groups and Employee Leasing	1545-AE91
2454	26 USC 0417 Joint and Survivor Annuities	1545-AG72
2455	26 USC 0422A Income Tax--Creation & Treatment of Incentive Stock Options	1545-AB36
2456	26 USC 0441 Taxable Years of Certain Entities	1545-AK63
2457	26 USC 0444 Election of taxable years other than required taxable year	1545-AL46
2458	26 USC 0448 Limitation of the use of the cash method of accounting	1545-AJ52
2459	26 USC 0448 Clarification of determination of bad debt experience under nonaccrual-experience accounting method	1545-AL39
2460	26 USC 0451 Accounting for Long-Term Contracts; Corporations Filing Consolidated Returns With a Contractor	1545-AI19
2461	26 USC 0453 Income Tax--General Rules Relating to Installment Sales	1545-AB42

TREAS—IRS

Internal Revenue Service—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2462	26 USC 0453 Income Tax--Installment Obligations Received from a Liquidating Corporation	1545-AB43
2463	26 USC 0453 Income Tax--Installment Obligations Received in Transactions in which Gain or Loss is Generally Not Recognized	1545-AB44
2464	26 USC 0453 Income Tax--Installment Method Reporting by Dealers in Personal Property	1545-AB47
2465	26 USC 0453a Income Tax Regulations--Part 1. Installment Sale by Dealers in Personal Property	1545-AF71
2466	26 USC 0458 Income Tax--Exclusion from Gross Income with Respect to Magazines, Paperbacks, and Record Returns After Close of Taxable Year	1545-AB48
2467	26 USC 0461 (h) Temporary Income Tax Regulations--The Economic Performance Requirement	1545-AH33
2468	26 USC 0464 Income Tax--Limitation on Deductions in Case of Farming Syndicates	1545-AB51
2469	26 USC 0465 Income Tax--Determination of Amounts at Risk with Respect to Certain Activities	1545-AB52
2470	26 USC 0465 Aggregation of Certain Activities	1545-AI41
2471	26 USC 0467 Temporary Income Tax Regulations-Deferred Payments for Use of Property or Services	1545-AG81
2472	26 USC 0468A Income Tax Regulations -- Special Rules Relating to Nuclear Decommissioning Costs	1545-AI01
2473	26 USC 0472 Income Tax--Three-Year Averaging for Increases in Inventory Value when Electing LIFO Method of Accounting	1545-AB55
2474	26 USC 0474 Simplified Dollar-value LIFO Method for Certain Small Businesses	1545-AK65
2475	26 USC 0501 Income Tax--Rules Clarifying the Regulations With Respect to the Computation of "Gross Income" of an Electric Cooperative	1545-AD99
2476	26 USC 0593 Income Tax--Limitation on Additions to Bank Loss Reserves	1545-AB66
2477	26 USC 0613A Income Tax--Supplementary Rules on Limitations on Percentage Depletion for Oil & Gas	1545-AB73
2478	26 USC 0613A Income Tax--To Conform to Sec 3 of the Act of 12/28/80	1545-AB74
2479	26 USC 0702 Income Tax - Application of effective date for new rules regarding deductions for meal, travel, and entertainment to partnerships and S corporations	1545-AK85
2480	26 USC 0706 (b) Taxable Years of Certain Partnerships	1545-AJ47
2481	26 USC 0807 (d) Mortality and Morbidity Tables to be used for Insurance Products for which there are not applicable commissioner's tables	1545-AK04
2482	26 USC 0817 Income Tax Regulations-Diversification Requirements for Variable Annuity, Endowment, and Life Insurance Contracts	1545-AG79
2483	26 USC 0846 Temporary Income Tax Regulations--Discounting of unpaid losses of property and casualty insurance companies	1545-AI96
2484	26 USC 0863 (a) Allocation of gross income attributable to interest rate swaps under section 863 (a)	1545-AL26
2485	26 USC 0864 (e) Allocation and apportionment of expenses	1545-AL21
2486	26 USC 0871 Income Tax--Original Issue Discount	1545-AB93
2487	26 USC 0871 Employment Taxes: Application of the Repeal of 30% Withholding by the Tax Reform Act of 1984 and of Information Reporting and Backup Withholding in Light of Such Repeal	1545-AH15
2488	26 USC 0884 Branch Profits Tax (General Rule and Definitions) and Second Level Withholding Taxes (Temporary Regulations)	1545-AJ77
2489	26 USC 0904 Income Tax--Recapture of Overall Foreign Losses	1545-AC05
2490	26 USC 0904 Income Tax Regulations Under Section 121 of the Tax Reform Act of 1984 Relating to Resourcing Certain Amounts Received From A U.S. Owned Foreign Corporation	1545-AI33
2491	26 USC 0904 Separate Application of section 904 with respect to certain categories of income	1545-AJ69
2492	26 USC 0904 Separate application of section 904 with respect to certain categories of income	1545-AJ72
2493	26 USC 0905 Income Tax--Temporary Regulations--Taxpayer's Obligation to File a Notice of Redetermination of Foreign Tax and Civil Penalties for Failure to File	1545-AC09
2494	26 USC 0924 FSC Transfer Pricing Rules, Distributions, Dividends Received, Deduction and Other Special Rules for FSC	1545-AI16
2495	26 USC 0936 Income Tax--Definition of Qualified Possession Source Investment Income for Purposes of Puerto Rico & Possession Tax Credit	1545-AC10
2496	26 USC 0954 Current Taxation of Foreign Oil Related Income of Controlled Foreign Corporations	1545-AE38
2497	26 USC 0985 Functional Currency	1545-AL27
2498	26 USC 0989 (c) Transition rules for qualified business units using a net worth method of accounting for taxable years beginning before January 1, 1987	1545-AL28
2499	26 USC 0995 Proposed Income Tax Regulations Under the Tax Reform Act of 1984 Relating to INTEREST CHARGE DISCs	1545-AG71
2500	26 USC 1058 Income Tax--Transfers of Securities Under Certain Agreements	1545-AC20
2501	26 USC 1059A Customs Limitation on taxpayer's basis in property imported from related persons	1545-AJ92
2502	26 USC 1060 Income Tax--Special Allocation Rules for Certain Asset Acquisitions	1545-AJ03
2503	26 USC 1092 (b) Income Tax Regulations Under the Tax Reform Act of 1984 Relating to Mixed Straddles	1545-AH59
2504	26 USC 1092 (b) Income Tax Regulations Under the Economic Recovery Tax Act of 1981 and the Tax Reform Act of 1984, Relating to Straddles	1545-AH60
2505	26 USC 1254 Income Tax--Gain from Disposition of Interest in Oil or Gas Property	1545-AC35
2506	26 USC 1256(e) Hedging Exception to Mark-to-Market Rules for Section 1256 Contracts, Deferral of Certain Straddle Losses, and Wash-Sale and Short-Sale Principles Applicable to Certain Straddle Transactions	1545-AI72

TREAS—IRS

Internal Revenue Service—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2507	26 USC 1275 Regulations Under Section 1271 Through 1275 Relating to Tax Treatment of Debt Instruments Having Original Issue Discount	1545-AH46
2508	26 USC 1361 Income Tax--Definition of S Corporation	1545-AE86
2509	26 USC 1374 Temporary Regulation--Application of section 1374 Built-in Gain tax to C corporation's electing S corporation status	1545-AK91
2510	26 USC 1378 Income Tax--Certain Elections Under the Subchapter S Revision Act of 1982	1545-AF30
2511	26 USC 1402 (e) Applications for exemption from self-employment taxes for ministers, etc.	1545-AJ94
2512	26 USC 1441 Withholding on Items of Income Covered by an Income Tax Convention	1545-AH86
2513	26 USC 1446 Temporary Regulation on Withholding Tax on Payments from Partnerships to Foreign Partners	1545-AL32
2514	26 USC 1502 Income Tax--Credit & Deductions etc., for Consolidated Returns	1545-AC48
2515	26 USC 1502 Investment Adjustments Under the Consolidated Return Regulations	1545-AI58
2516	26 USC 1502 Temporary Regulations-Consolidated return investment adjustments with respect to an acquired subsidiary's built-in gains or losses	1545-AK95
2517	26 USC 1502 Consolidate Groups	1545-AL45
2518	26 USC 1504 Cross-reference--Alaska Native Corporations; Requirements for affiliation in order to file a consolidated return	1545-AK88
2519	26 USC 2036 Estate & Gift Taxes--Inclusion of Stock in Estate Where Decedent Retained Voting Rights	1545-AC63
2520	26 USC 2056 Estate and Gift Taxes--Increase in Limitations on Marital Deductions	1545-AC67
2521	26 USC 2653 (b) Estate Tax--Generation Skipping Transfer Tax	1545-AJ12
2522	26 USC 280F Leased Property under section 280F	1545-AL42
2523	26 USC 3121 Employment Tax--To Require Withholding of Social Security and Railroad Retirement Tax from Certain Payments of Sick Pay	1545-AC77
2524	26 USC 3406 Backup Withholding	1545-AL48
2525	26 USC 3508 Treatment of Real Estate Agents and Direct Sellers as Nonemployees for Employment Tax Purposes--Reporting Requirements with Respect to Direct Sellers	1545-AE62
2526	26 USC 4041 Election to have certain diesel fuel taxes imposed on sales to retailers	1545-AL14
2527	26 USC 4051 Temporary Regulation Excise Taxes on Heavy Trucks, Truck Trailers and Semitrailers, and Tractors Sold at Retail	1545-AF79
2528	26 USC 4052 Excise Tax - Excise Tax on Heavy Trucks, Truck Trailers and Semitrailers, and Tractors	1545-AI62
2529	26 USC 4081 Excise Tax--Collection of excise tax imposed on the sale or removal of gasoline	1545-AJ09
2530	26 USC 4091 Excise tax on diesel fuel	1545-AL43
2531	26 USC 4481 Reduction of the heavy vehicle use tax for foreign-based trucks	1545-AK98
2532	26 USC 453C Transitional rules relating to indebtedness treated as payment on installment obligations	1545-AK54
2533	26 USC 4911 Income Tax--Lobbying by Public Charities	1545-AE02
2534	26 USC 4977 Excise Tax--Election to Aggregate Lines of Business for Purposes of Certain Fringe Benefit Exclusions	1545-AI63
2535	26 USC 4981 Excise Tax -- Excess distributions from qualified retirement plans	1545-AI81
2536	26 USC 4981 Excise taxes relating to real estate investment trusts and regulated investment companies under the Tax Reform Act of 1986	1545-AJ02
2537	26 USC 4991 Excise Tax--Definition of Newly Discovered Oil	1545-AC96
2538	26 USC 4992 Excise Tax--Issues Arising Where Multiple Parties Share in Production, Including Unitizations, Partnerships, Trusts and Estates	1545-AC94
2539	26 USC 4993 Excise Tax--Incremental Tertiary Oil	1545-AD04
2540	26 USC 4994 Excise Tax--Oil From a Stripper Well Property	1545-AD01
2541	26 USC 4996 Excise Tax--Definition of Property Under the Crude Oil Windfall Profit Tax Act 1980	1545-AD08
2542	26 USC 6011 Elimination of Form 941 Filing Requirement for Quarters in Which Seasonal Employers Pay no Wages	1545-AI56
2543	26 USC 6011 Excise Tax -- Part 54 -- Procedure and Administration-- Part 301 -- Filing of Returns for Payment of Pension Excise Tax on Reversions of Qualified Plan Assets	1545-AI83
2544	26 USC 6031 Income Tax-Amendments to Requirements for Return of Partnership Income	1545-AE40
2545	26 USC 6031 Nominee Reporting of Partnership Information	1545-AJ97
2546	26 USC 6045 Information Returns of Brokers	1545-AG02
2547	26 USC 6045 Information Returns of Brokers	1545-AG52
2548	26 USC 6045 Information Reporting on Real Estate Transactions	1545-AJ25
2549	26 USC 6045 (e) Information Reporting on Real Estate Transactions	1545-AL38
2550	26 USC 6050H Income Tax--Mortgage Interest Reporting	1545-AG93
2551	26 USC 6050J Final Regulations Relating to Reports of Foreclosures and Abandonments of Security Under the Tax Reform Act of 1984	1545-AG48
2552	26 USC 6050M Reporting requirements pertaining to returns relating to persons receiving contracts from Federal executive agencies	1545-AL33
2553	26 USC 6081 (a) Grant of automatic extension of time to file partnership and trust returns	1545-AL37
2554	26 USC 6111 Proposed Regulations Under Sections 6111 and 6709, Relating to Tax Shelter Registration	1545-AG45
2555	26 USC 6157 Time and Manner of Making Quarterly Payments of the Railroad Unemployment Repayment Tax (NPRM)	1545-AI60

TREAS—IRS

Internal Revenue Service—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2556	26 USC 6222 Miscellaneous Rules Relating to Consolidated Administrative and Judicial Proceedings to Determine the Tax Treatment of Partnership Items	1545-AE51
2557	26 USC 6241 Small S Corporation exception and definition of Subchapter S item	1545-AJ99
2558	26 USC 6302 To require financial institutions to deposit estimated tax on trusts and estates	1545-AK35
2559	26 USC 6323 Electronic filing of notice of Federal tax lien	1545-AL00
2560	26 USC 6402 Proposed Regulations Under the Spending Reduction Act of 1984, Relating to Reduction of Tax Overpayments by the Amount of Past-Due Legally Enforceable Debt Owed to Federal Agency	1545-AG95
2561	26 USC 6402 Procedure and Administrative--Reduction of Tax Overpayments by amount of past due legally enforceable debt owed to Federal Agency	1545-AK12
2562	26 USC 6611 Procedure and Administration Regulations--Modifications of Interest Payments for Certain Periods	1545-AF10
2563	26 USC 6621 Procedure and Administration Regulations - Increased Rate of Interest on Substantial Underpayments Attributable to Certain Tax Motivated Transactions	1545-AG75
2564	26 USC 6655 To Provide Regulations Relating to Accelerated Payment of Estimated Taxes by Corporations	1545-AE37
2565	26 USC 6723 Penalty for failure to include correct information on information returns and payee statements	1545-AJ29
2566	26 USC 7103 (b) Procedure and Administration--Property seized by the Internal Revenue Service under the Money Laundering Control Act of 1986	1545-AL04
2567	26 USC 7216 Amendment of Regulations to Permit Disclosure of Tax Return Information between Franchisees who Jointly Operate a Tax Service	1545-AH91
2568	26 USC 7502 Procedure and Administration--Amendment of Regulations Relating to the Timely Mailing of Returns, Taxes and Deposits	1545-AD42
2569	26 USC 7701 (b) Amendment of Procedure and Administration Regulations Under Section 7701(b) (Definition of Resident Aliens) to Reflect Section 138 of the Tax Reform Act of 1984 (P.L. 98-369)	1545-AH13
2570	26 USC 7805 Effective Dates and Other Questions Arising Under Employee Benefit Provisions of the Tax Reform Act of 1984	1545-AI21
2571	26 USC 7871 Indian Tribal Governments Treated as States for Certain Purposes	1545-AF77
2572	26 USC 7872 Regulations on Income Tax Under the Tax Reform Act of 1984, Relating to Below-Market Loans	1545-AH72
2573	26 USC 9999 Income Tax--Maritime Capital Construction Fund	1545-AD46

Internal Revenue Service—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2574	05 USC 0552 Miscellaneous amendments	1545-AJ95
2575	26 USC 0001 (i) Income Tax--Unearned of Minor Children	1545-AJ17
2576	26 USC 0025 Substantiation requirement for mortgage interest credit certificates	1545-AK34
2577	26 USC 0025 Substantiation requirement for mortgage interest credit certificates	1545-AK38
2578	26 USC 0032 Income Tax--Notice to Employees of Earned Income Credit	1545-AK00
2579	26 USC 0042 Low-income housing credit	1545-AK39
2580	26 USC 0101(d) Income Tax Regulations--Mortality tables to be used to determine amount held by insurer with respect to a beneficiary	1545-AK15
2581	26 USC 0146 (n) To Provide Regulations Relating to the State Volume Cap on Private Activity Bonds	1545-AH62
2582	26 USC 0163 Income Tax Regulations--Limitations on deductions for nonbusiness interest	1545-AK16
2583	26 USC 0382 Income Tax--Ownership Change	1545-AJ08
2584	26 USC 0410 Income Tax - Temporary Regulations on Minimum Vesting Standards	1545-AK43
2585	26 USC 0441 Taxable Years of Certain Entities	1545-AK61
2586	26 USC 0706 (b) Taxable years of Certain Partnerships (temporary)	1545-AJ46
2587	26 USC 0832 Treatment of Salvage and Reinsurance in determining Losses of Property and Casualty Insurance Companies	1545-AK48
2588	26 USC 0901 Statute of Limitations - Nationalized Companies	1545-AJ75
2589	26 USC 1563 Income Tax--To Reflect the U.S. Supreme Court in U.S. v. Vogel Fertilizer Co., Holding that Each Member of Stockgroup must Own Stock in Each Brother-Sister Corp	1545-AC59
2590	26 USC 3402 Submission of certain withholding exemption certificates and entitlements to additional withholding exemption	1545-AJ30
2591	26 USC 3406 To Provide Temporary Regulations Relating to Backup Withholding Where the Service Notifies Payor to Withhold Due to an Incorrect Taxpayer Identification Number	1545-AF90
2592	26 USC 4041 Sales of diesel and special motor fuel from unattended locations	1545-AK99
2593	26 USC 4081 Manufacturers and Retailers Excise Taxes--Taxes on Fuels, Tires and Gasoline	1545-AF58
2594	26 USC 4481 Reduction of the heavy vehicle use tax for foreign-based trucks	1545-AK97
2595	26 USC 4981 Excise Tax -- Excess distributions from qualified retirement plans	1545-AL13
2596	26 USC 4981 Excise Tax--Excess distributions from qualified retirement plans	1545-AL22

TREAS—IRS

Internal Revenue Service—Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
2597	26 USC 6041 Information Reporting of Allowances, or Reimbursements, or Charges for Travel and Other Expenses of Public Sector Employees and Certain Other Persons	1545-AI42
2598	26 USC 6205 Interest on Hospital Insurance Taxes on Wages of State and Local Government Employees	1545-AI45
2599	26 USC 6205 Interest on Hospital Insurance Taxes on Wages of State and Local Government Employees	1545-AI50
2600	26 USC 6302 Income Tax--Deposit of Estimated Income Tax by Certain Private Foundations and Tax-Exempt Organizations	1545-AJ43
2601	26 USC 6404(e) Procedure and Administration - Abatement of Interest	1545-AK70
2602	26 USC 6723 Penalty for failure to include correct information on information returns and payee statements	1545-AJ26
2603	26 USC 7701 Income Tax--Investment Credit in Case of Property Used by Tax Exempt Organizations & Governmental Units; Practice & Procedure --Definition of Service Contracts & Other Arrangements	1545-AA23

DEPARTMENT OF THE TREASURY (TREAS)

Prerule Stage

Internal Revenue Service (IRS)

2131. STATEMENT OF PROCEDURAL RULES--MISCELLANEOUS AMENDMENTS

Legal Authority: 5 USC 301; 5 USC 552

CFR Citation: 26 CFR 601; 26 CFR 602

Legal Deadline: None.

Abstract: The document contains miscellaneous amendments to the Statement of Procedural Rules (SPR). The SPR sets forth the procedural rules of the Internal Revenue Service for all taxes administered by the Service as well as certain rules that apply to the Bureau of Alcohol, Tobacco and Firearms. Some amendments update the SPR to reflect changes in nomenclature. The other amendments are described in the order of the sections of the SPR being amended.

Timetable:

Action	Date	FR Cite
Statement of Procedural Rules	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-257-83.

Drafting Author: George H. Bradley (202) 343-0231.

Reviewing attorneys: George H. Bradley (202) 343-0231 and Charles Whedbee (202) 566-3458.

Agency Contact: George H. Bradley, Staff Assistant, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 343-0231**

RIN: 1545-AJ53

2132. TAXATION, VALUATION, AND REPORTING OF "FREQUENT FLYER" OR SIMILAR BONUS PAYMENTS

Legal Authority: 26 USC 61 Internal Revenue Code of 1986; 26 USC 6041 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will require information reporting with respect to "frequent flyer" or similar bonus payments in order to increase compliance. The regulation will also provide valuation rules to assist taxpayers in valuing the bonuses.

Timetable:

Action	Date	FR Cite
ANPRM	04/01/88	

Small Entity: Undetermined

Additional Information: LR-79-86

Drafting attorney: Katherine Lee Wambsgans (202) 566-3288.

Reviewing attorney: Paul A. Francis (202) 566-3218.

Treasury attorney: Susan Scherbel (202) 535-6965.

Agency Contact: Katherine Lee Wambsgans, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK02

2133. QUALIFIED 50L (C) (3) BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 145 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules for qualified 501 (c) (3) bonds.

Timetable:

Action	Date	FR Cite
ANPRM	06/01/88	

Small Entity: Not Applicable

Additional Information: LR-84-86.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: Alice Bennett (202) 566-3294.

Treasury attorney: Elliot Stern (202) 566-2926.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224, **202 566-3459**

RIN: 1545-AJ39

2134. STATE VOLUME CAP FOR TAX-EXEMPT BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 146 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation would provide state volume cap rules for tax-exempt bonds.

Timetable:

Action	Date	FR Cite
ANPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-85-86

Drafting attorney: David Selig (202) 566-3297.

Reviewing attorney: Gerald Rock: (202) 566-3294.

Treasury attorney: Elliot Stern (202) 566-2926.

Agency Contact: David Selig, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224, **202 566-3297**

RIN: 1545-AJ37

2135. MODIFICATION OF ACRS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 168 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation would provide rules concerning the accelerated cost recovery system

Timetable:

Action	Date	FR Cite
ANPRM	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-86-86.

Drafting attorney: Richard Blumenreich (202) 566-4336.

Reviewing attorney: Ada Rousso (202) 566-3287.

Treasury attorney: Ellen Aprill (202) 566-5453.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224, **202 566-3459**

RIN: 1545-AJ38

2136. CAPITALIZATION OF CERTAIN INTEREST EXPENSES-- NOTICE OF PROPOSED RULEMAKING

Significance: Agency Priority

Legal Authority: 26 USC 263A (f) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance concerning the capitalization of certain interest expenses and the allocation interest to property subject to the capitalization rules.

Timetable:

Action	Date	FR Cite
ANPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-121-86.

Drafting attorney: Katherine Lee Wambsgans (202) 566-3288.

Reviewing attorney: John Fischer (202) 566-3394.

Treasury attorney: Patricia McClanahan (202) 566-2926.

Agency Contact: Katherine Lee Wambsgans, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK01

2137. CERTAIN STOCK SALES AND DISTRIBUTIONS TREATED AS ASSET TRANSFERS

Legal Authority: 26 USC 336 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance for making an election under section 336 (e), and the consequences which result from making such an election.

Timetable:

Action	Date	FR Cite
ANPRM	07/01/88	
ANPRM Comment Period End	09/01/88	

Small Entity: Not Applicable

Additional Information: LR-52-87

Drafting attorney: Patricia W. Pellervo (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Treasury attorney: Thomas Wessel (202) 566-4979.

Agency Contact: Patricia W. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK29

2138. TREATMENT OF AN AFFILIATED GROUP OF CORPORATIONS AS A SELLING CONSOLIDATED GROUP FOR PURPOSES OF ELECTIVE RECOGNITION UNDER SECTION 338 (H) (10)

Legal Authority: 26 USC 338 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide the guidance for making elections under section 338 (h) (10) when the selling group is an affiliated group of corporations which does not file a consolidated federal income tax return, and the consequences of making such an election.

Timetable:

Action	Date	FR Cite
ANPRM	06/01/88	
ANPRM Comment Period End	08/01/88	

Small Entity: Not Applicable

Additional Information: LR-50-87

Drafting attorney: Judith C. Winkler (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Treasury attorney: Thomas Wessel (20) 566-4979.

Agency Contact: Judith C. Winkler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK31

TREAS—IRS

Prerule Stage

2139. SPECIAL LIMITATIONS ON CERTAIN CREDIT AND LOSS CARRYOVERS

Legal Authority: 26 USC 383 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would specify the manner and method on applying the special limitations on certain credit and loss carryovers under section 383.

Timetable:

Action	Date	FR Cite
ANPRM	06/30/88	
ANPRM Comment Period End	08/29/88	

Small Entity: Not Applicable

Additional Information: LR-69-87

Drafting attorney: Thomas J. Kane (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Thomas Wessel (202) 566-4979.

Agency Contact: Thomas J. Kane, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK26

2140. TREATMENT OF SALVAGE AND REINSURANCE IN DETERMINING LOSSES OF PROPERTY AND CASUALTY INSURANCE COMPANIES

Legal Authority: 26 USC 7005 Internal Revenue Code of 1986; 26 USC 832 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules relating to the treatment of salvage and reinsurance recoverable in determining the paid and unpaid losses of property and casualty insurance companies.

Timetable:

Action	Date	FR Cite
NPRM	01/05/88	53 FR 153

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: LR-65-87

Drafting attorney: Bill Blagg (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Don Rocap (202) 566-8278.

Agency Contact: Bill Blagg, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AK49

2141. ● INTEREST DEDUCTION UNDER SECTION 834(C)(5)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations clarify that in order to be deductible under section 834(c)(5), interest must relate to investment income.

Timetable:

Action	Date	FR Cite
ANPRM Comment Period End	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-110-87

Drafting attorney: William Blagg (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Don Rocap (202) 566-8278.

Income Taxes

Agency Contact: William L. Blagg, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AL07

2142. INCOME TAX - INTEREST AND DIVIDENDS OF 80-20 COMPANIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 861 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would provide rules with respect to the sourcing of dividends and interest paid by so-called "80-20" companies, that is, companies with 80% or more foreign source income.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-950-86

Drafting Attorney: Riea Lainoff (202) 566-6645

Reviewing Attorney: Phyllis E. Marcus (202) 566-6645

Treasury Attorney: Mary Bennett (202) 566-5992

Agency Contact: Riea Lainoff, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-6645**

RIN: 1545-AJ58

2143. EXCLUSION OF POSSESSION SOURCE INCOME FROM GROSS INCOME OF CERTAIN INDIVIDUALS AND TREATMENT OF CORPORATIONS ORGANIZED IN GUAM, SAMOA OR CNMI

Legal Authority: 26 USC 876 Internal Revenue Code of 1986; 26 USC 881 Internal Revenue Code of 1986; 26 USC 931 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The Tax Reform Act of 1986 eliminates the requirement that there be a mirrored system of taxation in Guam and the CNMI, and coordinates the tax system of these possessions and of American Samoa with the U.S. tax system. Guam the CNMI and American Samoa are granted full authority over their own local income tax systems, with respect to income from sources within or effectively connected with the conduct of a trade or business within any of these possessions. This grant of authority is effective, however, only if and so long as an implementing agreement is in effect between the possession at issue and the United States which provides for elimination of double taxation, prevention of evasion or avoidance of U.S. tax exchange of information, and other administrative matters.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-968-86

Drafting Attorney: Lilo A. Hester (202) 287-4851.

Reviewing Attorney: Michael Patton (202) 287-4851.

Treasury Attorney: Peter Barnes (202) 566-5815.

Agency Contact: Lilo A. Hester, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza South, S.W., Room 3319, Washington, D.C. 20024, **202 287-4851**

RIN: 1545-AJ80

2144. INCOME TAX - RECIPROCAL EXEMPTIONS FOR CERTAIN TRANSPORTATION INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 883 Internal Revenue Code of 1986; 26 USC 872 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would provide rules with respect to whether a foreign country will be considered to grant a reciprocal Aircraft/Shipping exemption to U.S. corporations for purposes of section 883 of the Code, or to U.S. citizens for purposes of section 872 of the Code.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-948-86

Drafting Attorney: Patricia A. Bray (202) 566-6645.

Reviewing Attorney: Phyllis E. Marcus (202) 566-6645.

Treasury Attorney: David Crowe (202) 566-5791.

Agency Contact: Patricia A. Bray, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-6645**

RIN: 1545-AJ57

2145. FOUR PERCENT TAX ON GROSS TRANSPORTATION INCOME AND ECI

Significance: Agency Priority

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 887 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Four percent tax in gross transportation income. The regulation will address the circumstances in which persons must pay a transportation on tax on a gross basis, and the circumstances in which they have effectively connected transportation income so that they must file a tax return and pay the tax on a net basis.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-940-86

Drafting Attorney: David L. Paul (202) 566-3289

Reviewing Attorney: John F. Dean (202) 566-3289

Treasury Attorney: Peter Daub (202) 566-5791

Agency Contact: David L. Paul, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AJ60

2146. AMENDMENT OF SECTION 1.901-2(E)(3)

Legal Authority: 26 USC 901(i) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would provide rules to implement 1986 Tax Act amendment to Section 901 concerning certain tax subsidiaries used by foreign governments. Proposal will deny foreign tax credit to the extent that there is a subsidy.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: INTL-942-86

Drafting Attorney: Charles P. Besecky (202) 566-3319.

Reviewing Attorney: Charles C. Saverude (202) 566-6645.

Treasury Attorney: David Crowe (202) 566-5791.

Agency Contact: Charles P. Besecky, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3319**

RIN: 1545-AJ90

2147. SUBPART F - USE OF DEFICITS

Significance: Agency Priority

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 952 Internal Revenue Code of 1986; 26 USC 954 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will provide rules for determining the extent to which current year deficits in unrelated income categories or prior year deficits may reduce the amount included in the gross income of any U.S. shareholder under section 951(a)(1)(A)(i) for taxable years after 1986.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-954-86

Drafting Attorney: Barbara A. Felker (202) 566-6645

Reviewing Attorney: Phyllis E. Marcus (202) 566-6645

Treasury Attorney: Peter Daub (202) 566-5711

Agency Contact: Barbara Allen Felker, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6645**

RIN: 1545-AJ71

2148. SUBPART F FPHC DEFINITIONS

Significance: Agency Priority

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 954 Internal Revenue Code of 1986; 26 USC 957 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Definition of FPHC income. Particular issues include the definition of income equivalent to interest, of property which does not give rise to income.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-953-86

Drafting Attorney: David L. Paul (202) 566-3289

Reviewing Attorney: Phyllis Marcus (202) 566-3289

Treasury Attorney: Peter Daub (202) 566-5791

Agency Contact: David L. Paul, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AJ61

2149. ● REVISED WITHHOLDING TAX REGULATION TO MODIFY "AS SOON AS PRACTICAL" REQUIREMENTS

Legal Authority: 26 USC 1441 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will modify a requirement of Treas. Reg. section 1.1441-6(c) regarding the time for filing of Form 1001. Section 1.1441-6(a) provides that the withholding rate shall be reduced as may be provided by a treaty with any country. To secure a reduced treaty withholding rate, subsection (c) of the regulation requires the recipient of the income to file Form 1001 (ownership, exemptions, or reduced rate certificate) with the withholding agent. The regulation further provides that each such Form 1001 filed with any withholding agent shall be filed "as soon as practicable". The "as soon as practicable" requirement will be changed to a narrowed and more objective time period.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: No

Additional Information: INTL-685-87

Drafting Attorney: Lilo A. Hester (202) 287-4851

Reviewing Attorney: Michael F. Patton (202) 287-4851

Agency Contact: Lilo A. Hester, Attorney, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza South, S.W., Room 3319, Washington, D.C. 20024, **202 286-4851**

RIN: 1545-AL19

2150. DUAL RESIDENT COMPANIES LIMITATION ON CONSOLIDATED LOSSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1503(d) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: If a U.S. Corporation is subject to a foreign country's tax on worldwide income, or on a residence basis as opposed to a source basis, any taxable loss it incurs cannot reduce the taxable income of any other member of a U.S. affiliated group for any other taxable year. Where a corporation is subject to foreign tax on a residence basis, then for U.S. purposes, its loss will be available to offset income of that corporation in other years, but not income of another U.S. Corporation. Regulations may exempt a U.S. corporation from this rule to the extent that its losses do not offset the income of foreign corporations for foreign tax purposes.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-992-86

Drafting Attorney: Riea M. Lainoff (202) 566-6645

Reviewing Attorney: Phyllis Marcus (202) 566-6645

Treasury Attorney: David Crowe (202) 566-8275

Agency Contact: Riea Lainoff, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6645**

RIN: 1545-AJ54

2151. INFORMATION WITH RESPECT TO CERTAIN FOREIGN-OWNED CORPORATIONS

Legal Authority: PL 99-514, Sec 1245

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Prior to the Tax Reform Act of 1986 foreign controlled foreign corporations doing business in the US and foreign controlled US corporations are required to report transactions with related foreign corporations. The 86 Act requires such entities to report transactions with all related foreign parties, whether or not corporations. The Act also provides a new definition for the term related parties, and requires information necessary to carry out the installment sales rules, as amended by such Act, to also be reported.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: Yes

Additional Information: INTL-958-86

Drafting Attorney: Charles A. Ray (202) 287-4851.

Reviewing Attorney: Michael F. Patton (202) 287-4851.

Treasury Attorney: Stephen Shay (202) 566-5046.

Agency Contact: Charles A. Ray, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza South, S.W., Room 3319, Washington, D.C. 20024, **202 287-4851**

RIN: 1545-AJ56

2152. INFORMATION REGARDING RESIDENT STATUS

Legal Authority: 26 USC 6039E Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulation will prescribe the information to be gatherer by the State Department and Immigration and Naturalization Service on Passport and Green card applicants and the penalties to be imposed on such applicants if they do not supply the information the State Department or Immigration and Naturalization Service.

TREAS—IRS **Prerule Stage**

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-978-86

Drafting Attorney: Gerald H. Parshall, Jr. (202) 287-4851.

Reviewing Attorney: Michael F. Patton (202) 287-4851

Treasury Attorney: David Crowe (202) 566-8275

Agency Contact: Gerald Parshall, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza South, S.W., Room 3319, Washington, D.C. 20024, **202 287-4851**

RIN: 1545-AJ93

2153. ● COVER OVER OF INCOME TAXES

Legal Authority: 26 USC 7654 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations relate to section 7654 of the Internal Revenue Code of 1986 which generally provides that net income tax collections from individuals described in sections 931 or 932(c), plus earned income of federal personnel while bona fide residents of specified possession.

Timetable:

Action	Date	FR Cite
ANPRM	06/00/88	

Small Entity: No

Additional Information: INTL-971-86

Drafting Attorney: Lilo A. Hester (202) 287-4851

Reviewing Attorney: Michael F. Patton (202) 287-4851

Treasury Attorney: Peter Barnes (202) 566-5815

Government Levels Affected: Federal

Agency Contact: Lilo A. Hester, Attorney, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza South, S.W., Room 3319, Washington, D.C. 20024, **202 287-4851**

RIN: 1545-AL18

2154. ● DEFINITION OF LIFE INSURANCE CONTRACT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 7702 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will provide rules to define a life insurance contract.

Timetable:

Action	Date	FR Cite
ANPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-107-87

Drafting attorney: Katherine Lee Wambsgans (202) 566-3288.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Income Taxes

Agency Contact: Katherine Lee Wambsgans, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AL08

2155. STATEMENT OF PROCEDURAL RULES--AMENDMENTS TO STATEMENT OF PROCEDURAL RULES--1981-1

Legal Authority: 5 USC 552; 5 USC 301

CFR Citation: 26 CFR 601

Legal Deadline: None.

Abstract: Semi-annual update of the Statement of Procedural Rules.

Timetable:

Action	Date	FR Cite
Statement of Procedural Rules	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-154-81.

Paralegal Specialist: Carroll Field (202) 566-3935.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Agency Contact: Carroll Field, Paralegal Specialist, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, **202 566-3935**

RIN: 1545-AD55

DEPARTMENT OF THE TREASURY (TREAS)
Internal Revenue Service (IRS)

Proposed Rule Stage

2156. INCOME TAX--DEDUCTION FOR BUS OPERATING AUTHORITIES AND FREIGHT

Legal Authority: 26 USC 1 et seq Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules allowing taxpayers an ordinary deduction ratably over a 60-month period for the adjusted basis of bus operating authorities and freight forwarders held or acquired on certain specified dates.

Timetable:

Action	Date	FR Cite
NPRM	07/01/89	

Small Entity: Not Applicable

Additional Information: LR-110-86

Drafting attorney: Christopher Wilson (202) 566-4336.

Reviewing attorney: Ada Rousso (202) 566-3287.

Treasury attorney: Bryan Collins (202) 566-4979.

Agency Contact: Christopher J. Wilson, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AJ18

2157. ● LOW INCOME HOUSING CREDIT RECAPTURE RULE

Significance: Agency Priority

Legal Authority: 26 USC 38 Internal Revenue Code of 1986; 26 USC 42 Internal Revenue Code of 1986; 26 USC 167 Internal Revenue Code of 1986; 26 USC 168 Internal Revenue Code of 1986; 26 USC 142(d) Internal Revenue Code of 1986; 26 USC 179 Internal Revenue Code of 1986; 26 USC 267(b) Internal Revenue Code of 1986; 26 USC 1274(d)(1) Internal Revenue Code of 1986; 26 USC 6621 Internal Revenue Code of 1986; 26 USC 6622 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide guidance with respect to the recapture requirements of section 42(j)for the low-income housing credit. In addition, these regulations will clarify the types of housing that will qualify for the credit.

Timetable:

Action	Date	FR Cite
NPRM	04/15/88	

Small Entity: Undetermined

Additional Information: LR-108-87

Drafting attorney: Christopher J. Wilson (202) 566-4336.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Treasury attorney: Susan Himes (202) 566-8527.

Agency Contact: Christopher J. Wilson, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4336

RIN: 1545-AL12

2158. INCOME TAX--ALTERNATIVE MINIMUM TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 55 Internal Revenue Code of 1986; 26 USC 57 Internal Revenue Code of 1986; 26 USC 58 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The Regulations will provide rules for the computation of the alternative minimum tax and the computation of the credits that may be used to reduce that tax, as well as rules for determining the amount of tax preference for excluded dividends and interest, mining exploration and development costs, and circulation, research and experimental expenditures. The Regulations will also provide rules relating to the optional 10 year write off of certain tax preferences.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: LR-235-82.

Drafting attorney: William A. Jackson (202) 566-3287.

Reviewing attorney: Ada Rousso (202) 566-3287.

Treasury attorney: Neil Kimmelfield (202) 566-8528.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AE80

2159. ALTERNATIVE MINIMUM TAX FOR INDIVIDUALS

Significance: Regulatory Program

Legal Authority: 26 USC 55 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project will address issues relating to the alternative minimum tax for individuals. The issues addressed will include the adjustment to inventory to take into account alternative tax depreciation, determination of the preference amount for charitable contributions of appreciated property, and application of alternative tax adjustments in determining the alternative tax liability of a trust or estate.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Not Applicable

Additional Information: LR-2-87

Drafting attorney: William A. Jackson (202) 566-3287.

Reviewing attorney: Ada Rousso (202) 566-3287.

Treasury attorney: Neil Kimmelfield (202) 566-8528.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, 202 566-3287

RIN: 1545-AJ86

2160. NET BOOK INCOME ADJUSTMENT FOR U.S. BRANCHES OF FOREIGN CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 56 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules for computing the alternative minimum tax net book income adjustment of a foreign corporation engaged in a trade or business in the United States.

Timetable:

Action	Date	FR Cite
Temporary Regulation	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-54-87

Drafting attorney: Timothy J. McKenna (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Tax Legislative Counsel Reviewing Attorney: Richard Harvey (202) 535-6960.

International Tax Counsel Reviewing Attorney: Peter Daub (202) 566-5791.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AK22

2161. NET BOOK INCOME ADJUSTMENT FOR U.S. BRANCHES OF FOREIGN CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 56 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules for computing the alternative minimum tax net book income adjustment of a foreign corporation engaged in a trade or business in the United States.

TREAS—IRS **Proposed Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-55-87

Drafting attorney: Timothy J. McKenna (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Tax Legislative Counsel Reviewing attorney: J. Richard Harvey (202) 535-6960.

International Tax Counsel Reviewing attorney: Peter Daub (202) 566-5791.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AK23

2162. INCOME TAX--INVENTORY ADJUSTMENT FOR THE ALTERNATIVE MINIMUM TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 56(a) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation provides guidance with respect to inventory adjustments for the alternative minimum tax.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-85-87

Drafting Attorney: William Jackson (202) 566-3287.

Reviewing Attorney: Ada Rousso (202) 566-3287.

Treasury Attorney: Tom Evans (202) 566-5453.

Agency Contact: William Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224, 202 566-3287

RIN: 1545-AL02

2163. INCOME TAX-MINIMUM TAX. ITEM OF TAX PREFERENCE FOR INTANGIBLE DRILLING COSTS INCURRED IN DRILLING OIL, GAS OR GEOTHERMAL WELLS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 57 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will explain the application and determination of the tax preference item for intangible drilling costs which was added by the Tax Reform Act of 1976. The regulations will provide rules for determining a taxpayer's net income from oil and gas properties, rules for determining if a well is nonproductive and rules for determining the proper preference tax if a well proves to be nonproductive after the close of a taxable year for which a tax return has already been filed.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Not Applicable

Additional Information: LR-209-78.

Drafting attorney: Ruth Hoffman (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Agency Contact: Ruth Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AA34

2164. TAX BENEFIT RULE FOR CORPORATE ADD-ON MINIMUM TAX UNDER THE INTERNAL REVENUE CODE OF 1954

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 58 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations provide rules for taking into account credit carryovers in applying the minimum tax benefit rule for corporations.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: LR-56-87

Drafting attorney: William A. Jackson (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Treasury attorney: Neil Kimmelfield (202) 566-8528.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AK20

2165. 2-PERCENT FLOOR ON MISCELLANEOUS ITEMIZED DEDUCTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 67 (c) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance regarding the miscellaneous itemized deductions that are subject to the 2-percent floor and provide expense allocation rules for regulated investment companies and REMICs.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-97-86.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorneys: John B. Bromell (202) 566-3326, Charles M Whedbee (202) 566-3458, Susan T. Baker (202) 566-3294.

Treasury attorney: Don Rocap (202) 566-8277.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AJ49

2166. LOANS TREATED AS DISTRIBUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 72 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will provide guidance on the application of new rules for determining the income tax treatment to be accorded loans to participants or beneficiaries from qualified employer plans. The new loan rules are provided in new section 72(p) of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: EE-106-82.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3430.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AE41

2167. UPDATE AND GENDER-NEUTRALIZE MORTALITY TABLE USED TO DETERMINE PERMANENT GROUP-TERM LIFE INSURANCE BENEFITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 79 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations will update and gender-neutralize the mortality table used under section 79 to determine the value of permanent group-term life insurance benefits provided to employees.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Undetermined

Additional Information: LR-77-87

Drafting attorney: Bill Blagg (202) 566-3238.

Agency Contact: Bill Blagg, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AK50

2168. NONDISCRIMINATION RULES FOR NON-PENSION EMPLOYEE BENEFIT PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 89 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide the following: an explanation of the eligibility, benefits and alternative tests contained in section 89; an explanation as to which plans are subject to section 89 requirements; and, rules concerning how the requirements will be applied in actual operation.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: EE-130-86

Drafting Attorney: Steven T. Miller (202) 566-3422.

Reviewing Attorney: James L. Brokaw (202) 566-3422.

Agency Contact: Steven T. Miller, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AI78

2169. TO PROVIDE REGULATIONS UNDER SECTION 147 (B)--RELATING TO LIMITATION ON MATURITY OF PRIVATE ACTIVITY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 103 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Rules will provide guidance with respect to computation of weighted average economic life and weighted average maturity. Rules limit the average length of the maturity of all private activity bonds (including qualified 501 (c) (3) bonds), other than mortgage revenue bonds and student loan bonds.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-220-82.

Drafting attorney: Richard G. Blumenreich (202) 566-4336.

Reviewing attorney: Gerald Rock (202) 566-3287.

Office of Tax Legislative Counsel reviewing attorney: Elliot Stern (202) 566-2926.

Agency Contact: Richard G. Blumenreich, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AE69

2170. REGULATIONS RELATING TO FEDERALLY GUARANTEED BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 149 (b) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations would provide guidance regarding the provisions enacted by the Tax Reform Act of 1984 which denies Federal income tax exemption for bonds issued by State or local governmental units if payments of principal or interest with respect to such bonds are directly or indirectly guaranteed by the Federal Government.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-156-84.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3740.

Office of Tax Legislative Counsel reviewing attorney: Elliott Stern (202) 566-2566.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111

Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3590**

RIN: 1545-AG84

2171. DEFINITION OF "REISSUANCE" UNDER SECTION 103

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposed Regulations would provide guidance regarding whether changes in the terms of an outstanding obligation result in that obligation being treated as retired and reissued as a new obligation.

Timetable:

Action	Date	FR Cite
NPRM	12/31/88	

Small Entity: Not Applicable

Additional Information: LR-29-86.

Drafting attorney: Howard Gensler (202) 566-3459.

Reviewing attorney: Gerald Rock (202) 566-3287.

Treasury attorney: Elliott Stern (202) 566-2566.

Agency Contact: Howard Gensler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3459**

RIN: 1545-AI65

2172. TO REVISE DEFINITION OF AREAS OF CHRONIC ECONOMIC DISTRESS FOR PURPOSES OF MORTGAGE SUBSIDY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1.103A-2

Legal Deadline: None.

Abstract: The regulations will clarify the rules under section 103A relating to designations of areas of chronic economic distress. The regulations would provide objective tests to be used in analyzing requests for such designations.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-307-84.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AG88

2173. INCOME TAX--DISCHARGE OF INDEBTEDNESS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 108 Internal Revenue Code of 1986; 26 USC 1017 Internal Revenue Code of 1986; PL 96-589, Sec 2 Bankruptcy Tax Act 1980

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This proposal would provide rules relating to certain income from the discharge of indebtedness, including rules relating to the election to reduce the basis of assets in lieu of recognizing income.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: LR-91-81.

Drafting attorney: Robert M. Casey (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Office of Tax Legislative Counsel reviewing attorney: Patricia McClanahan (202) 566-8647.

Agency Contact: Robert M. Casey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AA67

2174. INCOME TAX--PART 1--INCOME TAX REGULATIONS UNDER SECTION 111 RELATING TO INCLUSION OF TAX BENEFIT ITEMS

Legal Authority: 26 USC 111 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation will revise the rules for determining whether the recovery of an amount deducted in a prior taxable year must be included in income, to reflect changes in section 111 made by section 170 of the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Not Applicable

Additional Information: LR-303-84.

Drafting attorney: William A. Jackson (202) 566-3287.

Reviewing attorney: Paul A. Francis (202) 566-3318.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AH17

2175. EXCLUSION OF QUALIFIED SCHOLARSHIPS AND FELLOWSHIPS FROM GROSS INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6041 (a) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulations will provide rules relating to the exclusion of certain amounts received as a qualified scholarship. Regulations will also provide rules relating to withholding from certain payments and return of information requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-3-87

Drafting attorney: Ruth Hoffman (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Treasury attorney: Majorie Roberts (202) 566-2565.

Agency Contact: Ruth Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111

Constitution, N.W., Washington, DC 20224, **202 566-3287**

RIN: 1545-AJ87

2176. QUALIFIED TUITION REDUCTIONS

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 117(d) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations contain rules explaining when qualified tuition reductions provided for education below the graduate level to an employee of an educational organization or to a person treated as an employee will be excluded from the employee's gross income. The proposed regulations include rules relating to tuition reductions which discriminate in favor of officers, owners or highly compensated employees and so are includible in income.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: Not Applicable

Additional Information: LR-35-85.

Drafting attorney: Ruth Hoffman (202) 566-3287.

Reviewing attorney: Gerald Rock (202) 566-3294.

Treasury attorney: Marjorie Roberts (202) 2927.

Agency Contact: Ruth Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AI13

2177. INCOME TAX--TAX TREATMENT OF FACULTY HOUSING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 119 (d) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules relating to the definition of a "qualified appraisal". In addition, the regulations will set forth the time and manner in which the appraisal shall be reviewed and updated.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Not Applicable

Additional Information:

LR-109-86.

Drafting attorney: Richard Blumenreich (202) 566-4336.

Reviewing attorney: Ada Rousso (202) 566-3287.

Treasury attorney: Marjorie Roberts (202) 566-2565.

Agency Contact: Richard Blumenreich, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AJ21

2178. INCOME TAX--PART 1 PERSONAL INJURY LIABILITY ASSIGNMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 130 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation project will provide rules on the exclusion from gross income for amounts received for agreeing to the assignment of a liability to make periodic payments as damages on account of personal injury or sickness.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-82-83.

Drafting attorney: Bill Blagg (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Agency Contact: Bill Blagg, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AF39

2179. INCOME TAX--PRIZES AND AWARDS

Legal Authority: 26 USC 74 Internal Revenue Code of 1986; 26 USC 132 Internal Revenue Code of 1986; 26 USC 170 Internal Revenue Code of 1986; 26 USC 274 Internal Revenue Code of 1986; 26 USC 6041 Internal Revenue Code of 1986; 26 USC 102 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will incorporate changes with respect to the tax treatment of prizes and awards and certain employee achievement awards. They will provide guidance so that effective designations and transfers of awards may be accomplished as well as rules with respect to allowance of exclusions and deductions for awards given in an employment context.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Undetermined

Additional Information: LR-111-86.

Drafting attorney: Christopher J. Wilson (202) 566-4336.

Reviewing attorney: Fredric Grundeman (202) 566-3287.

Treasury attorney: Majorie Roberts (202) 566-2565.

Agency Contact: Christopher J. Wilson, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AJ19

2180. INCOME TAX--DEFINITION OF "PRIVATE ACTIVITY BOND"

Significance: Regulatory Program

Legal Authority: 26 USC 141 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would provide guidance regarding the definition of private activity bonds", issued by State or local governmental units, which are generally taxable unless a specific exception applies to such bond issue. The Tax Reform Act of 1986 made significant revisions regarding this subject matter.

TREAS—IRS **Proposed Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	12/31/88	

Small Entity: Not Applicable

Additional Information: LR-87-86.

Drafting Attorney: John A. Tolleris (202) 566-3590.

Reviewing Attorney: John M. Coulter, Jr. (202) 566-3740.

Office of Tax Legislative Counsel attorney: Elliot Stern (202) 566-2926.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224, **202 566-3590**

RIN: 1545-AJ34

2181. TAX-EXEMPT BONDS FOR RESIDENTIAL RENTAL PROJECTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project will provide regulations relating to tax-exempt bonds issued to provide qualified residential rental projects.

Timetable:

Action	Date	FR Cite
NPRM	08/15/88	

Small Entity: Not Applicable

Additional Information: LR-89-86

Drafting attorney: David Selig (202) 566-3297.

Reviewing attorney: Alice Bennett (202) 566-4473.

Treasury attorney: Elliott Stern (202) 566-2566.

Agency Contact: David Selig, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3297**

RIN: 1545-AJ66

2182. INCOME TAX--STUDENT LOAN BONDS

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 144 (b) Internal Revenue Code of 1986; 26 USC 103 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: To provide guidance to issuers of tax-exempt student loan bonds regarding quarterly with the rules relating to qualified student loan bonds.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: LR-80-86.

Drafting Attorney: Renay France (202) 566-3459.

Reviewing Attorney: John M. Coulter (202) 566-3331.

Treasury Attorney: Elliott Stern (202) 566-2566.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3459**

RIN: 1545-AJ42

2183. ARBITRAGE RESTRICTIONS ON TAX-EXEMPT BONDS; REBATE REQUIREMENT

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 148 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project will provide regulations relating to the requirement that arbitrage profits earned on tax-exempt bonds be paid to the United States.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-91-86

Drafting attorney: Howard Gensler (202) 566-3459

Reviewing attorney: Gerald Rock (202) 566-3287.

Treasury attorney: Elliott Stern (202) 566-2566.

Agency Contact: Howard Gensler, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3459**

RIN: 1545-AJ67

2184. GENERAL ARBITRAGE RESTRICTIONS OF TAX-EXEMPT BONDS

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 148 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project will provide rules relating to the arbitrage restrictions on tax-exempt bonds, other than the rebate requirement.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	
Temporary Regulation	04/01/88	
NPRM Comment Period End	06/00/88	
Final Action	12/00/88	

Small Entity: Not Applicable

Additional Information: LR-90-86

Drafting attorney: Howard Gensler (202) 566-3459.

Reviewing attorney: Gerald Rock (202) 566-3287.

Treasury attorney: Elliott Stern (202) 566-2566.

Agency Contact: Howard Gensler, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3459**

RIN: 1545-AJ81

2185. INCOME TAX--TO PROVIDE BETTER DEFINITIONS IN THE AREA OF POLITICAL ADVERTISING & GRASSROOTS LOBBYING

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 162 Internal Revenue Code of 1986; 26 USC 4945 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation would provide better definitions in the area of political advertising and grassroots lobbying.

Timetable:

Action	Date	FR Cite
NPRM	07/30/88	

Small Entity: Not Applicable

Additional Information: LR-190-77.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: David R. Haglund (202) 566-3297.

Office of Tax Legislative Counsel reviewing attorney: Ellen Aprill (20) 566-5453.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AA79

2186. DEFINITION OF RELATED VIOLATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulations would amend the definition of "related violations" under section 162(g) of the Internal Revenue Code of 1986 in order to update such definition in light of subsequent events.

Timetable:

Action	Date	FR Cite
NPRM	12/31/88	

Small Entity: No

Additional Information: LR-27-87

Drafting Attorney: Joel S. Rutstein (202) 566-3297.

Reviewing Attorney: John S. Bromell (202) 566-3326.

Agency Contact: Joel S. Rutstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AK83

2187. INCOME TAX--NORMALIZATION REQUIREMENT FOR PUBLIC UTILITY PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 168(e)(3) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The temporary regulations would provide guidance to public utilities relating to the transitional rules for the public utility normalization requirements of ACRS under section 168 (e) (3). Prior to ACRS some public utilities did not have to normalize in order to use accelerated depreciation. Under the transitional rule these utilities are given until January 1, 1983 to meet the normalization requirements of section 168 (e) (3).

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-244-81.

Drafting attorney: Paulette C. Galanko (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Thomas Evans (202) 566-8277.

Agency Contact: Paulette C. Galanko, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AA88

2188. INCOME TAX -- TO PROVIDE REGULATIONS RELATING TO CONTRIBUTIONS TO PRIVATE FOUNDATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to the percentage limitations for charitable contributions to private foundations. The regulations will also provide rules relating to "qualified appreciated stock" as that term is defined in section 170 (e) (5) of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-231-84.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AI09

2189. FINAL REGULATIONS RELATING TO THE CHARITABLE CONTRIBUTIONS DEDUCTION IN THE CONTEXT OF BARGAIN SALES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations provide that a charitable contribution deduction will be disallowed if the amount of the contribution is less than the amount of gain that would have been recognized had the contributed portion of the property been sold by the donor of its fair market value at the time of the sale or exchange.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: LR-7-87

Drafting attorney: Joel S. Rutstein (202) 566-3297.

Reviewing attorney: David R. Haglund (202) 566-3297.

Agency Contact: Joel S. Rustein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3297**

RIN: 1545-AJ85

2190. ● DEDUCTIONS IN EXCESS OF $5000 CLAIMED BY A SUBCHAPTER C CORPORATION FOR CHARITABLE CONTRIBUTIONS OF CERTAIN PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 170(a)(1) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide substantiation requirements with which subchapter C corporations must comply in order to take deductions for charitable contributions of certain property.

TREAS—IRS **Proposed Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-83-87

Drafting Attorney: Beverly A. Baughman (202) 566-3297

Revising Attorney: John B. Bromell (202) 566-3326

Treasury Attorney: A.L. Spitzer (202) 566-5911

Charitable Contributions

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AL09

2191. ELECTION TO POSTPONE DETERMINATION WITH RESPECT TO THE PRESUMPTION THAT AN ACTIVITY IS ENGAGED IN FOR PROFIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 183(e)(3) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules relating to the election to postpone the determination whether the section 183 (d) presumption applies until the activity has been conducted for five (or seven) years. The regulations will specify who can make the election and the time and manner of making the election.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-73-84.

Drafting attorney: Bill Blagg (202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: Bill Blagg, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AG27

2192. INCOME TAX--TO ADD PROVISIONS RELATING TO START-UP EXPENDITURES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 195 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance to taxpayers electing to amortize start-up expenditures relating to the creation or acquisition of an active trade or business.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-36-81.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John Fischer (202) 566-3394.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AB02

2193. PROVISIONS RELATING TO COOPERATIVE HOUSING CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 216 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations provide rules for determining a tenant-stockholder's proportionate share of taxes or interest in the case where the cooperative housing corporation has made the election provided in section 216 (b) (3) (B) of the Code. These regulations also provide rules for determining whether a deduction claimed by a tenant-stockholder should be disallowed as more proper allocable to the corporation's capital account.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-102-86.

Drafting attorney: Joel S. Rutstein (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Agency Contact: Joel S. Rutstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AJ96

2194. INCOME TAX -- PART 1, EXCISE TAX -- PART 54, INDIVIDUAL RETIREMENT ACCOUNTS AFTER TRA '86

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 219 Internal Revenue Code of 1986; 26 USC 408 Internal Revenue Code of 1986; 26 USC 72 Internal Revenue Code of 1986; 26 USC 6693 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 25; 26 CFR 31; 26 CFR 54; 26 CFR 301

Legal Deadline: None.

Abstract: The regulations set forth rules for sponsors of and participants in individual retirement plans and spousal individual retirement plans.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: EE-26-87

Drafting Attorney: Mary E. Brennan (202) 566-3430.

Review Attorney: Richard J. Wickersham (202) 566-3250.

Agency Contact: Mary E. Brennan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AK47

2195. INCOME TAX-DEBT-FINANCED PORTFOLIO STOCK

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 246A Internal Revenue Code of 1986; 26 USC 7701(f) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Amendment of the regulations to interpret the rule contained in section 246A of the Internal Revenue Code of 1954 relating

to the dividends received deduction where portfolio stock is debt financed.

Timetable:

Action	Date	FR Cite
NPRM	10/01/88	

Small Entity: Not Applicable

Additional Information: LR-261-84.

Drafting attorney: Patricia W. Pellervo (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Patricia W. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AH39

2196. TEMPORARY REGULATION--CAPITALIZATION OF CERTAIN INTEREST EXPENSES

Significance: Regulatory Program

Legal Authority: 26 USC 263A(f) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance concerning the capitalization of certain interest expenses and the allocation of interest to property subject to the capitalization rules.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-120-86.

Drafting attorney: Katherine Lee Wambsgans (202) 566-3288.

Reviewing attorney: John Fischer (202) 566-3394.

Treasury attorney: Patricia McClanahan (202) 566-2926.

Agency Contact: Katherine Lee Wambsgans, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK03

2197. INCOME TAX--TO ADD PROVISIONS RELATING TO FOREIGN CONVENTIONS (AS AMENDED BY SECTION 4 OF PUBLIC LAW 96-608)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 274(h) Internal Revenue Code of 1986; PL 96-608, Sec 4; PL 97-424, Sec 543; PL 98-67, Sec 222

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules to assist taxpayers in determining whether it is as reasonable to hold a convention, seminar, or similar meeting outside North America as within it, and thus whether expenses relating to attendance at the convention are deductible.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-114-81.

Drafting attorney: Christopher Wilson (202) 566-4336.

Reviewing attorney: John M. Fischer (202) 566-3394.

Draft of notice to Treasury for review 11/08/82.

Agency Contact: Christopher Wilson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AB04

2198. NOTICE OF PROPOSED RULEMAKING RELATING TO RESTRICTIONS ON GOLDEN PARACHUTE PAYMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 280G Internal Revenue Code of 1986

CFR Citation: 26 CFR 280G

Legal Deadline: None.

Abstract: These regulations will provide rules relating to restrictions on golden parachute payments. The regulations will provide guidance to taxpayers, who must comply with section 280G, by delineating the circumstances under which payments may be considered excess parachute payments.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-217-84.

Drafting attorney: Stuart Wessler (202) 566-3297.

Reviewing attorney: Sharon Galm (202) 566-3930.

Treasury attorney: Don Rocap (202) 566-8278.

Agency Contact: Stuart Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AH49

2199. WAIVER OF FAMILY ATTRIBUTION BY ENTITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 302(c)(2) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would interpret the definitions and special rule for waiver of family attribution by entities contained in section 302 (c) (2) of the Internal Revenue Code of 1954, which relates to the tax treatment of certain redemptions of corporate stock.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: LR-189-82.

Drafting attorney: Robert M. Casey (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3487.

Treasury attorney: Patricia McClanahan (202) 566-2926.

Agency Contact: Robert M. Casey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AF13

2200. CROSS-REFERENCE--RECOGNITION OF GAIN OR LOSS ON LIQUIDATING SALES AND DISTRIBUTIONS OF PROPERTY (TRA 1986; SECTIONS 631 TO 633)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 336 Internal Revenue Code of 1986; 26 USC 337 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would provide rules for the recognition of gain or loss on a corporations liquidating sales or distributions

Timetable:

Action	Date	FR Cite
NPRM	09/01/88	

Small Entity: Not Applicable

Additional Information:

LR-79-87.

Drafting attorney: Mark S. Jennings (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Mark S. Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK90

2201. INCOME TAX -- APPLICATION OF INSTALLMENT METHOD OF REPORTING AND MANDATORY APPLICATION OF MADSP FORMULA FOR QUALIFIED STOCK PURCHASES UNDER SECTION 338 (H) (10)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 338 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance for utilization of the installment method of reporting and will require the use of the MADSP formula in a qualified stock purchase to which section 338 (h) (10) applies.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-75-87.

Drafting attorney: Judith C. Winkler (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Treasury attorney: Thomas Wessel (202) 566-4979.

Agency Contact: Judith C. Winkler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK25

2202. TRANSFER OF INTANGIBLES SUBJECT TO SECTION 367 OR 482 OF THE CODE

Legal Authority: PL 99-514, Sec 1231

CFR Citation: 26 CFR 1.482-3(d)

Legal Deadline: None.

Abstract: Prior to the Reform Act of 1986, U.S. taxpayers were able to shift income out of the U.S. by transferring intangibles to Section 936 possessions corporations, contributing intangibles to related foreign corporations in Section 367 transactions or selling or licensing intangibles to related foreign parties at less than arm's-length prices and transactions subject to section 482. Valuing such transfers (at the time of transfer) has proven to be difficult and non-productive. The Reform Act of 1986 provides that payments to be received by the transferor of intangibles must be commensurate with the income from the intangible. Major issue - What portion of the income from the intangible will constitute "commensurate"? Provisions will raise large amounts of revenue.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: INTL-937-86

Drafting Attorney: Bobby D. Burns (202) 287-4851

Reviewing Attorney: George Sellinger (202) 287-4851

Treasury Attorney: Mark Beams (202) 566-0247

Agency Contact: Bobby D. Burns, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza South, S.W., Room 3319, Washington, D.C. 20024, **202 287-4851**

RIN: 1545-AJ91

2203. FOREIGN LIQUIDATIONS AND REORGANIZATIONS (NPRM)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 367(b)(2) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 7

Legal Deadline: None.

Abstract: Proposal would provide guidance concerning requirements relating to certain exchanges involving a foreign corporation.

Timetable:

Action	Date	FR Cite
NPRM	12/01/88	

Small Entity: Not Applicable

Additional Information: INTL-988-86

Drafting Attorney: Richard Chewning (202) 566-3490

Reviewing Attorney: Bernard Bress (202) 566-6440

Treasury Attorney: David Crowe (202) 566-5791

Agency Contact: Richard Chewning, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3490**

RIN: 1545-AJ78

2204. ● REGULATIONS UNDER SECTION 367 (E)

Legal Authority: 26 USC 367 (e) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Whether gain should be recognized under section 367 (e) (1) and (2) on the distribution of stock, securities or other property.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: INTL-752-87

Drafting attorney: Steven Lipschutz and Charles P. Besecky (202) 566-3319.

Reviewing attorney: Charles C. Saverude (202) 566-5791.

Treasury attorney: Mary Bennett and David Crowe (202) 566-5791.

Income Taxes

Agency Contact: Steven Lipschutz or Charles P. Besecky, Attorneys, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3319

RIN: 1545-AL34

2205. ● REGULATIONS UNDER SECTION 367 (E)

Legal Authority: 26 USC 367 (e) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal deals with whether gain should be recognized under section 367 (e) (1) and (2) on the distributor of stock, securities or other property.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: INTL-704-87

Drafting attorneys: Steven Lipschutz and Charles P. Besecky (202) 566-3319.

Reviewing attorney: Charles C. Saverude (202) 566-6645.

Treasury attorneys: Mary Bennett and David Crowe (202) 566-5791.

Income Taxes

Agency Contact: Steven Lipschutz or Charles P. Besecky, Attorneys, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3319

RIN: 1545-AL35

2206. INCOME TAX--CROSS-REFERENCE-REORGANIZATIONS INVOLVING FINANCIALLY TROUBLED THRIFT INSTITUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 368 Internal Revenue Code of 1986; 26 USC 382 Internal Revenue Code of 1986; 26 USC 597 Internal Revenue Code of 1986; 26 USC 381 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Provision would provide regulations dealing with reorganizations of financially troubled thrift institutions and with the tax consequences of financial assistance payments made to such an institution by a supervisory governmental agency, thereby giving the public needed guidance on how the Internal Revenue intends to interpret these issues.

Timetable:

Action	Date	FR Cite
NPRM	12/31/89	

Small Entity: Not Applicable

Additional Information: LR-63-81.

Drafting attorney: Mark S. Jennings (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Mark S. Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AB29

2207. CORPORATE REORGANIZATION AMENDMENTS - BANKRUPTCY TAX ACT OF 1980

Legal Authority: 26 USC 354 Internal Revenue Code of 1986; 26 USC 355 Internal Revenue Code of 1986; 26 USC 357 Internal Revenue Code of 1986; 26 USC 358 Internal Revenue Code of 1986; 26 USC 361 Internal Revenue Code of 1986; 26 USC 362 Internal Revenue Code of 1986; 26 USC 368 Internal Revenue Code of 1986; 26 USC 381 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance with respect to amendments to the Internal Revenue Code by the Bankruptcy Tax Act of 1980. Dealing with bankruptcy and other insolvency reorganizations.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: LR-74-87.

Drafting attorney: Robert M. Casey (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Robert M. Casey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AK33

2208. INCOME TAX--LIMITATION ON CORPORATE NET OPERATING LOSS DEDUCTION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 382 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will explain and illustrate the limitations provided under section 382 of the Internal Revenue Code, of 1986 on a corporation's use of net operating loss carryovers.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-103-86.

Drafting attorney: Keith Stanley (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202)566-3458.

Treasury attorney: Thomas Wessel (202)566-4979.

Agency Contact: Keith Stanley, Attorneys, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AI99

2209. COMPUTATION OF SECTION 382 LIMITATION

Legal Authority: 26 USC 382 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would explain the manner and method of computing the section 382 limitation under circumstances when there are successive ownership changes, capital contributions, mergers and liquidations, and in instances when one corporation controls another corporation.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-67-87

Drafting attorney: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Treasury attorney: Thomas Wessel (202) 566-2928.

Agency Contact: Keith E. Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK27

2210. DEFINED BENEFIT PLAN TERMINATIONS AND THE REVERSION OF ASSETS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 401 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations describe when, in fact, a defined benefit pension plan has been terminated so as to permit reversion to the employer of excess assets.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-106-83.

Drafting attorney: Suzanne K. Tank (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Treasury attorney: Harry Conaway (202) 566-8277.

Agency Contact: Suzanne K. Tank, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AF81

2211. CASH OR DEFERRED ARRANGEMENTS (TAX REFORM ACT OF 1986)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 401(k) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: Statutory, January 31, 1988.

Abstract: These regulations will provide rules relating to cash or deferred arrangements brought about because of the amendment of section 401(k) by the Tax Reform Act of 1986.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: EE-158-86

Drafting Attorney: William D. Gibbs (202) 566-3430.

Reviewing Attorney: Mary E. Oppenheimer (202) 566-3544.

Treasury Attorney: Harry J. Conaway (202) 566-8277.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AI79

2212. INCOME TAX -- PART 1-- APPLICATION OF NONDISCRIMINATION RULES TO INTEGRATED PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 401(l) Internal Revenue Code of 1986; 26 USC 401(a)(5) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: Statutory, February 1, 1988. Final regulations are required to be issued by February 1, 1988.

Abstract: The regulations would provide rules with regard to the application of the nondiscrimination rules to integrated plans.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Undetermined

Additional Information: EE-159-86

Drafting Attorney: Michael Garvey (202) 566-3430.

Reviewing Attorney: Richard J. Wickersham (202) 566-3250.

Treasury Attorney: Harry Conaway (202) 566-8277.

Agency Contact: Michael Garvey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AI86

2213. NONDISCRIMINATION REQUIREMENTS FOR EMPLOYER MATCHING CONTRIBUTIONS AND EMPLOYEE CONTRIBUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 401(m) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 54

Legal Deadline: Statutory, January 31, 1988.

Abstract: These regulations will provide rules relating to nondiscrimination requirements for employer matching contributions and employee contributions. The regulations will also provide rules on computing the excise tax on excess contributions made under a cash or deferred arrangement and on excess aggregate contributions.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: EE-160-86

Drafting Attorney: William D. Gibbs (202) 566-3430.

Reviewing Attorney: Mary E. Oppenheimer (202) 566-3544.

Treasury Attorney: Harry J. Conaway (202) 566-8277.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AI80

2214. INCOME TAX - - PART 1-- ADDITIONAL PARTICIPATION REQUIREMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 401(a)(26) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: Statutory, February 1, 1988. 02/01/88 Deadline for final regulations

Abstract: The regulations set forth rules relating to minimum participation requirements.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: EE-44-87

Drafting attorney: Mary E. Brennan (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3205.

Agency Contact: Mary E. Brennan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AK46

2215. STUDY OF NEED FOR SPECIAL ANTIDISCRIMINATION RULES FOR PENSION, ETC. PLANS OF STATE AND LOCAL GOVERNMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 401(a)(4) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Study of need for rules relating to antidiscrimination for state and local government plans.

Timetable:

Action	Date	FR Cite
NPRM	12/31/88	

Small Entity: Not Applicable

Additional Information: EE-51-87

Drafting Attorney: Mary E. Brennan (202) 566-3430.

Reviewing Attorney: Richard J. Wickersham (202) 566-3250.

Agency Contact: Mary Brennan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AK44

2216. NONDISCRIMINATION AND OTHER RULES APPLICABLE TO SECTION 402(B) ANNUITIES

Legal Authority: 26 USC 403(b)(10) Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: Statutory, February 1, 1988.

Abstract: The regulations will provide guidance regarding the nondiscrimination and other rules applicable to tax- sheltered section 403(b) annuities.

Timetable:

Action	Date	FR Cite
NPRM	06/30/68	

Small Entity: Not Applicable

Additional Information: EE-163-86

Drafting Attorney: Sylvia F. Hunt (202) 566-6212.

Reviewing Attorney: Michael A. Thrasher (202) 566-3961.

Treasury Attorneys: Scherbel/Conaway (202) 566-4902.

Agency Contact: Sylvia F. Hunt, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6212**

RIN: 1545-AI90

2217. INCOME TAX--EMPLOYEE STOCK OWNERSHIP PLAN LOAN PAYMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 404(a)(9) Internal Revenue Code of 1986; 26 USC 415(c)(6) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance relating to the deduction limitations when employer contributions to an employee stock ownership plan are used to repay the principal and interest of an exempt loan that was made to the employee stock ownership plan.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: EE-152-81.

Drafting attorney: Mary Oppenheimer (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Agency Contact: Mary Oppenheimer, Technical Assistant, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AD77

2218. STUDY OF NEED FOR REGULATIONS RELATING TO SIMPLIFIED EMPLOYEE PENSIONS AS AFFECTED BY THE TAX REFORM ACT OF 1986

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 408 Internal Revenue Code of 1986; 26 USC 404 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 25; 26 CFR 31; 26 CFR 54; 26 CFR 301

Legal Deadline: None.

Abstract: Study of need for rules relating to simplified employee pensions as affected by Tax Reform Act of 1986.

Timetable:

Action	Date	FR Cite
NPRM	12/31/88	

Small Entity: Not Applicable

Additional Information: EE-59-87

Drafting Attorney: Mary E. Brennan (202) 566-3430.

Reviewing Attorney: Richard J. Wickersham (202) 566-3250.

Agency Contact: Mary E. Brennan, Attoreny, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AK45

2219. INCOME TAX--REQUIREMENTS FOR TAX CREDIT EMPLOYEE STOCK OWNERSHIP PLANS, EMPLOYEE PLAN CREDIT, AND DEFINED CONTRIBUTION PLAN VOTING RIGHTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 409 Internal Revenue Code of 1986; 26 USC 48 Internal Revenue Code of 1986; 26 USC 401 Internal Revenue Code of 1986; 26 USC 6699 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations provide rules for electing the employee plan credit under section 48 of the Internal Revenue Code, establishing a tax credit employee stock ownership plan under section 409 of the Internal Revenue Code and providing voting rights to participants of certain defined contribution plans under section 401(a)(22) of the Internal Revenue Code. Further, the regulations provide guidance for determining the applicability of and calculating the assessable penalties relating to tax credit employee stock ownership plans under section 6699 of the Internal Revenue Code. The regulations reorganize and modify the current regulations which are based on section 301(d), (e), and (f) of the Tax Reduction Act of 1975, and provide a single set of rules that would apply to tax credit employee stock ownership plans established under the provisions of the Tax Reduction Act of 1975 and the 1978 Revenue Act.

Timetable:

Action	Date	FR Cite
NPRM	08/31/88	

Small Entity: Not Applicable

Additional Information: EE-49-80.

Drafting attorney: John T. Ricotta (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AD82

2220. INC. TAX -- PART 1; ESTATE TAX -- PART 20, EMPLOYEE STOCK OWNERSHIP PLAN RULES AFFECTED BY TRA 1986

Legal Authority: 26 USC 409 Internal Revenue Code of 1986; 26 USC 401(a)(28) Internal Revenue Code of 1986; 26 USC 401(a)(23) Internal Revenue Code of 1986; 26 USC 133 Internal Revenue Code of 1986; 26 USC 404(k) Internal Revenue Code of 1986; 26 USC 2057 Internal Revenue Code of 1986; 26 USC 1042 Internal Revenue Code of 1986; 26 USC 2210 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 20

Legal Deadline: None.

Abstract: The proposed regulations would set forth requirements for the tax qualification of ESOPs and for various ESOP tax incentives.

Timetable:

Action	Date	FR Cite
NPRM	07/31/88	

Small Entity: Undetermined

Additional Information: EE-164-86

Drafting Attorney: John Ricotta (202) 566-3544.

Reviewing Attorney: Michael Thrasher (202) 566-3961.

Treasury Attorney: Harry Conaway (202) 566-8277.

Agency Contact: John Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AI87

2221. COVERAGE AND SEPARATE LINES OF BUSINESS RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 410(b) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: Statutory, February 1, 1988.

Abstract: Rules relating to minimum coverage requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: EE-128-86

Drafting Attorney: Nancy J. Marks (202) 566-3903.

Reviewing Attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney Harry J. Conaway (202) 566-8277.

Agency Contact: Nancy J. Marks, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3903**

RIN: 1545-AK41

2222. RULES CLARIFYING THE INCOME TAX REGULATIONS, PART 1, WITH RESPECT TO SERVICE COMPUTATION UNDER PENSION, ETC. PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 410 Internal Revenue Code of 1986; 26 USC 411 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project was undertaken in order to clarify permissible methods of crediting service by qualified plans for purposes of vesting and participation.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: EE-65-82.

Drafting attorney: Nancy J. Marks (202) 566-3903.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorneys: Harry Conaway (202) 566-8277.

Agency Contact: Nancy J. Marks, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3903**

RIN: 1545-AE39

2223. INCOME TAX-PART I - REDUCTION OF ACCRUED BENEFITS TO QUALIFY FOR A STANDARD TERMINATION OF A SINGLE EMPLOYER DEFINED BENEFIT PENSION PLAN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidelines for reducing accrued benefits for certain key employees in order to qualify for a standard termination of a single-employer defined benefit pension plan.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: EE-48-86.

Drafting attorney: Mary E. Brennan (202) 566-3903.

Reviewing attorney: Mary Oppenheimer (202) 566-3544.

Cross-referenced with temporary regulations EE-47-86.

Agency Contact: Mary E. Brennan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3903**

RIN: 1545-AI46

2224. INC. TAX -- PART 1 -- BENEFIT ACCRUAL BEYOND NORMAL RETIREMENT AGE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 411(b)(1)(H) Internal Revenue Code of 1986; 26 USC 411(b)(2) Internal Revenue Code of 1986; 26 USC 410(a)(2) Internal Revenue Code of 1986; 26 USC 411(a)(8)(B) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: Statutory, February 1, 1988. Final regulations are required to be issued by February 1, 1988.

Abstract: The regulations would provide rules with regard to benefit accruals after attainment of normal retirement age and maximum age conditions on participating in certain type of plans.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Undetermined

Additional Information: EE-184-86

Drafting Attorney: Michael Garvey (202) 566-3430

Reviewing Attorney: Richard J. Wickersham (202) 566-3250

Treasury Attorney: Harry Conaway (202) 566-8277

Agency Contact: Michael Garvey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AI85

2225. INCOME TAX-PART 1 - VARIANCE FROM MINIMUM FUNDING STANDARD

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations would supersede Rev. Proc. 83-41 and prescribe a standard waiver application form.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Undetermined

Additional Information: EE-42-86.

Drafting attorney: Mary E. Brennan (202) 566-3903.

Reviewing attorney: Jonathan Marget (202) 566-3651.

Agency Contact: Mary Brennan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3903**

RIN: 1545-AI55

2226. INCOME TAX--DEFINITIONS AND SPECIAL RULES; SERVICE FOR PREDECESSOR

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 414(a) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulation will provide guidance to employers maintaining plans on when service with a predecessor employer must or may be treated as service under their plan.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-22-78.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AD87

2227. DEFINITION OF "HIGHLY COMPENSATED EMPLOYEE" AND "COMPENSATION"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; PL 99-514, Sec 1114 Tax Reform Act of 1986; PL 99-514, Sec 1115 Tax Reform Act of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations provide rules relating to the definitions of "highly compensation contained in subsections 414(q) and (s) of The Tax Reform Act of 1986.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: No

Additional Information: EE-129-86

Drafting Attorney: Nancy J. Marks (202) 566-3903.

Reviewing Attorney: Richard J. Wickersham (202) 566-3250.

Office of Legislative Counsel (Treasury reviewing attorneys: Susan Scherbel (202) 566-4902, Harry S. Conaway (202) 566-8277.

Cross Reference to EE-74-87

Agency Contact: Nancy J. Marks, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3903**

RIN: 1545-AI91

2228. ● DEFINITION OF LINE OF BUSINESS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 414 (r) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: Statutory, February 1, 1988.

Abstract: Internal Revenue Code section 414 (r) defines line of business for purposes of applying the coverage requirements under section 410 (b) and the nondiscrimination requirements for

certain employee benefit plans under section 89.

Timetable:

Action	Date	FR Cite
Hearing	10/13/87	

Next Action Undetermined

Small Entity: Undetermined

Additional Information: EE-144-87

Drafting attorney: Rhonda G. Migdail (202) 566-3422.

Reviewing attorney: Richard Wickersham (202)

Treasury attorney: Paul Strella (202)

Agency Contact: RhondaG. Migdail, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AL23

2229. DEFINITION OF "HIGHLY COMPENSATED EMPLOYEE" AND "COMPENSATION"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 414(q) Internal Revenue Code of 1986; 26 USC 414(s) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: Statutory, February 1, 1988.

Abstract: Provisions relating to the scope and meaning of the terms "highly compensated employee" and "compensation".

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: EE-74-87

Drafting Attorney: Nancy J. Marks (202) 566-3903.

Reviewing Attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

Cross Reference to EE-129-86

Agency Contact: Nancy J. Marks, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C., **202 566-3903**

RIN: 1545-AK40

2230. LIMITATIONS ON CONTRIBUTIONS AND BENEFITS UNDER QUALIFIED PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 0415 Internal Revenue Code of 1986; 26 USC 401(a)(17) Internal Revenue Code of 1986; 26 USC 404(1) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will address changes to limitations on contributions and benefits under qualified plans, a limit on the annual compensation which may be taken into account, special treatment of certain medical benefit accounts, retirement savings for church employees, and special rules for disabled participants. A special rule applies to participants with less than ten years of participation.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-25-87

Drafting Attorney: Monice Rosenbaum (202) 566-3422.

Reviewing Attorney: Richard J. Wickersham (202) 566-3250.

Treasury Attorney: Harry J. Conaway (202) 566-8277.

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AK42

2231. TREATMENT OF FUNDED WELFARE BENEFIT PLANS

Legal Authority: 26 USC 419 Internal Revenue Code of 1986; 26 USC 419A Internal Revenue Code of 1986; 26 USC 1239(d) Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance concerning the treatment of contributions made by an employer to a welfare benefit plan.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Not Applicable

Additional Information: EE-66-84.

Drafting attorney: Mark Schwimmer (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Treasury attorney: Harry Conaway (202) 566-8277.

Agency Contact: Mark Schwimmer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-6212**

RIN: 1545-AG14

2232. INC. TAX--PART 1--AMENDMENT OF SECTION 1.442-1 TO PROVIDE SIMPLIFIED PROCEDURES FOR CHANGES OF ANNUAL ACCOUNTING PERIOD BY CERTAIN EXEMPT ORGANIZATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 442 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Revenue Procedure 85-58 provides change of accounting period approval procedures for exempt organizations. It substantially simplifies the former procedures in Revenue Procedure 76-9. The regulations under section l.442-1 will be amended to reflect Revenue Procedure 85-58.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: EE-06-86.

Drafting attorney: Suzanne K. Tank (202) 566-3422.

Reviewing attorney: Paul G. Accettura (202) 566-3544.

Office of Tax Legislative Counsel (Treasury) reviewing attorney:Suzanne Ross McDowell (202) 566-8278.

Agency Contact: Suzanne K. Tank, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3422**

RIN: 1545-AI68

2233. INCOME TAX -- GAIN OR LOSS ON THE DISPOSITION OF AN INSTALLMENT OBLIGATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 453B Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would provide rules for reporting gain or loss upon the disposition of an installment obligation.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-103-81.

Drafting attorney: Michael J. Grace (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Ellen Aprill (202) 566-5453.

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB41

2234. INCOME TAX--INSTALLMENT SALES BETWEEN RELATED PARTIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 453 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would provide rules for reporting installment sales between related parties.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-2-81.

Drafting attorney: Arthur E. Davis III (202) 566-3238.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Suzanne McDowell (202) 566-5453.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB45

2235. INCOME TAX--INSTALLMENT SALES REVISION ACT OF 1980, REGULATIONS RELATING TO WRAP-AROUND MORTGAGES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 453 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would provide regulations for reporting sales of property under a wrap-around mortgage arrangement.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-147-82.

Drafting attorney: Paulette C. Galanko (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Ellen Aprill (202) 566-5953.

Agency Contact: Paulette C. Galanko, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB46

2236. INCOME TAX REGULATIONS--PART I. INSTALLMENT SALES BY NONTAXABLE ENTITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 453 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project will provide rules relating to installment sales by nontaxable entities and the election provision by foreign personal holding companies.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Additional Information: LR-143-83.

Drafting attorney: Michael J. Grace (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF73

2237. INCOME TAX REGULATIONS--PART 1--SPECIAL RULES RELATING TO INSTALLMENT OBLIGATIONS THAT ARE READILY TRADABLE OR PAYABLE ON DEMAND

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 453 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to installment obligations that are readily tradable or payable on demand.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: LR-54-84.

Drafting attorney: Michael J. Grace (202) 566-3288.

Reviewing attorney: Ewan D. Purkiss (202) 566-3238.

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AG37

2238. INCOME TAX -- DEFERRED COMPENSATION PLANS OF STATE AND LOCAL GOVERNMENTS AND TAX-EXEMPT ORGANIZATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 457 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Internal Revenue Code section 457 provides an exclusion from gross income, in the case of a participant in an eligible deferred compensation plan, for any amounts

deferred under the plan and any income attributable to the amounts attributable to the amounts so deferred.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-166-86

Drafting Attorney: Rhonda G. Migdail (202) 566-6212.

Reviewing Attorney: James L. Brokaw (202) 566-4173.

Treasury Attorney: Harry Conaway (202) 566-8277.

Agency Contact: Rhonda G. Migdail, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6212**

RIN: 1545-AI89

2239. ACCOUNTING FOR LONG-TERM CONTRACTS

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 460 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules relating to accounting for costs incurred in the performance of long-term contracts.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-130-86

Drafting Attorney: Paulette C. Galanko (202) 566-3288.

Reviewing Attorney: John M. Fischer (202) 566-3394.

Treasury Attorney: Robert Scarborough (202) 566-4979.

Agency Contact: Paulette C. Galanko, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AJ28

2240. INCOME TAX REGULATIONS--THE ECONOMIC PERFORMANCE REQUIREMENT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 461(h) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide guidance relating to when economic performance occurs with respect to a liability and how the recurring item exception applies.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-258-84.

Drafting attorney: Bill Blagg (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Agency Contact: Bill Blagg, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AH32

2241. EXTENSION OF THE AT-RISK RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 465 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance to taxpayers with respect to the extension of the at-risk rules to all activities other than the holding of real property. The regulations would also provide guidance with respect to the exception to the at-risk rules for closely-held corporations actively engaged in equipment leasing, and the recapture provision.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-192-78.

Drafting attorney: Michael J. Grace (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Lorry Spitzer (202) 535-6968.

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF86

2242. AGGREGATION OF CERTAIN ACTIVITIES FOR PURPOSES OF THE AT-RISK RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 465 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The Regulation will provide rules for aggregating certain activities for purposes of applying the at-risk rules under section 465. In general, the at-risk rules limit the amount of loss deductible in a taxable year with respect to an activity to the amount the taxpayer is at risk in the activity. The aggregation rules will apply to taxable years beginning after December 31, 1985.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-108-85.

Drafting attorney: Arthur E. Davis (202) 566-3238.

Treasury attorney: Robert Scarborough (202) 535-6969.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AI02

2243. EXTENSION OF AT RISK LIMITATIONS TO REAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 465 Internal Revenue Code of 1986; 26 USC 752 Internal Revenue Code of 1986; 26 USC 46 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will explain the application of the at risk limitations to the activity of holding real property and the exception for qualified nonrecourse financing.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-124-86.

Drafting attorney: Michael J. Grace (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK08

2244. ESSENTIAL ISSUES IN CONNECTION WITH LIMITATIONS ON LOSSES AND CREDITS FROM PASSIVE ACTIVITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance to taxpayers on the most essential issues in connection with the computation of a taxpayer's passive activity loss and passive activity credit.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-126-86

Drafting attorney: Michael J.Grace (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Income Tax

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3288**

RIN: 1545-AK18

2245. LIMITATIONS ON PASSIVE ACTIVITY LOSSES AND CREDITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 469(k) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Pursuant to the grant of regulatory authority in section 469(k), the regulations will define activity, material participation, active participation, and portfolio income, and prescribe the treatment of master limited partnerships and other passive income generators.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-48-87

Drafting attorney: Michael J. Grace (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Tax Legislative Counsel: Neil D. Kimmelfield (202) 566-8528.

Income Taxes

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK62

2246. INVENTORY COMPUTED BY USE OF CONSUMER OR PRODUCER PRICE INDEXES

Legal Authority: 26 USC 472 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations would provide examples and further clarification of the existing regulations.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-57-83.

Drafting attorney: Arthur E. Davis (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AF65

2247. SIMPLIFIED DOLLAR-VALUE LIFO METHOD FOR CERTAIN SMALL BUSINESSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 474 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance to certain small businesses that are eligible to elect a simplified dollar- value LIFO method of inventory valuation. This method requires the use of published government indexes.

Timetable:

Action	Date	FR Cite
NPRM	04/30/88	

Small Entity: No

Additional Information: LR-31-87

Drafting attorney: Arthur E. Davis III(202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202 566-3288.

Treasury accountant-advisor: J. Richard Harvey (202) 566-2926.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AK64

2248. INCOME TAX--UNRELATED TRADE OR BUSINESS INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 512(a) Internal Revenue Code of 1986; 26 USC 514(c) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will address the issue of what constitutes real property acquired by a qualified trust. The guidance provided on this issue will determine the scope of the exception under 26 USC 514(c)(9) for such acquisitions from the term acquisition indebtedness. Under 26 USC

514, the existence of such indebtedness on income producing property gives rise to unrelated debt-financed taxable income. The regulation will also address the issue of the proper allocation method to determine fixed indirect expenses connected with the unrelated trade or business use of an exempt organization's property.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-27-81.

Drafting attorney: Monice Rosenbaum (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AE00

2249. BAD DEBT RESERVES OF FINANCIAL INSTITUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 585 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This document will provide proposed regulations that relate to the repeal of the bad debt reserve for large banks.

Timetable:

Action	Date	FR Cite
NPRM	12/31/88	

Small Entity: Not Applicable

Additional Information:

LR-81-86.

Drafting Attorney: Laura Ann M. Lauritzen (202) 566-3459.

Reviewing Attorney: Susan Baker (202) 566-3294.

Agency Contact: Susan E. Overlander, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224, 202 566-3459

RIN: 1545-AJ31

2250. TREATMENT OF FORECLOSED PROPERTY BY CERTAIN CREDITORS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 595 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposed regulation would amend the existing regulations relating to the treatment of amounts realized and expended with respect to property securing loans which have been foreclosed on by certain banks.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-83-82.

Drafting attorney: Laura Ann M. Lauritzen (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3331.

Agency Contact: Susan E. Overlander, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AF00

2251. INCOME TAX--RESTORATION OF DEPLETION DEDUCTIONS ON BONUS AND ADVANCED ROYALTIES IN CERTAIN CASES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 612 Internal Revenue Code of 1986; 26 USC 613 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules relating to the restoration of depletion deductions on bonuses and advanced royalties and the deferment of the exclusion of advanced royalties from gross income from the property.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-1148.

Drafting attorney: Walter H. Woo (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: Walter H. Woo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB69

2252. PROPERTY DISTRIBUTED IN KIND AND TREATMENT OF MULTIPLE TRUSTS (SEC: 81 AND 82 OF THE TAX REFORM ACT OF 1984)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 643 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to the tax consequences when property is distributed in kind from a trust or estate, including rules specifying what gain is recognized upon distribution, who recognizes such gain, and what the basis of the distributed property is in the hands of the distributee. The regulations also explain election rules available to the distributing trust or estate. The regulations also explain rules under which certain multiple trusts will be treated as a single trust.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Not Applicable

Additional Information: LR-34-85.

Drafting attorney: Lauren G. Shaw (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Agency Contact: Lauren G. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AI06

2253. CLARIFICATION OF SECTION 1.643 (A)-3 RELATING TO THE INCLUSION OF CAPITAL GAIN IN DISTRIBUTABLE NET INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 643(a)(3) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulation will revise rules specifying when capital gains will be included in distributable net income.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Not Applicable

Additional Information: LR-148-85.

Drafting attorney: Lauren G. Shaw (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Agency Contact: Lauren G. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AI31

2254. INCOME TAXATION OF TRUSTS AND ESTATES

Legal Authority: 26 USC 645 Internal Revenue Code of 1986; 26 USC 672 Internal Revenue Code of 1986; 26 USC 673 Internal Revenue Code of 1986; 26 USC 6654 (k) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules regarding taxable years of trusts and estates, taxation of grantor trusts, and payment of estimated tax by trusts.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Not Applicable

Additional Information:

LR-108-86.

Drafting attorney: Maurice B. Foley (202) 566-4336.

Reviewing attorney: Fred Grundeman (202) 566-3287.

Agency Contact: Maurice B. Foley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AJ20

2255. INCOME TAX--PROCEDURE & ADMINISTRATION--FOREIGN TRUSTS HAVING U.S. BENEFICIARIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 679 Internal Revenue Code of 1986; 26 USC 678(b) Internal Revenue Code of 1986; 26 USC 643(a) Internal Revenue Code of 1986; 26 USC 643(c)(6)(C) Internal Revenue Code of 1986; 26 USC 643(c)(6)(D) Internal Revenue Code of 1986; 26 USC 643(d) Internal Revenue Code of 1986; 26 USC 6048 Internal Revenue Code of 1986; 26 USC 6677 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 301

Legal Deadline: None.

Abstract: These regulations will provide to what extent a grantor of a foreign trust with United States beneficiaries will be treated as an owner of that trust, and thus taxed currently on the trust's income.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-187-76.

Drafting attorney: Fred E. Grundeman (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Agency Contact: Fred E. Grundeman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AB79

2256. INCOME TAX - APPLICATION OF EFFECTIVE DATE FOR NEW RULES REGARDING DEDUCTIONS FOR MEAL, TRAVEL, AND ENTERTAINMENT TO PARTNERSHIPS AND S CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 702 Internal Revenue Code of 1986; 26 USC 1366 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide guidance to taxpayers relating to the effective date for new rules regarding deductions for meals, travel, and entertainment to partnerships and S corporations.

Timetable:

Action	Date	FR Cite
NPRM	12/31/88	

Small Entity: Not Applicable

Additional Information: LR-29-87

Drafting Attorney: David R. Haglund (202) 566-3297

Reviewing Attorney: Walter Woo (202) 566-3297

Office of Tax Legislative Counsel Attorney: Marjorie Roberts (202) 566-2565

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AK80

2257. TO PROVIDE SPECIAL RULES CONCERNING RELATED PARTY LOANS IN THE CASE OF PARTNERSHIP ALLOCATIONS ATTRIBUTABLE TO NONRECOURSE DEBT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project will provide regulations relating to loans made to a partnership by a person related to a partner of the partnership.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	

Small Entity: Not Applicable

Additional Information: LR-30-86.

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Greg Marich (202) 566-2927.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, DC 20224, **202 566-3297**

RIN: 1545-AI66

TREAS—IRS

Proposed Rule Stage

2258. ALLOCATIONS OF INCOME GAIN, LOSS, AND DEDUCTION WITH RESPECT TO PROPERTY CONTRIBUTED TO A PARTNERSHIP

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules and examples relating to the requirement to allocate income, gain, loss, and deduction so as to take into account the variation between the basis of the property and its fair market value at the time of contribution.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	

Small Entity: No

Additional Information: LR-164-84.

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Greg Marich (202) 566-4979.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AG98

2259. INCOME TAX--ITEMS ALLOCATED TO PORTION OF YEAR PARTNER HELD INTEREST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 706(d) Internal Revenue Code of 1986; 26 USC 704 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide the methods to be used for allocating partnership items to partners whenever a partner's interest varies during the partnership taxable year.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-265-76.

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3930.

Treasury attorney: Greg Marich (202)566-2927.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AB81

2260. INCOME TAX--TREATMENT OF PAYMENTS TO PARTNERS NOT ACTING IN THEIR CAPACITY AS PARTNERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 707 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide guidance to taxpayers relating to the treatment of certain allocations and distributions to partners for services and transfers of property where the partner is not acting in his capacity as a partner.

Timetable:

Action	Date	FR Cite
NPRM	10/31/88	

Small Entity: Not Applicable

Additional Information: LR-234-84.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Greg Marich (202) 566-4979.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AG83

2261. AMENDMENT OF INCOME TAX REGULATIONS WITH RESPECT TO TREATMENT OF DISGUISED SALES BY PARTNERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 707 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules for determining when partnership transactions are to be treated as disguised sales.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-163-84.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing Treasury Attorney: Greg Marich (202) 566-4979.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH22

2262. CONTRIBUTIONS TO A PARTNERSHIP OF UNREALIZED RECEIVABLES, INVENTORY ITEMS OR CAPITAL LOSS PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 724 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will provide rules for determining the character of gain or loss upon the disposition by a partnership of unrealized receivables, inventory items or capital loss property contributed to the partnership by a partner.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Not Applicable

Additional Information: LR-232-84.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AG85

2263. PARTNER'S SHARE OF PARTNERSHIP LIABILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; PL 98-369, Sec 79 Tax Reform Act of 1984

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations revise the Income Tax Regulations under section 752 of the Internal Revenue Code of 1954 to conform such regulations to changes in the law with respect to a partner's share of partnership liabilities.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-229-84.

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: John Bromell (202) 566-3297.

Treasury attorney: Greg Marich (202) 566-2927.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AH26

2264. IMPUTED EARNINGS RATE FOR MUTUAL LIFE INSURANCE COMPANIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 809(d) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance to mutual life insurance companies regarding the computation of the imputed earnings rate.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Not Applicable

Additional Information: LR-159-84.

Drafting attorney: Sharon L. Hall (202) 566-3288.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AG63

2265. INCOME TAX REGULATIONS--DISCOUNTING OF UNPAID LOSSES OF PROPERTY AND CASUALTY INSURANCE COMPANIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 846 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules relating to the discounting of unpaid losses of property and casualty insurance companies. It is anticipated that the regulations will provide guidance with respect to the treatment of salvage and subrogation and the use of a company's loss payment pattern.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-139-86.

Drafting attorney: Bill Blagg (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Agency Contact: Bill Blagg, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, 202 566-3238

RIN: 1545-AJ51

2266. APPORTIONMENT OF EXPENSES IN THE FSC AND DISC CONTEXTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would provide guidance on how expenses in the DISC and FSC contexts will be apportioned.

Timetable:

Action	Date	FR Cite
NPRM	12/01/88	

Small Entity: Not Applicable

Additional Information: INTL-028-86

Drafting Attorney: Richard Chewning (202) 566-3490.

Reviewing Attorney: T. Timothy Tuerff (202) 566-9050.

Treasury Attorney: Mark Beams (202) 566-8275.

Agency Contact: Richard Chewning, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3490

RIN: 1545-AK78

2267. TRANSPORTATION INCOME SOURCE RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 863 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to the source of income attributable to transportation which begins or ends in the United States.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: INTL-947-86

Drafting Attorney: Ann Zukas (202) 566-6645

Reviewing Attorney: Jack Feldman (202) 566-6645.

Treasury Attorney: Peter Daub (202) 566-5791

Agency Contact: Ann Zukas, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6645

RIN: 1545-AJ68

2268. PROPOSED INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1986 -- SOURCE OF INCOME RULES FOR INCOME DERIVED FROM SPACE AND OCEAN ACTIVITIES INCLUDING TELECOMMUNICATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 863(d) Internal Revenue Code of 1986; 26 USC 863(e) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will provide guidance relating to determining the source of income derived from space, and certain ocean activities (excluding mining within the continental shelf.) The regulation will also provide guidance on determining the source of income derived from international telecommunications activities.

Timetable:

Action	Date	FR Cite
NPRM	12/31/88	

Small Entity: Not Applicable

Additional Information: INTL-949-86

Drafting Attorney: Joseph M. Rosenthal (202) 566-3872

Reviewing Attorney: Benedetta Kissel (202) 566-3179

Treasury Attorney: David Crowe (202) 566-8275

Agency Contact: Joseph M. Rosenthal, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3872**

RIN: 1545-AJ84

2269. ● ALLOCATION OF GROSS INCOME ATTRIBUTABLE TO INTEREST RATE SWAPS UNDER SECTION 863 (A)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 863 (a) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project provides source rules for income and expense attributable to interest rate swap agreements. Interest rate swap agreements are basically agreements used to hedge agreement interest rate fluctuation.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-773-87

Drafting attorney: Scott Farmer (202) 634-5406.

Reviewing attorney: Bob Katcher (202) 634-5406.

Treasury attorney: Peter Daub (202) 566-5991.

Income Taxes

Agency Contact: Scott Farmer, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 634-5406**

RIN: 1545-AL25

2270. RELATED PERSON FACTORING INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 864(d) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to the treatment of income derived by foreign corporations from factoring the receivables of related persons.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-49-86.

Drafting attorney: Barbara Felker (202) 566-6645.

Reviewing attorney: Phyllis Marcus (202) 566-6645.

Treasury attorney: Peter Daub (202) 566-5791.

Agency Contact: Barbara Allen Felker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6645**

RIN: 1545-AH85

2271. SOURCE RULES FOR PERSONAL PROPERTY SALES

Significance: Agency Priority

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 865 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will provide rules for determining the source of income from sales of personal property. The regulation will set forth rules for sales by U.S. residents and non-residents and specify special rules for depreciable personal property, intangibles, sales connected with an office or other fixed place of business, and sales of a foreign affiliate by a U.S. corporation.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: INTL-946-86

Drafting Attorney: Carol P. Tello (202) 634-5404

Reviewing Attorney: Robert E. Culbertson (202) 634-5404

Treasury Attorney: Mary Bennett (202) 566-2964

Agency Contact: Carol P. Tello, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave.. N.W., Washington, D.C. 20224, **202 634-5404**

RIN: 1545-AJ83

2272. REPEAL OF 30 PERCENT WITHHOLDING BY THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 871 Internal Revenue Code of 1986; 26 USC 881 Internal Revenue Code of 1986; 26 USC 1441 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to the definition of portfolio interest, the certifications required in the case of obligations that are issued in registered form, and related matters.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-39-86

Drafting attorney: Carl Cooper (202) 566-3388.

Reviewing attorney: Carol Doran Klein (202) 566-6419.

Treasury attorney: Peter Daub (202) 566-5791.

Agency Contact: Carl Cooper, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3388**

RIN: 1545-AG66

TREAS—IRS

Proposed Rule Stage

2273. EXEMPTIONS FROM WITHHOLDING OF NRA'S AND FOREIGN CORPORATIONS

Significance: Agency Priority

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 871(i) Internal Revenue Code of 1986; 26 USC 881(d) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Implement regulations concerning exemptions from withholding of non-resident aliens and foreign corporations under sections 871(i) and 881(d) of the Code. Specifically, the proposed regulation will address the individual or corporation that meets the 80 percent foreign business requirements for active foreign business income.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: INTL-951-86

Drafting Attorney: David A. Alvarez (202) 566-6307

Reviewing Attorney: Christine Halphen (202) 566-6645

Treasury Attorney: Mary Bennett (202) 566-5992

Agency Contact: David A. Alvarez, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-6307**

RIN: 1545-AJ59

2274. UNTIMELY FILING BY FOREIGN CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would provide rules regarding deductibility of expenses by a foreign corporation that does not file a timely tax return.

Timetable:

Action	Date	FR Cite
NPRM	12/01/88	

Small Entity: Not Applicable

Additional Information: INTL-74-86

Drafting Attorney: Richard Chewning (202) 566-3490.

Reviewing Attorney: Bernard Bress (202) 566-6440.

Treasury Attorney: Unassigned.

Agency Contact: Richard Chewning, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3490**

RIN: 1545-AJ74

2275. BRANCH PROFITS TAX (GENERAL RULE AND DEFINITIONS) AND 2ND LEVEL WITHHOLDING TAXES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 884 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance on the calculation of the branch profits tax. The regulations will provide rules for the treatment of interest allocable to effectively connected income.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: INTL-934-86

Drafting Attorney: Richard M. Elliott (202) 566-6457

Reviewing Attorney: Benedetta A. Kissel (202) 566-3179

Treasury Attorney: Peter Daub (202) 566-5791

Agency Contact: Richard M. Elliott, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6457**

RIN: 1545-AJ73

2276. IMPOSITION OF TAX ON GROSS TRANSPORTATION INCOME OF NONRESIDENT ALIENS AND FOREIGN CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 887 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation will provide rules for implementing the four percent tax on gross transportation income of nonresident aliens and foreign corporations.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: INTL-940-86

Drafting Attorney: Patricia Bray (202) 566-6645.

Reviewing Attorney: Jacob Feldman (202) 566-6645.

Treasury Attorney: Peter Daub (202) 566-2964.

Agency Contact: Patricia A. Bray, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C., **202 566-6645**

RIN: 1545-AK76

2277. INCOME TAX--INCOME OF FOREIGN GOVERNMENTS AND OF INTERNATIONAL ORGANIZATIONS

Legal Authority: 26 USC 892(c) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules governing the taxation of income of foreign governments and international organizations.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: INTL-959-86

Drafting Attorney: David A. Juster (202) 566-6384

Reviewing Attorney: Bernard T. Bress (202) 566-6440

Office of International Tax Counsel (Treasury) Reviewing Attorney: Peter Daub (202) 566-2964

Agency Contact: David A. Juster, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6384**

RIN: 1545-AJ79

2278. INCOME TAX--PARTNERSHIP RULES REGARDING TAXATION OF FOREIGN INVESTMENT IN U.S. REAL PROPERTY INTERESTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 897(e)(2) Internal Revenue Code of 1986; 26 USC 897(g) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would provide rules for foreign partners to compute gain or loss on the sale or disposition of United States real property interests upon the sale of a partnership interest or a distribution in liquidation of a partnership interest.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: INTL-48-86

Drafting attorney: Jacob Feldman (202) 566-6645.

Reviewing attorney: Charles Saverude (202) 377-9060.

Treasury attorney: David Crowe (202) 566-5791.

Agency Contact: Jacob Feldman, Senior Reviewer, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6645**

RIN: 1545-AB98

2279. TEMPORARY REGULATIONS--NONRECOGNITION OF CORPORATE DISTRIBUTIONS AND REORGANIZATIONS UNDER THE FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT

Legal Authority: 26 USC 897 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulations would provide rules concerning the effect of certain distributions, including dividends, redemptions, distributions pursuant to reorganizations, and liquidations on corporations and their shareholders under the Foreign Investment in Real Property Tax Act. Regulations would also provide rules for determining the extent to which nonrecognition would apply to certain transfers of real property interests and the extent to which certain reorganizations will be treated as sales of property at fair market value.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-38-86.

Drafting attorney: Charles P. Besecky (202) 566-3319.

Reviewing attorney: Charles C. Saverude (202) 566-6645.

Treasury attorney: David Crowe (202) 566-5791.

Agency Contact: Charles P. Besecky, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3319**

RIN: 1545-AF17

2280. NOTICE OF PROPOSED RULEMAKING--NONRECOGNITION OF CORPORATE DISTRIBUTIONS AND REORGANIZATIONS UNDER THE FOREIGN INVESTMENT IN REAL PROPERTY TAX ACT

Legal Authority: 26 USC 897 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would provide rules concerning the effect of certain distributions including dividends, redemptions, distributions pursuant to reorganizations, and liquidations on corporations and their shareholders under the Foreign Investment in Real Property Tax Act. Proposal would also provide rules for determining the extent to which nonrecognition would apply to certain transfers of real property interests and the extent to which certain reorganizations will be treated as sales of property at fair market value.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: INTL-491-87

Drafting Attorney: Charles P. Besecky (202) 566-3319.

Reviewing Attorney: Charles C. Saverude (202) 566-6008.

Treasury Attorney: David Crowe (202) 566-6645.

Agency Contact: Charles P. Besecky, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3319**

RIN: 1545-AK79

2281. ● TREATMENT OF SEPARATE LIMITATION LOSSES

Legal Authority: PL 99-514, Sec 1203

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Section 1203 of the Tax Reform Act of 1986 amends section 904 (f) by adding paragraph (5) at the end thereof which requires that foreign source losses with respect to any income category first offset the taxpayer's other foreign source income subject to a separate limitation for the taxable year on a proportionate basis before such losses offset the taxpayer's U.S. source income. Accordingly, the regulation will provide rules for the allocation of foreign source losses.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Not Applicable

Additional Information: INTL-932-86

Drafting Attorney: Willard W. Yates (202) 566-3896

Reviewing Attorney: Carol Doran-Klein (202) 566-6419

Treasury Attorney: Peter Barnes (202) 566-5815

Income Taxes

Agency Contact: Willard W. Yates, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C., **202 566-3896**

RIN: 1545-AL17

2282. INCOME TAX--PROCEDURE & ADMINISTRATION--TAXPAYER'S OBLIGATION TO FILE A NOTICE OF REDETERMINATION OF FOREIGN TAX AND CIVIL PENALTIES FOR FAILURE TO FILE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 905(c) Internal Revenue Code of 1986; 26 USC 6689 Internal Revenue Code of 1986

TREAS—IRS

Proposed Rule Stage

CFR Citation: 26 CFR 1; 26 CFR 301

Legal Deadline: None.

Abstract: The regulations will establish procedures for taxpayers by which they must notify the Service of a change in foreign tax liability for a taxable year for which they claimed the foreign tax credit. The regulations provide special rules for redetermining the taxpayer's United States tax liability when the dollar value of the foreign currency fluctuates between the time for which the foreign tax credit is originally claimed and the time for which the foreign tax credit is redetermined. In addition, the regulations set forth deadlines for compliance with the notification requirements.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL - 61-86

Drafting attorney: Gerard Traficanti (202) 566-6384.

Reviewing attorney: Carol Doran Klein (202) 566-6419.

Draft of the Notice to International Tax Counsel of October 19, 1982. -duplicate of RIN A119

Agency Contact: Gerard Traficanti, Tax Law Specialist, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Room 5531, Washington, D.C. 20224, 202 566-6384

RIN: 1545-AC06

2283. AMENDMENT OF REGULATIONS UNDER SECTION 907 OF THE INTERNAL REVENUE CODE OF 1954 TO CONFORM THEM TO SECTION 211 OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 907 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would amend the regulations under section 907 of the Internal Revenue Code of 1954, relating to the foreign tax credit for taxes on oil and gas income, to conform them to section 211 of the Tax Equity and Fiscal Responsibility Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	12/01/88	

Small Entity: Not Applicable

Additional Information: INTL - 152-86.

Drafting attorney: Richard Chewning (202) 566-3490.

Reviewing attorney: Charles C. Saverude (202) 566-6645.

Treasury attorney: Peter Barnes (202) 566-8275.

Agency Contact: Richard Chewning, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3490

RIN: 1545-AE34

2284. COORDINATION OF U.S. AND VIRGIN ISLANDS TAXES

Legal Authority: PL 99-514, Sec 1274

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Prior to the Tax Reform Act of 1986, inhabitants of the Virgin Islands satisfied their U.S. tax liability by filing a return with the Virgin Islands. The Tax Reform Act of 1986 repealed the inhabitant rule to correct an erroneous interpretation of its operation in connection with the Virgin Islands mirror code. Section 1274 of the Tax Reform Act of 1986 clarifies the filing obligations of individuals in the Virgin Islands. Bona fide residents of the Virgin Islands are required to file only one return with the Virgin Islands in which they report worldwide income and identify the sources of income from the Virgin Islands will be required to file two identical tax returns one with the US and one with the Virgin Islands and pay a pro rata amount of tax to each. Regulations are needed to clarify who qualifies as a bona fide resident. It is anticipated that the regulations will provide a facts and circumstances test for determining bona fide resident status. It is unknown what the operational costs will be.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: INTL-969-86

Drafting Attorney: Grace Perez-Navarro (202) 287-4851.

Reviewing Attorney: Michael Patton (202) 287-4851.

Treasury Attorney: Peter Barns (202) 566-5815.

Agency Contact: Grace Perez-Navarro, Associate Attorney, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza South, SW, Room 3319, Washington, D.C. 20024, 202 287-4851

RIN: 1545-AJ55

2285. ● SOURCE RULES WITHIN THE VIRGIN ISLANDS

Legal Authority: PL 99-514, Sec 1275

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation will provide sourcing rules for the determination as to whether income is derived from sources within the Virgin Islands or the U.S. or is effectively connected with the conduct of a trade or business within the Virgin Islands or the U.S. To the extent possible, the rules will be similar to those set forth in IRC sections 861-865.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: INTL-969-86

Drafting attorney: Grace Perez-Navarro (202) 287-4851.

Reviewing attorney: Michael Patton (202) 287-4851.

Treasury attorney: Peter Barnes (202) 566-5815.

Income Taxes

Agency Contact: Grace Perez-Navarro, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 287-4851

RIN: 1545-AL40

2286. AMENDMENT OF SECTION 936(H) WITH RESPECT TO ELECTION OF PRODUCT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 936(h) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation would require that once a product election was made it could not be amended.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-450-87

Drafting Attorney: Philip Garlett (202) 566-6645.

Reviewing Attorney: Jacob Feldman (202) 566-3289.

Treasury Attorney: Mary Bennett (202) 566-5992.

Agency Contact: Philip Garlett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6645**

RIN: 1545-AK77

2287. SPECIAL RULE FOR FOREIGN CAPTIVE INSURANCE COMPANIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 953(c) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation defines related person insurance income; sets forth rules exceptions certain foreign corporations from section 953 (a), and sets forth rules regarding the amount of related person insurance income to be included in gross income.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-939-86

Drafting Attorney: Philip L. Garlett (202) 566-6645.

Reviewing Attorney: Jack Feldman (202) 566-3289

Treasury Attorney: Peter Barnes (202) 566-5815

Agency Contact: Philip L. Garlett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6645**

RIN: 1545-AJ70

2288. ● FUNCTIONAL CURRENCY

Legal Authority: 26 USC 7805 Internal Revenue Code Of 1986; 26 USC 985 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project provides rules for determining the currency an entity will compute gain or loss. If the entity is a foreign entity, it may be allowed to compute its gain or loss in a foreign currency and translate the net amount of such gain or loss into U.S. dollars.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-962-86

Drafting attorney: Scott Farmer (202) 634-5406.

Reviewing attorney: Bob Katcher (202) 634-5406.

Treasury attorney: David Crowe (202) 566-5791.

Income Taxes

Agency Contact: Scott Farmer, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 634-5406**

RIN: 1545-AL24

2289. ● SECTION 988(D) - INTEGRATED HEDGING RULES FOR FOREIGN EXCHANGE GAIN OR LOSS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 988 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project will provide rules regarding fully hedged and partially hedged nonfunctional currency denominated transactions.

Timetable:

Action	Date	FR Cite
NPRM	11/01/88	

Small Entity: Not Applicable

Additional Information: INTL-966-86

Drafting Attorney: Jeffrey Dorfman (202) 634-5406

Reviewing Attorney: Alice Neff (202) 566-6645

Income Taxes

Agency Contact: Jeffrey Dorfman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 634-5406**

RIN: 1545-AL15

2290. ● TAXATION OF EXCHANGE GAIN OR LOSS ON FOREIGN CURRENCY DENOMINATED TRANSACTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 988 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project provides rules regarding the determination of gain or loss realized on section 988 transactions. Rules regarding the source and character of such gain or loss are also provided. The project also contains a definitional section which defines section 988 transactions, among other terms.

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	

Small Entity: Not Applicable

Additional Information: INTL-936-86

Drafting Attorney: Jeffrey Dorfman (202) 634-5406

Reviewing Attorney: Alice Neff (202) 566-6645

Treasury Attorney: David Crowe (202) 566-5791

Income Taxes

Agency Contact: Jeffrey Dorfman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 634-5406**

RIN: 1545-AL16

2291. ● TRANSITION RULE FOR QUALIFIED BUSINESS UNITS USING A NET WORTH METHOD OF ACCOUNTING FOR TAXABLE YEARS BEGINNING BEFORE JANUARY 1, 1987

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 989 (c) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project provides transition rules for those foreign branches of United States entities who used a net worth method of accounting prior to the enactment of the Tax Reform Act of 1986. Under the Act, foreign branches must now account for their operations under the profit and loss method as set forth in section 987 of the Code.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-964-86

Drafting attorney: David Rosenberg (202) 634-5406.

Reviewing attorney: Ann Fisher (202) 634-5406.

Treasury attorney: David Crowe (202) 566-5791.

Income Taxes

Agency Contact: David Rosenberg, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 634-5406**

RIN: 1545-AL29

2292. RULES RELATING TO THE INAPPLICABILITY OF SECTION 1031 TO PARTNERSHIP INTERESTS AND THE LIMITATION ON THE PERIOD DURING WHICH LIKE KIND EXCHANGES MAY BE MADE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation will provide guidance with respect to changes made to section 1031 by the Tax Reform Act of 1984 including the inapplicability of section 1031 to partnership interests and the limitation on the period during which like kind exchanges may be made.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-237-84.

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Treasury attorney: Blake Rubin (202) 566-2927.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AH43

2293. INCOME TAX--NOTICE OF PROPOSED RULEMAKING - AMENDMENT OF REGULATIONS RELATING TO BASIS REDUCTIONS FOR NON-TAXED PORTION OF EXTRAORDINARY DIVIDENDS TO REFLECT TRA 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1059 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Amendment of the regulations to interpret the rule contained in section 1059 of the Internal Revenue Code of 1954 relating to the non-taxed portion of extraordinary dividends. The regulations will explain what dividends are extraordinary, the operations of the required basis reduction, the application of the holding period rule in section 246 (c), etc.

Timetable:

Action	Date	FR Cite
NPRM	10/01/88	

Small Entity: Not Applicable

Additional Information: LR-260-84.

Drafting attorney: Patricia W. Pellervo (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Patricia W. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AH41

2294. INCOME TAX--SPECIAL ALLOCATION RULES FOR CERTAIN ASSET ACQUISITIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1060 Internal Revenue Code of 1986; 26 USC 755 Internal Revenue Code of 1986; 26 USC 338 Internal Revenue Code of 1986; 26 USC 167 Internal Revenue Code of 1986; 26 USC 1031 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation will explain and illustrate the application of the residual method of allocation to the purchase price in certain asset acquisitions. It will also provide certain informational reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-119-86.

Drafting attorney: Judith C. Winkler (202) 566-3458.

Reviewing attorney: Patricia W. Pellervo (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Kathleen Ferrell (202) 566-2175.

Agency Contact: Judith C. Winkler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AJ06

2295. INCOME TAX--TAX STRADDLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1092 Internal Revenue Code of 1986; 26 USC 6653 Internal Revenue Code of 1986; 26 USC 263(g) Internal Revenue Code of 1986; 26 USC 1256 Internal Revenue Code of 1986; 26 USC 1212 Internal Revenue Code of 1986; 26 USC 1236 Internal Revenue Code of 1986; 26 USC 1234A Internal Revenue Code of 1986; 26 USC 1232 Internal Revenue Code of 1986; 26 USC 1221 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide the rules under Title 5 of the Economic Recovery Tax Act of 1981 for tax straddles. These regulations will affect the tax treatment of regulated

futures contracts, forward contracts, and positions in commodities.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Not Applicable

Additional Information: LR-187-81.

Drafting attorney: Timothy J. McKenna (202) 566-3287.

Reviewing attorney: John M. Fischer (202) 566-3394.

In Office of Chief Counsel (Legislation and Regulations Division) for preparation of notice.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AC21

2296. INCOME TAX--GAIN FROM SALE OR EXCHANGE OF STOCK IN FOREIGN CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1248 Internal Revenue Code of 1986; 26 USC 751 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would amend existing regulations with respect to the section 1248 amount attributable to stock of lower tier subsidiaries and stock in less developed country corporations. The regulations would also provide rules for determining the section 1248 amount due to certain dispositions on which gain is not recognized. The regulations would also expand the foreign tax credit available with respect to the section 1248 amount attributable to third-tier subsidiaries.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: INTL - 42-86

Drafting attorney: David A. Juster (202) 566-6384.

Reviewing attorney: Carol Doran Klein (202) 566-6419.

Draft of notice in International Tax Counsel for review.

Agency Contact: David A. Juster, Attorney CC:INTL:Br3, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6384

RIN: 1545-AC31

2297. INCOME TAX--TO CLARIFY TAX TREATMENT OF TRANSFERS OF FRANCHISES, TRADEMARKS, & TRADE NAMES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1253 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would clarify the tax treatment of the transfer of a franchise trademark, or trade name under section 1253 of the Internal Revenue Code of 1954. It would also provide guidance regarding how to allocate the basis among the portions of the sale proceeds which are treated as arising from the sale of a capital asset and other portions which are ordinary income.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-183-81.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3740.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3590

RIN: 1545-AC34

2298. HEDGING EXCEPTION TO MARK-TO-MARKET RULES FOR SECTION 1256 CONTRACTS, DEFERRAL OF CERTAIN STRADDLE LOSSES, AND WASH-SALE AND SHORT-SALE PRINCIPLES APPLICABLE TO CERTAIN STRADDLE TRANSACTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1256 (e) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to the hedging transaction exception for section 1256 contracts and straddles.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Not Applicable

Additional Information: LR-11-86.

Drafting attorney: Timothy J. McKenna (202) 566-3287.

Reviewing attorney: John M. Fischer (202) 566-3394.

Treasury attorney: Kathleen Ferrell (202) 566-2175.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, DC 20224, 202 566-3287

RIN: 1545-AI59

2299. DISPOSITION GAIN REPRESENTING ACCRUED MARKET DISCOUNT TREATED AS ORDINARY INCOME; DEFERRAL OF INTEREST DEDUCTION ALLOCABLE TO ACCRUED MARKET DISCOUNT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1276 Internal Revenue Code of 1986; 26 USC 1278 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to the Treatment of Gain Realized on the Disposition of any Market Discount Bond as Ordinary Income. These regulations will also prescribe the extent to which a deduction for interest allocable to accrued market discount is deferred.

Timetable:

Action	Date	FR Cite
NPRM	12/31/88	

Small Entity: Not Applicable

Additional Information: LR-21-85.

Drafting attorney: Laura Ann M. Lauritzen (202) 566-3459.

Reviewing attorney: Susan T. Baker (202) 566-3294.

Treasury Attorney: Bryan Collins (202) 566-4979.

Agency Contact: Laura Ann M. Lauritzen, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C.20224, **202 566-6456**

RIN: 1545-AH82

2300. INCOME TAX-TREATMENT OF STRIPPED BONDS AND STRIPPED COUPON

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1286 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to the tax treatment of stripped bonds and stripped coupons purchased after July 1, 1982. In particular, guidance will be given as to the proper method for allocation of basis and purchase price.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-19-85.

Drafting attorney: Ewan D. Purkiss (202) 566-3238.

Reviewing attorney: John A. Fischer (202) 566-3394.

Office of Tax Legislative Counsel reviewing attorney: Reed Shuldiner (202) 535-6963.

Agency Contact: Ewan D. Purkiss, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AH75

2301. INCOME TAX--TREATMENT OF OBLIGATIONS WHICH PURPORT TO REPRESENT DEBT AS A SECOND CLASS OF STOCK

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1361 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance to shareholders and debt instrument holders who must comply with the law relating to subchapter S corporations. The regulations will provide rules relating to whether or not a subchapter S corporation has more than one class of stock.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-4-73.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AC37

2302. AMENDMENT OF INCOME TAX REGULATIONS UNDER CODE SECTIONS 1362 AND 1363 RELATING TO THE ELECTION, REVOCATION, AND TERMINATION OF AN S CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1362 Internal Revenue Code of 1986; 26 USC 1363 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidelines for electing, revoking and terminating S corporation status.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-260-82.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Treasury attorney: Bryan Collins (202) 535-6968.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AE26

2303. INCOME TAX--PASS-THRU OF S CORPORATION ITEMS TO SHAREHOLDERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1366 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules relating to the tax treatment of income and loss items passed through to the shareholders.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-261-82.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AE85

2304. INCOME TAX--RULES RELATING TO ADJUSTMENT TO BASIS OF STOCK OF SHAREHOLDERS OF S CORPORATION AND TO DETERMINATION OF BASIS OF PROPERTY DISTRIBUTION BY CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1367 Internal Revenue Code of 1986; 26 USC 1368 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations would provide rules for adjusting the basis of stock of a shareholder in an S corporation and rules for determining the treatment of property distributions by an S corporation.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: LR-264-82.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AE88

2305. INCOME TAX--APPLICATION OF SUBCHAPTER C RULES TO S CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1371 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposal would amend the regulations under section 1371 to changes made by the subchapter S Revision Act of 1982 relating to the application of subchapter C rules to S corporations and other technical amendments under sections 2, 5, and 6 of the Act. The regulation would provide the public with guidance to comply with the Act.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-265-82.

Drafting attorney: Joel S. Rutstein (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: Joel S. Rutstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AE90

2306. CROSS-REFERENCE--APPLICATION OF SECTION 1374 BUILT-IN GAIN TAX TO C CORPORATION'S ELECTING S CORPORATION STATUS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1374 Internal Revenue Code of 1986; 26 USC 337 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal will provide rules relating to the section 1374 built-in gains tax to C corporations electing S corporation status.

Timetable:

Action	Date	FR Cite
NPRM	04/15/88	

Small Entity: Not Applicable

Additional Information:

LR-80-87.

Drafting attorney: Mark S. Jennings (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Mark S. Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK93

2307. INCOME TAX--DEFINITIONS AND SPECIAL RULES PERTAINING TO S CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1377 Internal Revenue Code of 1986; 26 USC 1379 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulations would define and interpret special rules contained in Sections 1377 and 1379 of the Internal Revenue Code of 1986, the thereby giving guidance to the public on how the Internal Revenue Service intends to interpret those sections.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-268-82.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel Reviewing attorney:

Bryan P. Collins (202) 566-2175.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AE94

2308. ● WITHHOLDING TAX ON PAYMENTS FROM PARTNERSHIPS TO FOREIGN PARTNERS

Significance: Agency Priority

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1446 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: Statutory, December 31, 1987. Withholding must begin no later than January 1, 1988.

Abstract: The regulation explains when withholding is required under section 1446, how and when the amounts withheld are to be reported and paid over to the Internal Revenue Service, and when the taxpayer is to credit the tax withheld against its U.S. income tax liability or apply for a refund. The notice will be published simultaneously with, and will cross-reference to, temporary regulations dealing with these matters (INTL-938-86). No significant policy issues are involved.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-980-86

Drafting Attorney: David Chan (202) 634-5404.

Reviewing Attorney: Robert E.Culbertson, Jr. (202) 634-5404.

Treasury Attorney: David Crowe (202) 566-5791.

Income Taxes

Agency Contact: David F. Chan, Attorney-Advisor, Department of the Treasury, Internal Revenue Service,

TREAS—IRS

Proposed Rule Stage

1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 634-5404**

RIN: 1545-AL30

2309. INVESTMENT ADJUSTMENTS UNDER THE CONSOLIDATED RETURN REGULATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1502 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Provision would amend the consolidated return investment adjustment rules by changing the computation of earnings and profits where section 312 (k), (l), (m), or (n) applies.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: LR-222-81.

Drafting attorney: Judith C. Winkler (202) 566-3458.

Reviewing attorney: John Broadbent (202) 566-3458.

Agency Contact: Judith C. Winkler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AC47

2310. INCOME TAX--APPLICATION OF SECTION 465 AT RISK LIMITATIONS TO MEMBERS THAT JOIN IN FILING CONSOLIDATED RETURNS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1502 Internal Revenue Code of 1986; 26 USC 465 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Provision would amend the consolidated returns regulations to provide rules applying the at-risk limitations of section 465 of the Internal Revenue Code of 1954 to affiliated groups filing consolidated returns, thereby giving the public needed guidance as to how these rules apply to such groups.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-75-79.

Drafting attorney: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Patricia McClanahan (202) 566-4902.

Agency Contact: Keith E. Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AC55

2311. INCOME TAX--DELETION OF THE REQUIREMENT OF SECTION 1.1502-47 (D) (12) (V) (C) THAT, IN APPLYING TACKING RULE, PROFITABLE AND LOSS LIFE ACTIVITIES NOT BE SEPARATED

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1502 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will prospectively delete the requirement of section 1.1502-47 (d) (12) (v) (C) relating to the restriction on the separation of profitable activities from loss activities in applying the tacking rule to life insurance companies.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: LR-157-86

Drafting attorney: Keith Stanley (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Don Rocap (202) 566-8278.

Agency Contact: Keith E. Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AI98

2312. CROSS-REFERENCE--CONSOLIDATED RETURN INVESTMENT ADJUSTMENTS WITH RESPECT TO AN ACQUIRED SUBSIDIARY'S BUILT-IN GAINS OR LOSSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1502 Internal Revenue Code of 1986; 26 USC 337 (d) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal will prevent the consolidated return investment adjustments from reflecting the recognized built-in gains or losses of assets acquired in certain corporation acquisitions.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information:

LR-78-87

Drafting attorney: Mark S. Jennings (202) 566-3458.

Reviewing attorney: John Broadbent (202) 566-3458.

Agency Contact: Mark S. Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK94

2313. ● CONSOLIDATED RETURNS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1502 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation provides revisions of consolidated return regulations under sections 1.1502-14 and 1.1502-31.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-4-88

Drafting attorney: Patricia Pellervo (202) 566-3458.

Reviewing attorney: Charles Whedbee (202) 566-3458.

TREAS—IRS **Proposed Rule Stage**

Income Taxes

Agency Contact: Patricia Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AL44

2314. INCOME TAX--INCLUDIBILITY IN AN AFFILIATED GROUP OF SUBSIDIARIES FORMED TO COMPLY WITH FOREIGN LAWS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1504 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules relating to an election to treat a foreign subsidiary of a United States corporation as a domestic corporation if the subsidiary is formed in a contiguous country to comply with foreign law.

Timetable:

Action	Date	FR Cite
NPRM	12/31/89	

Small Entity: Not Applicable

Additional Information: LR-189-77.

Drafting attorney: Mark S. Jennings (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Mark S. Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AC58

2315. INCOME TAX -- AMENDMENT OF REGULATIONS UNDER SECTION 1504 (A) OF THE CODE, AS AMENDED BY SECTION 60 OF THE TAX REFORM ACT OF 1984, DEFINING "AFFILIATED GROUP"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1504 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules defining "affiliated group" for purposes of subtitle A of the Code.

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	

Small Entity: Not Applicable

Additional Information: LR-152-84.

Drafting attorney: Patricia W. Pellervo (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: Patricia W. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AH09

2316. ESTATE AND GIFT TAXES, INCOME TAXES-UNIFIED CREDIT IN LIEU OF EXEMPTIONS, UNIFIED RATE SCHEDULE FOR ESTATE AND GIFT TAXES SITUS OF FOREIGN PARTNERSHIPS FOR ESTATE TAXATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 2001 Internal Revenue Code of 1986; 26 USC 2010 Internal Revenue Code of 1986; 26 USC 2011 Internal Revenue Code of 1986; 26 USC 2012(a) Internal Revenue Code of 1986; 26 USC 2012(c) Internal Revenue Code of 1986; 26 USC 2013(b) Internal Revenue Code of 1986; 26 USC 2013(e)(1) Internal Revenue Code of 1986; 26 USC 2014(b)(2) Internal Revenue Code of 1986; 26 USC 2035 Internal Revenue Code of 1986; 26 USC 2038(a) Internal Revenue Code of 1986; 26 USC 2044 Internal Revenue Code of 1986; 26 USC 2052 Internal Revenue Code of 1986; 26 USC 2104 Internal Revenue Code of 1986; 26 USC 2106 Internal Revenue Code of 1986

CFR Citation: 26 CFR 20; 26 CFR 25; 26 CFR 1

Legal Deadline: None.

Abstract: The unified rate schedule for estate and gift taxes and unified credit in lieu of exemptions will be implemented by the regulation. The regulations also relate to the estate tax consequences of transfers made within three years of death. In addition, the regulations clarify the situs test of foreign partnerships for purposes of the estate taxation of nonresident alien decedents. The regulations also provide rules relating to charitable remainder trusts.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: LR-212-76.

Drafting attorney: Ruth Hoffman (202) 566-3287.

Reviewing attorney: Fred E. Grundeman (202) 566-3287.

Agency Contact: Ruth Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, **202 566-3287**

RIN: 1545-AC60

2317. ESTATE TAX--VALUATION OF CERTAIN FARM, ETC. REAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 2032A Internal Revenue Code of 1986; 26 USC 2013(f) Internal Revenue Code of 1986; 26 USC 1016(c) Internal Revenue Code of 1986; 26 USC 1040 Internal Revenue Code of 1986

CFR Citation: 26 CFR 20; 26 CFR 1

Legal Deadline: None.

Abstract: Special use valuation of certain farm and closely held business real property is available to qualifying estates. The regulation will contain definitions and rules relating to the various requirements which an estate must satisfy and will provide rules governing the imposition and payment of the "additional estate tax" should a qualified heir fail to meet the post-death requirements.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: Not Applicable

Additional Information: LR-209-81.

Drafting attorney: Fred E. Grundeman (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Office of the Tax Legislative Counsel (Treasury) reviewing attorney: Susan Himes (202) 566-8527.

Agency Contact: Fred E. Grundeman, Attorney, Department of the Treasury, Internal Revenue Service, 1111

Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AC62

2318. CAPITALIZATION OF CERTAIN PENSION, ETC. COSTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 263A Internal Revenue Code of 1986; 26 USC 460 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide guidance relating to the requirement that certain costs of deferred compensation must be capitalized rather than deducted currently.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: EE-56-78

Drafting Attorney: Michael Garvey (202) 566-3430.

Review Attorney: Jonathan P. Marget (202) 566-3961.

Treasury Attorney: Harry Conaway (202) 566-8277.

Agency Contact: Michael Garvey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AI92

2319. ESTATE TAX--GENERATION SKIPPING TRANSFER TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 2653 Internal Revenue Code of 1986; 26 USC 2662 Internal Revenue Code of 1986; 26 USC 2663 Internal Revenue Code of 1986

CFR Citation: 26 CFR 26; 26 CFR 26a

Legal Deadline: None.

Abstract: The regulations will provide rules relating to the effective date provisions, return requirements, definitions, and certain special rules for the tax on generation skipping transfers.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information:

LR-128-86.

Drafting attorney: Maurice B. Foley (202) 566-4336.

Reviewing attorney: Fred E. Grundeman (202) 566-3287.

Treasury attorney: Susan Himes (202) 566-8527.

Agency Contact: Maurice B. Foley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AJ11

2320. AMENDMENT OF THE EMPLOYMENT TAX REGULATIONS UNDER CODE SECTION 3121 TO CONFORM TO SECTION 321 OF THE SOCIAL SECURITY AMENDMENTS OF 1983

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 3121 Internal Revenue Code of 1986

CFR Citation: 26 CFR 36

Legal Deadline: None.

Abstract: The regulation would provide guidance to taxpayers with respect to agreements entered into under section 3121 of the Internal Revenue Code of 1954 as that Section was amended by section 321 of the Social Security Amendments of 1983.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-192-83.

Drafting Attorney: John B. Bromell (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3297.

Agency Contact: John B. Bromell, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AF91

2321. TREATMENT OF CERTAIN DEFERRED COMPENSATION AND SALARY REDUCTION ARRANGEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6302(c) Internal Revenue Code of 1886

CFR Citation: 26 CFR 31

Legal Deadline: None.

Abstract: Proposal would provide rules concerning the treatment of certain deferred compensation and salary reduction arrangements under section 3121 (v) and section 3306 (r) of the Internal Revenue Code of 1954, thereby giving needed guidance to the public on how the Internal Revenue Service intends to interpret those sections of the Code.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: EE-142-87.

Drafting attorney: Nerman Dobynes Hubbard (202) 566-3430.

Reviewing attorney: Michael A. Thrasher (202) 566-3651.

Agency Contact: Nerman Dobynes Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AF97

2322. EMPLOYMENT TAX--WITHHOLDING FROM PENSIONS, ANNUITIES, AND OTHER DEFERRED INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 3405 Internal Revenue Code of 1986; 26 USC 6047(e) Internal Revenue Code of 1986

CFR Citation: 26 CFR 35

Legal Deadline: None.

Abstract: Proposed regulations would clarify and amend the temporary regulations relating to withholding from pensions, annuities, and other deferred income.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: EE-115-82.

Drafting attorney: Mary E. Brennan (202) 566-3903.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Treasury attorney: Harry Conaway (202) 566-8277.

Agency Contact: Mary E. Brennan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AE98

2323. ● WITHHOLDING ON CERTAIN DEFERRED PAYMENTS OUTSIDE THE UNITED STATES

Legal Authority: 26 USC 3405 (d) (13) Internal Revenue Code of 1986

CFR Citation: 26 CFR 35

Legal Deadline: None.

Abstract: The regulation will provide questions and answers dealing with circumstances under which an election for no withholding on employer deferred compensation plan payments may not be made.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL

Drafting attorney: Gerald H. Parshall, Jr. (202) 287-4851.

Reviewing attorney: Michael F. Patton (202) 287-4851.

Treasury attorney: David Crowe (202) 566-8275.

Agency Contact: Gerald H. Parshall, Jr., Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza South, S.W., Room 3319, Washington, D.C. 20024, **202 287-4851**

RIN: 1545-AL31

2324. TO PROVIDE REGULATIONS RELATING TO BACKUP WITHHOLDING UNDER SECTION 3406

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 3406 Internal Revenue Code of 1986

CFR Citation: 26 CFR 31

Legal Deadline: None.

Abstract: The regulations will provide that a tax equal to 20 percent of any reportable payment is required to be withheld if certain conditions exist. With respect to reportable interest or dividends, backup withholding applies if (1) no number is provided in the manner required, (2) the Service notifies the payor that the payee's taxpayer identification number is not correct, (3) the payee is subject to backup withholding due to a notified payee underreporting, and (4) the payee fails to certify when required that he or she is not subject to backup withholding due to notified payee underreporting. With respect to other reportable payments (such as rents, royalties, nonemployee compensation, broker transactions, or barter exchanges), backup withholding applies if (1) no taxpayer identification number is provided, or (2) the Service notifies the payor that the payee's taxpayer identification number is not correct.

Timetable:

Action	Date	FR Cite
NPRM	12/30/88	

Small Entity: Not Applicable

Additional Information: LR-224-82.

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3331.

Treasury Attorneys: Susan Himes (202) 566-8527.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AE20

2325. ELECTION TO HAVE CERTAIN DIESEL FUEL TAXES IMPOSED ON SALES TO RETAILERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4041 Internal Revenue Code of 1986

CFR Citation: 26 CFR 48

Legal Deadline: None.

Abstract: The regulations will provide guidance to assist diesel fuel retailers in making an election to have the diesel fuel excise tax collected by the wholesaler at the time the liquid is sold to the retailer.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information:

LR-114-86.

Drafting attorney: Lauren G. Shaw (202) 566-3287.

Reviewing Attorney: William Jackson (202) 566-3287.

Treasury Attorney: Ellen Aprill (202) 566-2565.

Agency Contact: Lauren G. Shaw, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AJ13

2326. EXCISE TAX--RETAILERS EXCISE TAXES ON MOTOR VEHICLES

Legal Authority: 26 USC 4052 Internal Revenue Code of 1986; 26 USC 4051 Internal Revenue Code of 1986; 26 USC 4053 Internal Revenue Code of 1986

CFR Citation: 26 CFR 48

Legal Deadline: None.

Abstract: The regulations will provide guidance as to what kinds of vehicles are taxable and how the tax is computed.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Not Applicable

Additional Information: LR-30-83.

Drafting attorney: Maurice B. Foley (202) 566-4336.

Reviewing attorney: Ada Rousso (202) 566-3287.

Treasury attorney: Ellen Aprill (202) 566-5453.

Agency Contact: Maurice B. Foley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AF61

2327. EXCISE TAX - EXCISE TAX ON HEAVY TRUCKS, TRUCK TRAILERS AND SEMITRAILERS, AND TRACTORS

Legal Authority: 26 USC 4052 Internal Revenue Code of 1986

CFR Citation: 26 CFR 48

Legal Deadline: None.

Abstract: These regulations will clarify the definition of first retail sale.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: No

Additional Information: LR-17-86.

Drafting attorney: Maurice B. Foley (202) 566-4336.

Reviewing attorney: Ada Rousso (202) 566-3287.

Treasury attorney: Ellen Aprill (202) 566-2565.

Agency Contact: Maurice B. Foley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AI51

2328. CERTAIN INDEBTEDNESS TREATED AS PAYMENT ON INSTALLMENT OBLIGATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 453C Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance with respect to the requirement that certain indebtedness of a taxpayer be treated as a payment on certain installment obligations held by the taxpayer.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-93-86

Drafting Attorney: Ewan D. Purkiss (202) 566-3238.

Reviewing Attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Ellen Aprill (202) 566-2565.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AJ27

2329. INCOME TAX, EXCISE TAX, AND ENVIRONMENTAL TAX--IMPOSITION OF TAXES ON PETROLEUM, CERTAIN CHEMICALS, AND CORPORATIONS AND ADDITIONAL EXCISE TAXES ON CERTAIN FUELS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 59A Internal Revenue Code of 1986; 26 USC 4041 Internal Revenue Code of 1986; 26 USC 4042 Internal Revenue Code of 1986; 26 USC 4081 Internal Revenue Code of 1986; 26 USC 4611 Internal Revenue Code of 1986; 26 USC 4612 Internal Revenue Code of 1986; 26 USC 4661 Internal Revenue Code of 1986; 26 USC 4662 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 48; 26 CFR 52

Legal Deadline: None.

Abstract: The regulations will provide rules for the computation of the environmental taxes on petroleum, certain chemicals, and additional excise taxes on certain fuels. The regulations will also provide rules for the computation of the environmental tax imposed on the modified alternative minimum taxable income of corporations.

Timetable:

Action	Date	FR Cite
NPRM	10/01/88	

Small Entity: Not Applicable

Additional Information:

LR-158-86.

Drafting attorney: Ruth Hoffman (202) 566-3287.

Reviewing attorney: William A. Jackson (202) 566-3287.

Treasury attorney: Kathleen Ferrell (202) 566-2175.

Agency Contact: Ruth Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AJ23

2330. INCOME TAX--EXCISE TAX--PROCEDURE AND ADMINISTRATION--VARIOUS PRIVATE FOUNDATION PROVISIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4940 Internal Revenue Code of 1986; 26 USC 4941 Internal Revenue Code of 1986; 26 USC 4942 Internal Revenue Code of 1986; 26 USC 4943 Internal Revenue Code of 1986; 26 USC 4945 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 53

Legal Deadline: None.

Abstract: These regulations will amend existing rules to reflect changes made by the Tax Reform Act of 1984 relating to the excise taxes on private foundations.

Timetable:

Action	Date	FR Cite
NPRM	12/31/88	

Small Entity: Not Applicable

Additional Information: EE-76-84.

Drafting attorney: V. A. Moore (202) 566-3422.

Reviewing attorney: James L. Brokaw (202) 566-4173.

Agency Contact: V. A. Moore, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AG18

2331. FOUNDATION EXCISE TAX-EXCESS BUSINESS HOLDINGS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4943 Internal Revenue Code of 1986; PL 91-172, Sec 101 Tax Reform Act of 1969; PL 98-369, Sec 307 Tax Reform Act of 1984; PL 98-369, Sec 308; PL 98-369, Sec 309; PL 98-369, Sec 310; PL 98-369, Sec 314

CFR Citation: 26 CFR 53

Legal Deadline: None.

Abstract: Amendments to conform regulations to provisions enacted by the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-65-84.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AG49

TREAS—IRS **Proposed Rule Stage**

2332. EXCISE TAX -- PART 54, REVERSION OF QUALIFIED PLAN ASSETS TO EMPLOYER

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4980 Internal Revenue Code of 1986; PL 99-514, Sec 1132

CFR Citation: 26 CFR 54

Legal Deadline: None.

Abstract: The regulations would provide guidance regarding the excise tax on reversions of qualified plan assets imposed by section 4980 of the Internal Revenue Code of 1986.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: EE-165-86

Drafting Attorney: Suzanne K. Tank (202) 566-3422.

Reviewing Attorney: James L. Brokaw (202) 566-4173.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry J. Conaway (202) 566-8277.

Agency Contact: Suzanne K. Tank, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AI82

2333. EXCISE TAX--WITH RESPECT TO THE DEFINITION OF TAXABLE CRUDE OIL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4991 Internal Revenue Code of 1986

CFR Citation: 26 CFR 51

Legal Deadline: None.

Abstract: These regulations would provide rules relating to the definitions of crude oil, condensate, and tar sand for purposes of the windfall profit tax. These definitions are important because only crude oil is subject to the windfall profit tax.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-226-81.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AD00

2334. ● EXCISE TAX ON "GREENMAIL"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 5881 Internal Revenue Code of 1986

CFR Citation: 26 CFR 48

Legal Deadline: None.

Abstract: This regulation provides a 50-percent excise tax on any gain realized by a person who receives "greenmail".

Timetable:

Action	Date	FR Cite
NPRM	07/15/88	

Small Entity: Not Applicable

Additional Information: LR-7-88

Drafting attorney: Robert Casey (202) 566-3458.

Reviewing attorney: Charles Whedbee (202) 566-3458.

Excise Taxes

Agency Contact: Robert Casey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AL47

2335. ELECTRONIC FILING OF TAX RETURNS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6011 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulations will provide guidance and standards to taxpayers governing the electronic filing of individual income tax returns.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-21-87

Drafting Attorney: Lauren G. Shaw (202) 566-3287.

Reviewing Attorney: Gerald Rock (202) 566-6456.

Treasury Attorney: Patricia McClanahan (202) 566-2926.

Agency Contact: Lauren G. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AL01

2336. NOMINEE REPORTING OF PARTNERSHIP INFORMATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6031 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to nominee reporting of partnership interest which such nominee holds for another person. The regulations will provide the information that the nominee is required to provide and will also provide the manner in which this information is to be reported to the partnership.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-156-86.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel Reviewing attorney: Greg Marich (202) 566-4979.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AJ98

TREAS—IRS

Proposed Rule Stage

2337. AMENDMENT OF SECTION 1.6033-2(G)(5) RELATING TO RETURNS BY AN INTEGRATED AUXILIARY OF A CHURCH

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; PL 91-172, Sec 101(d)(1) Tax Reform Act of 1969

CFR Citation: 26 CFR 1.6033-2(g)

Legal Deadline: None.

Abstract: These regulations will revise the definition of integrated auxiliary of a church in Section l.6033-2 (g) (5) of the Treasury Regulations to be consistent with Rev. Proc. 86-23, 1986-1 CB 564.

Timetable:

Action	Date	FR Cite
NPRM	09/01/88	

Small Entity: Not Applicable

Additional Information: EE-41-86.

Drafting attorney: V.A. Moore (202) 566-3422.

Reviewing attorney: Paul Accettura (202) 566-3422.

Agency Contact: V.A. Moore, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AI52

2338. RETURNS, ETC. ON CERTAIN FRINGE BENEFIT PLANS

Legal Authority: 26 USC 6039D Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulations will provide guidance concerning a return required by specified fringe benefit plans.

Timetable:

Action	Date	FR Cite
NPRM	12/30/88	

Small Entity: Not Applicable

Additional Information: EE-117-84.

Drafting attorney: Sylvia F. Hunt (202) 566-6212.

Reviewing attorney: Harry Beker (202) 566-6212.

Agency Contact: Sylvia F. Hunt, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-6212

RIN: 1545-AI22

2339. ● INCOME TAX--INFORMATION REPORTING ON REAL ESTATE TRANSACTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6045 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would propose additional rules relating to the reporting of real estate transactions.

Timetable:

Action	Date	FR Cite
Temporary Regulation	04/30/88	

Small Entity: Not Applicable

Additional Information:

LR-130-87

Drafting attorney: Arthur E. Davis III (202) 566-3238.

Reviewing attorney:Cynthia Clark (202) 566-3288.

Treasury attorney: Patricia McClanahan (202) 566-8278.

Income taxes.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AL06

2340. INCOME TAX REGULATIONS RELATING TO RETURNS AS TO INTERESTS IN FOREIGN PARTNERSHIPS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6046A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would give guidance for determining which United States persons who acquire, dispose of or change their interests in foreign partnerships must report their activities. Additionally, guidance would be given as to how, when and where such persons must report and what information they must supply.

Timetable:

Action	Date	FR Cite
ANPRM	12/31/85	
Comment Period End		
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-879-86

Drafting Attorney: Charles A. Ray (202) 287-4851.

Reviewing Attorney: George M. Sellinger (202) 287-4851.

Treasury Attorney: Mark Beams (202) 566-5992.

Agency Contact: Charles A. Ray, Attorney, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza South, S.W., Washington, D.C. 20024, 202 287-4851

RIN: 1545-AK75

2341. INCOME TAX--TO REQUIRE ISSUERS OF CERTIFICATES OF DEPOSIT TO FURNISH ISSUE PRICE TO BROKERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposed regulations would amend existing regulations to require issuers to furnish the issue price to brokers.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-63-87

Drafting attorney: Laura Ann M. Lauritzen (202) 566-3459.

Reviewing attorney: Susan Baker (202) 566-3294.

Agency Contact: Laura Ann M. Lauritzen, Attorney, Department of the Treasury, Internal Revenue Service, llll Constitution Ave., N.W., Washington, D. C. 20224, 202 566-3459

RIN: 1545-AK36

TREAS—IRS

Proposed Rule Stage

2342. TREATMENT OF NET CAPITAL LOSSES OF REGULATED INVESTMENT COMPANIES AND REAL ESTATE INVESTMENT TRUSTS-RELATIONSHIPS BETWEEN CHAPTER 44 EXCISE TAXES AND TAXABLE INCOME

Legal Authority: 26 USC 852(b)(3) Internal Revenue Code of 1986; 26 USC 857(b)(3) Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation would establish rules pertaining to the relationship and effect of net capital losses of RICs and REITs attributable to transactions after the cut-off date for capital transactions and the taxable income if the entity for the subsequent taxable year.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: LR-116-86.

Drafting attorney: Robert M. Casey (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Don Rocap (202) 566-8278.

Government Levels Affected: Federal

Agency Contact: Robert M. Casey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AJ04

2343. REPORTING REQUIREMENTS PERTAINING TO RETURNS RELATING TO PERSONS RECEIVING CONTRACTS FROM FEDERAL EXECUTIVE AGENCIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6050M Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would provide guidance to the heads of Federal executive agencies for purposes of complying with information and reporting requirements prescribed by section 6050M.

Timetable:

Action	Date	FR Cite
NPRM	05/02/88	

Small Entity: Not Applicable

Additional Information: LR-133-86

Drafting attorney: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Patricia McClanahan (202) 566-8278.

Government Levels Affected: Federal

Agency Contact: Keith E. Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AJ05

2344. ESTATE TAX--PROCEDURE AND ADMINISTRATION--DEFERRAL AND INSTALLMENT PAYMENT OF ESTATE TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6166 Internal Revenue Code of 1986; 26 USC 6161 Internal Revenue Code of 1986; 26 USC 6151 Internal Revenue Code of 1986

CFR Citation: 26 CFR 20; 26 CFR 301

Legal Deadline: None.

Abstract: The regulations will provide guidance to executors wishing to extend the time for payment of estate tax where the estate contains an interest in a closely held business. The regulations will provide rules in determining what qualifies as an interest in a closely held business. In addition, the regulations will explain when the installment privileges allowed by section 6166 will be terminated.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-210-76.

Drafting attorney: Maurice B. Foley (202) 566-4336.

Reviewing attorney: Fred E. Grundeman (202) 566-3287.

Treasury attorney: Susan Himes (202) 566-8527.

Agency Contact: Maurice B. Foley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AD23

2345. STATEMENT OF PROCEDURAL RULES TO PROVIDE PROCEDURES FOR PARTNERSHIP-LEVEL PROCEEDINGS WITH RESPECT TO PARTNERSHIP ITEMS

Legal Authority: 5 USC 3011 Internal Revenue Code of 1986; 5 USC 6111 Internal Revenue Code of 1986

CFR Citation: 26 CFR 601

Legal Deadline: None.

Abstract: The amendment of the Statement of Procedural Rules will provide procedures for partnership-level proceedings with respect to partnership items.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-237-82.

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: Paul A. Francis (202) 566-3218.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AI08

2346. DETERMINATION OF THE TAX TREATMENT OF SUBCHAPTER S ITEMS AT THE CORPORATE LEVEL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6242 Internal Revenue Code of 1986; 26 USC 6243 Internal Revenue Code of 1986; 26 USC 6244 Internal Revenue Code of 1986; 26 USC 6233 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301; 26 CFR 51

Legal Deadline: None.

Abstract: Proposed regulations would provide new rules for determining the tax treatment of any subchapter S item at the corporate level. Regulations would provide rules similar to rules for determining the tax treatment of partnership items.

TREAS—IRS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-269-82.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel Reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE96

2347. PROCEDURE AND ADMINISTRATION REGULATIONS--PAYMENT OF TAXES BY CHECK OR MONEY ORDER AND LIABILITY OF FINANCIAL INSTITUTIONS FOR UNPAID TAXES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6311 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulations will describe the circumstances under which taxpayers may pay taxes by check, money order or other guaranteed draft and the circumstances under which financial institutions on which such instruments are drawn may be liable for unpaid taxes.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: GL-549-87.

Drafting attorney: Nancy Olszewski (202) 566-4014.

Reviewing attorney: Michael R. Arner (202) 566-3358.

Agency Contact: Nancy Olszewski, General Attorney (Tax), Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-4014

RIN: 1545-AI24

2348. ELECTRONIC FILING OF NOTICE OF FEDERAL TAX LIEN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6323 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulation clarifies that the term "Form 668" as used in section 6323 (f) (3) of the Code includes a notice of federal tax lien filed by the use of an electronic or magnetic medium where the law of the state in which a notice of Federal tax lien is filed permits such method of filing.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-39-87

Drafting Attorney: Lauren G. Shaw (202) 566-3287.

Reviewing Attorney: Ada S. Rousso (202) 566-3287.

Treasury Attorney: Patricia McClanahan (202) 566-2926.

Agency Contact: Lauren G. Shaw, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AK96

2349. PROCEDURE AND ADMINISTRATION--RELEASE OF LIENS, NOTICE BEFORE LEVY, PROPERTY EXEMPT FROM LEVY REDEMPTION OF LEVIED REAL PROPERTY AND AMOUNT OF DAMAGES IN CASE OF WRONGFUL LEVY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6325 Internal Revenue Code of 1986; 26 USC 6331 Internal Revenue Code of 1986; 26 USC 6334 Internal Revenue Code of 1986; 26 USC 6337 Internal Revenue Code of 1986; 26 USC 7426 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulation will provide guidance in obtaining the issuance of a certificate of release of a notice of Federal tax lien. The regulation will revise existing regulations relating to the size of the exemption from levy available for certain property. The proposed regulation also increases the length of post-sale redemption period currently specified in the regulations. The proposed regulations provide rules for service employees administering the Code for providing notice of intention to levy upon the property of a delinquent taxpayer. The proposed regulations increase the amount of damages allowed where property has been levied wrongfully.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: GL-547-87.

Drafting attorney: Kevin B. Connelly (202) 566-3362.

Reviewing attorney: Michael R. Arner (202) 566-3358.

Agency Contact: Kevin B. Connelly, Senior Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3362

RIN: 1545-AE82

2350. PROCEDURE AND ADMINISTRATION - ABATEMENT OF INTEREST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulations will provide guidance on the definition of ministerial act.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	52 FR 30177
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-34-87

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3288

RIN: 1545-AK71

TREAS—IRS

Proposed Rule Stage

2351. PROCEDURE AND ADMINISTRATION REGULATIONS--EXTENSION OF THE PERIOD FOR ASSESSMENT OF TAX IN CERTAIN CIRCUMSTANCES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6501 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will describe circumstances under which the normal three-year period for the assessment and collection of tax may be extended.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Not Applicable

Additional Information: LR-162-85.

Drafting attorney: Michael J. Grace (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: Michael J. Grace, Attorney/Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AI23

2352. ESSENTIAL ISSUES IN CONNECTION WITH DIFFERENTIAL INTEREST RATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6621 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will explain the computation of interest on underpayments and overpayments of tax, including the extent to which underpayments and overpayments will be offset in computing interest.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-123-86

Drafting attorney: Michael J. Grace (202)566-3288.

Reviewing attorney: John H. Parcell (202)566-3336.

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK06

2353. PROCEDURE & ADMINISTRATION--ADDITION TO TAX IN THE CASE OF VALUATION OVERSTATEMENTS AND UNDERSTATEMENTS, AND INCREASE IN THE NEGLIGENCE PENALTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6659 Internal Revenue Code of 1986; 26 USC 6653 Internal Revenue Code of 1986; 26 USC 6660 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301; 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules and definitions with respect to the addition to tax in the case of valuation overstatements and understatements, including rules for computing the portion of an underpayment that is attributable to a valuation overstatement or understatement. The regulations would also provide rules with respect to the increase in the negligence and fraud penalties.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-272-81.

Drafting attorney: Michael J. Grace (202) 566-3288.

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AD39

2354. PENALTY FOR PROMOTING ABUSIVE TAX SHELTERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6700 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulations would provide rules and definitions relating to the penalty for promoting abusive tax shelters.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-273-82.

Drafting attorney: Sharon Hall (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: Sharon Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AE99

2355. PENALTY FOR AIDING AND ABETTING IN THE UNDERSTATEMENT OF TAX LIABILITY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6701 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: Proposal will provide rules with respect to the penalty imposed on a person who aids and abets in the understatement of a third party's tax liability. The proposal also provides the standards which will subject one to the penalty.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-274-82.

Drafting attorney: Sharon Hall (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Office of Tax Legislative Counsel reviewing attorney: Pat McClanahan (202) 566-8647.

Agency Contact: Sharon Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF01

TREAS—IRS

Proposed Rule Stage

2356. INCOME TAX--PRESUMPTION OF JEOPARDY IN THE CASE OF ILLEGAL ACTIVITY CASH

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6867 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance for applying the presumptions that an amount of cash in excess of ten thousand dollars without an acknowledged owner (1) represents gross income to a single individual, (2) is taxable at a rate of fifty percent, and (3) that collection of the tax is in jeopardy for the purposes of sections 6851 and 6861.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Additional Information: GL-548-87.

Drafting attorney: John C. Isaacs (202) 566-3257.

Reviewing attorney: Michael R. Arner (202) 566-3358.

Agency Contact: John C. Isaacs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3257**

RIN: 1545-AE30

2357. FORFEITURE OF LAND SALES CONTRACT WITH RESPECT TO DISCHARGE OF FEDERAL TAX LIEN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulation will address the issue of when a land sales contract is considered to be forfeited for Federal tax purposes. It may be necessary, in so doing, to provide a definition or other guidelines as to what constitutes a land sales contract for purposes of this provision.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: GL-550-87

Drafting Attorney: Michael W. Cogan (202) 566-3441.

Reviewing Attorney: Michael R. Arner (202) 566-3358.

Treasury Attorney: Patricia McClanahan (202) 566-2926.

Agency Contact: Michael W. Cogan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3441**

RIN: 1545-AK24

2358. ● REDEMPTIONS OF REAL PROPERTY UNDER IRC 7425 - EXCESS EXPENSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 7425 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: Section 301.7425-4(b)(3)(ii), which deals with excess expenses incurred by a purchaser of property after a foreclosure sale and before redemption, provides that the Service may request a written itemized statement from the purchaser regarding excess expenses with 15 days, it shall be presumed that no excess expenses are payable. However, even after the 15-day period expires, a payment for excess expenses shall be made after the redemption within a reasonable time following the verification by the district director of a written itemized statement submitted by the purchaser. There is no specific time frame set for the purchaser to submit his claim after the redemption and after the expiration of the 15-day period. We are examining the feasibility of establishing a 30-day time limit within which a final claim for excess expenses must be submitted by the purchaser after the sale of the property. This will eliminate claims for reimbursement of expenses that may be submitted after redemption and sale of the property, where the liens were fully satisfied and released, and all surplus funds returned to the taxpayer.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: GL-520-87

Drafting attorney: Barton J. Uze (202) 566-3975. Procedure and Administration

Agency Contact: Barton J. Uze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, D.C. 20224, **202 566-3975**

RIN: 1545-AL20

2359. PROCEDURE AND ADMINISTRATION - SUSPENSION OF STATUES OF LIMITATIONS IN ABSENCE OF THIRD-PARTY RECORDKEEPER RESPONSE TO SUMMONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulations will provide guidance to taxpayers with regard to the changes made to section 7609 by the Tax Reform Act of 1986. Under those changes, statutes of limitations are suspended in certain cases in which a summons is served to a third-party recordkeeper and in which there is no resolution of the third- party recordkeeper's response to the summons.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Not Applicable

Additional Information: GL-521-87

Drafting attorney: Mitchel S. Hyman (202) 566-4620.

Reviewing attorney: Michael R. Arner (202) 566-3358.

Agency Contact: Mitchel S. Hyman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-4620**

RIN: 1545-AK72

2360. INCOME TAX--ESSENTIAL ISSUES RELATING TO REAL ESTATE MORTGAGE INVESTMENT CONDUITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 860E Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulations will provide guidance on real estate mortgage investment conduits, a new entity established to clarify the tax treatment

TREAS—IRS **Proposed Rule Stage**

of investment in real estate mortgages and mortgage backed securities.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-88-86.

Drafting Attorney: Laura Ann M. Lauritzen (202) 566-3459.

Reviewing Attorney: Susan T. Baker (202) 566-3294.

Treasury Attorney: Reed Shuldiner (202) 535-6963.

Agency Contact: Laura Ann M. Lauritzen, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224, **202 566-6456**

RIN: 1545-AJ35

2361. PROPOSED AMENDMENTS TO THE PROCEDURE AND ADMINISTRATION REGULATIONS UNDER THE CHILD SUPPORT ENFORCEMENT AMENDMENTS OF 1984 RELATING TO THE REDUCTION OF TAX OVERPAYMENTS BY AMOUNTS ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 42 USC 664 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: These proposed regulations provide rules relating to the reduction of a taxpayer's overpayment of tax (i.e. tax refund) by the amount of any past due support which a State has agreed to collect under section 454 (6) of the Social Security Act. The regulations explain the steps a State must take to have a tax overpayment reduced by an amount of past-due support.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-85-85.

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: David Dickinson (202) 566-6655.

TITLE CONT: of Past-Due Support Owed.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AH99

DEPARTMENT OF THE TREASURY (TREAS)
Internal Revenue Service (IRS)

Final Rule Stage

2362. TO PROVIDE REGULATIONS RELATING TO MORTGAGE CREDIT CERTIFICATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 25 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1.25-1 to 1.25-8T; 26 CFR 1.6709-1

Legal Deadline: None.

Abstract: The regulations will provide guidance on the issuance of mortgage credit certificates rules. Guidance will be provided with respect to the various eligibility requirements that mortgagors must satisfy as well as the various program requirements that issuers must satisfy.

Timetable:

Action	Date	FR Cite
NPRM	05/08/85	50 FR 19383
NPRM Comment Period End	07/08/85	50 FR 19383
Hearing	08/14/85	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-245-84.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AH06

2363. INCOME TAX--INFORMATION REPORTING FOR MORTGAGE CREDIT CERTIFICATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 25 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance to issuers of mortgage credit certificates relating to the information to be collected with respect to each recipient of a mortgage credit certificate. The regulations will also provide guidance regarding the time and manner of filing this information with the Internal Revenue Service.

Timetable:

Action	Date	FR Cite
NPRM	09/03/85	50 FR 35572
NPRM Comment Period End	11/04/85	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-114-85.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter (202) 566-3331.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AI39

2364. CREDIT FOR CLINICAL TESTING EXPENSES FOR CERTAIN DRUGS FOR RARE DISEASES OR CONDITIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 28 Internal Revenue Code of 1986; 26 USC 280C Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 602

Legal Deadline: None.

Abstract: These regulations will amend the Income Tax Regulations to conform the regulations to sections 28 and 280C of the Internal Revenue Code of 1986, relating to the credit for clinical testing expenses for rare diseases or conditions. The regulations will provide

the public with the guidance needed to comply with the law and will affect taxpayers seeking to obtain the credit.

Timetable:

Action	Date	FR Cite
NPRM	04/23/85	50 FR 15930
NPRM Comment Period End	06/24/85	50 FR 15930
Final Action	07/01/88	

Small Entity: Not Applicable

Additional Information: LR-55-83.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel Reviewing attorney: Roberts

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AF64

2365. INCOME TAX--NOTICE TO EMPLOYEES OR EARNED INCOME CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; PL 99-514,; 26 USC 6051 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide the procedures necessary to implement the statutory requirement that employers noting certain employees whose wages are not subject to income tax withholding that they may be eligible for the refundable earned income credit.

Timetable:

Action	Date	FR Cite
NPRM	06/11/87	52 FR 22345
NPRM Comment Period End	08/10/87	
Final Action	11/30/88	

Small Entity: Not Applicable

Additional Information: LR-99-86

Drafting attorney: Joel S. Rutstein (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3297.

Agency Contact: Joel S. Rustesin, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AJ44

2366. LOW-INCOME HOUSING CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 42 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations provide low-income housing credit allocation and reporting rules.

Timetable:

Action	Date	FR Cite
NPRM	06/22/87	52 FR 23471
NPRM Comment Period End	08/21/87	52 FR 23471
Hearing	11/09/87	
Final Action	07/01/88	

Small Entity: Not Applicable

Additional Information: LR-83-86

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John Coulter (202) 566-3331.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3459**

RIN: 1545-AJ65

2367. LOW-INCOME HOUSING CREDIT FOR FEDERALLY ASSISTED BUILDINGS ACQUIRED DURING L0-YEAR PERIOD

Legal Authority: 26 USC 42 Internal Revenue Code of l986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation provides rules for federally-assisted buildings acquired during a l0-year period.

Timetable:

Action	Date	FR Cite
NPRM	11/03/87	52 FR 42116
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-62-87

Drafting Attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John Coulter (202) 566-4473.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AK92

2368. LOW-INCOME HOUSING CREDIT FOR FEDERALLY-ASSISTED BUILDINGS ACQUIRED DURING 10-YEAR PERIOD

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 42 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation provides rules for Federally-assisted buildings acquired during a 10-year period.

Timetable:

Action	Date	FR Cite
NPRM	11/03/87	52 FR 42098
Final Action	07/01/88	

Small Entity: Not Applicable

Additional Information: LR-62-87

Drafting Attorney: Robert Beatson (202) 566-3459.

Reviewing Attorney: John Coulter (202) 566-4473.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AL05

2369. INCOME TAX--CREDIT FOR INCREASING RESEARCH ACTIVITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 30 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide the extent to which taxpayers will be entitled to an income tax credit for increases in certain research activity.

Timetable:

Action	Date	FR Cite
NPRM	01/21/83	
NPRM Comment Period End	03/19/83	
Hearing	04/19/83	

TREAS—IRS **Final Rule Stage**

Action	Date	FR Cite
Final Action	06/20/88	

Small Entity: Not Applicable

Additional Information: LR-236-81.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John Fischer (202) 566-3394.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Susan Himes (202) 566-8527.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA07

2370. INCOME TAX--THE INVESTMENT CREDIT FOR QUALIFIED PROGRESS EXPENDITURES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 46 Internal Revenue Code of 1986; 26 USC 47 Internal Revenue Code of 1986; 26 USC 48 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations add a new section to provide rules for claiming the investment credit for qualified progress expenditures.

Timetable:

Action	Date	FR Cite
NPRM	01/30/79	44 FR 05910
NPRM Comment Period End	04/01/79	44 FR 05910
Hearing	06/27/79	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-73-75.

Drafting attorney: Robert Casey (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Don Rocap (202) 566-8277.

Agency Contact: Robert Casey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AA13

2371. INCOME TAX--TAX TREATMENT OF MASS ASSETS FOR INVESTMENT CREDIT PURPOSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 38 Internal Revenue Code of 1986; 26 USC 46 Internal Revenue Code of 1986; 26 USC 47 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would clarify the investment tax credit recapture treatment of mass assets thereby giving needed guidance to the public on how the Internal Revenue Service intends to interpret this area.

Timetable:

Action	Date	FR Cite
NPRM	12/20/85	50 FR 51874

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: LR-92-73.

Drafting attorney: Mark S. Jennings (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Mark S. Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AA10

2372. AMENDMENT OF INCOME TAX REGULATIONS UNDER SECTIONS 47, 48 AND 196 RELATING TO BASIS ADJUSTMENT TO REFLECT INVESTMENT TAX CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 47 Internal Revenue Code of 1986; 26 USC 48 Internal Revenue Code of 1986; 26 USC 196 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations would provide rules concerning a basis adjustment in the case of the investment tax credit.

Timetable:

Action	Date	FR Cite
NPRM	09/21/87	52 FR 35438
NPRM Comment Period End	11/20/87	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-183-82.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AF06

2373. INCOME TAX--INCREASE IN INVESTMENT TAX CREDIT FOR QUALIFIED REHABILITATION EXPENDITURES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 48 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations provide rules and definitions relating to terms such as qualified rehabilitated expenditures, qualified rehabilitated building, substantial rehabilitation and certified historic structure.

Timetable:

Action	Date	FR Cite
NPRM	06/28/85	50 FR 26794
NPRM Comment Period End	08/27/85	
Hearing	11/15/85	
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-238-81.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Susan Himes (202) 566-8527.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA12

TREAS—IRS

Final Rule Stage

2374. INCOME TAX--DEFINITION OF FILMS THAT ARE "TOPICAL OR OTHERWISE ESSENTIALLY TRANSITORY IN NATURE"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 48(k) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations more specifically define what movie and television films and videotapes qualify for the investment credit.

Timetable:

Action	Date	FR Cite
NPRM	06/03/82	47 FR 24142
NPRM Comment Period End	08/02/82	47 FR 24142
Final Action	10/31/88	

Small Entity: Not Applicable

Additional Information: LR-143-80.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Susan Himes (202) 566-8527.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AA22

2375. INCOME TAX--SPECIAL RULES ADDED BY SEC 223(C) OF CRUDE OIL WINDFALL PROFIT TAX ACT 1980, RELATING TO REDUCTION OF CREDIT WHERE PROPERTY IS FINANCED BY SUBSIDIZED ETC

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 48(l) Internal Revenue Code of 1986; PL 96-223, Sec 223(c)

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide that subsidized energy financing and proceeds of exempt industrial development bonds used to finance a facility reduce the qualified investment in the energy property contained in that facility for purposes of determining the amount of the energy tax credit.

Timetable:

Action	Date	FR Cite
NPRM	01/26/82	47 FR 03559
NPRM Comment Period End	03/20/82	47 FR 03559
Hearing	06/03/82	
Final Action	12/31/89	

Small Entity: Not Applicable

Additional Information: LR-176-80.

Drafting attorney: Mark S. Jennings (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Mark S. Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AA26

2376. CORPORATE ALTERNATIVE MINIMUM TAX BOOK INCOME ADJUSTMENT

Legal Authority: 26 USC 55 Internal Revenue Code of 1986; 26 USC 56(c)(1) Internal Revenue Code of 1986; 26 USC 56(f) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will describe rules for the computation of the alternative minimum net book income adjustment imposed on corporations.

Timetable:

Action	Date	FR Cite
NPRM	04/27/87	52 FR 15339
NPRM Comment Period End	06/29/87	
Final Action	09/00/88	

Small Entity: No

Additional Information: LR-107-86.

Drafting attorney: Timothy J. McKenna (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Office of Tax Legislative Counsel Attorney: Tom Evans (202) 566-4902, Richard Harvey (202) 535-6960, and Neil Kimmelfield (202) 566-8528.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AJ14

2377. INCOME TAX--INVENTORY ADJUSTMENT FOR THE ALTERNATIVE MINIMUM TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 56 (a) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation provides guidance with respect to inventory adjustment for the alternative minimum tax.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-84-87

Drafting Attorney: William Jackson (202) 566-3287.

Reviewing Attorney: Ada Rousso (202) 566-3287.

Treasury Attorney: Tom Evans (202) 566-5453.

Agency Contact: William Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224, 202 566-3287

RIN: 1545-AL03

2378. TAX BENEFIT RULE FOR CORPORATE ADD-ON MINIMUM TAX UNDER THE INTERNAL REVENUE CODE OF 1954

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 58 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations provide rules for taking into account credit carryovers in applying the minimum tax benefit rule for corporations.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Additional Information: LR-53-87

Drafting attorney: William A. Jackson (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Treasury attorney: Neil Kimmelfield (202) 566-8528.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AK21

2379. INCOME TAX--NONQUALIFIED SALARY REDUCTION AGREEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 61 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would provide guidance regarding the tax treatment of nonqualified deferred compensation arrangements established by tax exempt charitable organizations such as non-profit hospitals for their employees.

Timetable:

Action	Date	FR Cite
NPRM	02/03/78	43 FR 4638
Final Action Effective	03/06/78	
NPRM Comment Period End	04/04/78	43 FR 4638
Hearing	05/14/78	
News release issued for comment	06/11/79	
Hearing	11/27/79	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-194-77.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3740.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3590**

RIN: 1545-AA35

2380. INCOME TAX--TAXATION OF FRINGE BENEFITS AND EXCLUSIONS FROM GROSS INCOME FOR CERTAIN FRINGE BENEFITS

Legal Authority: 26 USC 61 Internal Revenue Code of 1986; 26 USC 132 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulations will provide guidance on the taxation and valuation of fringe benefits. The regulations will also address the requirements for certain fringe benefit exclusions, including nondiscrimination and line of business restrictions.

Timetable:

Action	Date	FR Cite
Hearing	04/16/85	50 FR 7072
NPRM Comment Period End	02/21/86	50 FR 52333
Hearing	03/03/86	51 FR 2898
Hearing	04/29/86	51 FR 8517
NPRM	12/23/86	50 FR 52333
Interim Final Rule	12/23/86	50 FR 52281
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-216-84

Drafting Attorney: Rhonda G. Migdail (202) 566-6212.

Reviewing attorney: Paul A. Francis (202) 566-3218.

Treasury attorney: Susan Scherbel (202) 535-6965.

Agency Contact: Rhonda G. Migdail, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-6212**

RIN: 1545-AH73

2381. 2-PERCENT FLOOR ON MISCELLANEOUS ITEMIZED DEDUCTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 67 (c) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance regarding the miscellaneous itemized deductions that are subject to the 2-percent floor and provide expense allocation rules for regulated investment companies and REMICs.

Timetable:

Temporary Regulation
Temporary Regulation 04/01/88

Small Entity: Not Applicable

Additional Information: LR-96-86.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorneys: John B. Bromell (202) 566-3326 and Charles M. Whedbee (202) 566-3458.

Treasury attorneys: Blake Rubin (202) 566-2927 and Don Rocap (202) 566-8277.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave.,N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AJ48

2382. TREATMENT OF TRANSFER OF PROPERTY BETWEEN SPOUSES, TAX TREATMENT OF ALIMONY AND SEPARATE MAINTENANCE PAYMENTS, AND DEPENDENCY EXEMPTION IN THE CASE OF CHILD OF DIVORCED PARENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 71 Internal Revenue Code of 1986; 26 USC 215 Internal Revenue Code of 1986; 26 USC 1041 Internal Revenue Code of 1986; 26 USC 152 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance to assist taxpayers in determining whether alimony and separate maintenance payments are deductible from income by the payor and includible in income by the payee, whether property transferred between spouses or between spouses incident to divorce has a carryover basis and whether the custodial or noncustodial parent is entitled to the dependency exemption.

Timetable:

Action	Date	FR Cite
NPRM	08/31/84	49 FR 34451
NPRM Comment Period End	10/20/84	49 FR 34528
Final Action	00/00/00	

Small Entity: No

Additional Information: LR-153-84.

TREAS—IRS

Final Rule Stage

Drafting attorney: Lauren G. Shaw (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Treasury attorney: Don Rocap (202) 566-8278.

Agency Contact: Lauren G. Shaw, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AI49

2383. INCOME TAX REGULATIONS--MORTALITY TABLES TO BE USED TO DETERMINE AMOUNT HELD BY INSURER WITH RESPECT TO A BENEFICIARY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 101 (d)(2)(B)(ii) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will prescribe the mortality table to be used to determine the amount held by an insurer with respect to a beneficiary of a life insurance contract.

Timetable:

Action	Date	FR Cite
NPRM	09/21/87	52 FR 35447
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-135-86

Drafting attorney: Katherine Wambsgans (202) 566-3288.

Reviewing attorney: Sharon L. Hall (202) 566-3288.

Treasury attorney: Don Rocap (202) 566-8277.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK14

2384. INCOME TAX--EXEMPTION FOR INDUSTRIAL DEVELOPMENT BONDS FOR WATER FACILITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 142(e) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would provide guidance to determine the rules under which facilities for furnishing water to members of the general public can be financed with tax-exempt industrial development bonds under section 142 (e) of the Internal Revenue Code of 1986.

Timetable:

Action	Date	FR Cite
Final Action Effective	11/07/78	
NPRM	08/22/84	49 FR 33283
NPRM Comment Period End	10/22/84	49 FR 33283
Hearing	01/30/85	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-190-78.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3740.

Office of Tax Legislative Counsel reviewing attorney: Elliot Stern (202) 566-2926.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3590**

RIN: 1545-AA49

2385. INCOME TAX--TO DEFINE THE TERM "PRINCIPAL USER OF A FACILITY"

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 144(a) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would define the meaning of the term "principal user of a facility" for purposes of applying the limitation set by the Internal Revenue Code upon the permissible size of a small issue of tax-exempt industrial development bonds, as diminished by certain other capital expenditures. This regulation would help identify other facilities the capital expenditures from which must be taken into account in determining whether that issue exceeds the small issue limitation.

Timetable:

Action	Date	FR Cite
NPRM	02/21/86	51 FR 6274
NPRM Comment Period End	04/22/86	51 FR 6274
Hearing	06/04/86	51 FR 6273
Final Action Effective	08/23/86	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-59-74.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3740.

Office of Tax Legislative Counsel reviewing attorney: Elliot Stern (202) 566-2926.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N W, Washington, D C 20224, **202 566-3590**

RIN: 1545-AA56

2386. INCOME TAX--MORTGAGE SUBSIDY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules which interpret the provisions of section 103a, relating to Mortgage Subsidy Bonds. Mortgage Subsidy Bonds are any obligations a significant portion of the proceeds of which are used to provide financing for owner-occupied residences.

Timetable:

Action	Date	FR Cite
NPRM - Previous	07/01/81	46 FR 34348
Hearing	11/05/81	
NPRM	11/10/81	46 FR 55513
NPRM Comment Period End	01/09/82	46 FR 55513
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-10-81.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury,

Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AA63

2387. TO PROVIDE REGULATIONS REQUIRING CERTAIN DEBT OBLIGATIONS TO BE ISSUED IN REGISTERED FORM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 149(a) Internal Revenue Code of 1986; 26 USC 163(f) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The rules will provide that certain debt obligations issued after December 31, 1982, must be in registered form. The rules will provide examples of certain obligations that are not subject to the registration requirements. The sanctions for not issuing an obligation in registered form are the denial of an interest deduction, loss of capital gains treatment, loss of an earnings and profits adjustment, and loss of tax-exempt interest status.

Timetable:

Action	Date	FR Cite
NPRM	11/15/82	47 FR 51414
NPRM Comment Period End	01/14/83	47 FR 51414
Hearing	01/25/83	47 FR 51413
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-255-82.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Treasury attorney: Elliot Stern (202) 566-2566.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AE18

2388. TO PROVIDE REGULATIONS UNDER SECTION 103(K) AND (L)--RELATING TO PUBLIC APPROVAL AND INFORMATION REPORTING REQUIREMENTS FOR PRIVATE ACTIVITY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 103 Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposal will clarify the information reporting requirements with respect to private activity bonds. Industrial development bonds must be publicly approved--failure to fulfill this requirement results in loss of tax exemption for the interest on these bonds. Issuers of student loan bonds, charitable use bonds and industrial development bonds are required to supply certain information to the Internal Revenue Service. Failure to comply with this requirement will result in the loss of tax exemption for the bond's interest.

Timetable:

Action	Date	FR Cite
NPRM	05/11/83	48 FR 21166
NPRM Comment Period End	07/11/83	48 FR 21166
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-221-82.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3331.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AE24

2389. REGULATIONS RELATING TO $40 MILLION SMALL ISSUE LIMIT ON TAX-EXEMPT BONDS PER TAXPAYER

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 144(a)(10) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations would provide guidance regarding the provision enacted by the Tax Reform Act of 1984 which generally denies Federal income tax exemption for a small issue of development bonds if any of its beneficiaries receives the benefits of more than $40 million of prior outstanding industrial development bonds allocated to itself, including its allocated portion of the small issue in question. These regulations would also provide guidance regarding how the proceeds of an issue of industrial development bonds are to be allocated among its beneficiaries.

Timetable:

Action	Date	FR Cite
NPRM	02/21/86	51 FR 6270
NPRM Comment Period End	04/22/86	51 FR 6270
Hearing	06/04/86	51 FR 6273
Final Action Effective	08/23/86	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-157-84.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3740.

Office of Tax Legislative Counsel reviewing attorney: Elliott Stern(202) 566-2926.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3590**

RIN: 1545-AH19

2390. INCOME TAX--TO CLARIFY THE DEFINITION OF PROPERTY WHICH IS A POLLUTION CONTROL FACILITY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 103 (b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will define the term "air or water pollution control facilities". The regulations will further determine the portion of the cost of such facilities that may be financed with tax-exempt industrial development bonds, whenever the facilities also serve certain other purposes.

Timetable:

Action	Date	FR Cite
NPRM	08/20/75	40 FR 36371
Hearing	11/21/75	
NPRM Comment Period End	11/28/75	40 FR 36371
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-9-75.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3331.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3459**

RIN: 1545-AK10

2391. TO PROVIDE REGULATIONS RELATING TO THE TAX EXEMPTION OF OBLIGATIONS TO FINANCE MIXED-USE RESIDENTIAL RENTAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1.103-8

Legal Deadline: None.

Abstract: The regulations will clarify the rule relating to obligations to provide residential rented property. The regulations will make clear that a residential rental project can consist in part of non-residential rental property.

Timetable:

Action	Date	FR Cite
NPRM	10/07/85	50 FR 46303
NPRM Comment Period End	01/06/86	
Hearing	02/10/86	51 FR 1392
Final Action	12/31/88	

Small Entity: Not Applicable

Additional Information: LR-269-84.

Drafting attorney: David Selig (202) 566-3297.

Reviewing attorney: John M. Coulter (202) 566-3331.

Treasury attorney: Elliot Stern (202) 566-2566.

Agency Contact: David Selig, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AH68

2392. AMENDMENT OF REGULATIONS RELATING TO ARBITRAGE ON NONPURPOSE OBLIGATIONS TO REFLECT SECTION 624 OF TRA OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 103(c)(6) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules relating to arbitrage on nonpurpose investments with respect to industrial development bonds. Rules will be the limitation on nonpurpose investments and the rebate requirement.

Timetable:

Action	Date	FR Cite
NPRM	01/07/85	50 FR 00837
NPRM Comment Period End	03/08/85	50 FR 00837
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-192-84.

Drafting attorney: Howard Gensler (202) 566-3459.

Reviewing attorney: Gerald Rock (202) 566-3238.

Treasury attorney: Elliott Stern (202) 566-2566.

Agency Contact: Howard Gensler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AH07

2393. INCOME TAX--PREPAID LEGAL EXPENSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 120 Internal Revenue Code of 1986; 26 USC 501(c)(20) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules relating to the establishment and operation of a qualified group legal services plan. Employer contributions to, and benefits provided under, a qualified plan are excluded from an employee's gross income.

Timetable:

Action	Date	FR Cite
NPRM	04/29/80	45 FR 28360
NPRM Comment Period End	06/30/80	45 FR 28360
Hearing	09/04/80	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-5-78.

Drafting attorney: Monice Rosenbaum (202) 566-3422.

Reviewing attorney: Jonathan P. Marget (202) 566-3651.

Agency Contact: Monice Rosenbaum, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AD62

2394. INCOME TAX--TAX TREATMENT OF CAFETERIA PLANS

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 125 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations establish rules for the tax treatment of cafeteria plans meeting certain nondiscrimination standards. A cafeteria plan permits participating employees to select the particular fringe benefits desired from a package of employer-provided benefits which include statutory nontaxable benefits and cash.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	49 FR 50733
NPRM Comment Period End	01/30/85	
Hearing	03/11/85	
Final Action	12/31/88	

Small Entity: Not Applicable

Additional Information: EE-16-79.

Drafting attorney: Harry Beker (202) 566-6212.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

TREAS—IRS

Final Rule Stage

Agency Contact: Harry Beker, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6212**

RIN: 1545-AD63

2395. INCOME TAX-EXCLUSION FROM INCOME OF CERTAIN COST-SHARING PAYMENTS UNDER GOVERNMENT PROGRAMS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 126 Internal Revenue Code of 1986; 26 USC 1255 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will provide rules on the exclusion from income of certain cost sharing payments and on the amount recaptured when the property improved with government payments is sold within a certain specified period of time.

Timetable:

Action	Date	FR Cite
NPRM	05/21/81	46 FR 27723
NPRM Comment Period End	07/20/81	46 FR 27723
Hearing	12/01/81	46 FR 50808
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-222-78.

Drafting attorney: Katherine Lee Wambsgans (202) 566-3288.

Reviewing attorney: Ewan D. Purkiss (202) 566-3238.

Agency Contact: Katherine Lee Wambsgans, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AA73

2396. INCOME TAX--PART I EXCLUSION FROM GROSS INCOME FOR CERTAIN FOSTER CARE PAYMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 131 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation project will explain what foster child care payments may be excluded from the gross income of a foster parent.

Timetable:

Action	Date	FR Cite
NPRM	02/01/85	50 FR 4702
NPRM Comment Period End	04/02/85	50 FR 4702
Hearing	06/25/85	
Final Action	00/00/00	

Small Entity: No

Additional Information: LR-83-83.

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF52

2397. INFORMATION REPORTING FOR TAX-EXEMPT BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 149 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation would provide information reporting rules for tax-exempt bonds.

Timetable:

Action	Date	FR Cite
Hearing	06/26/86	
NPRM	03/11/87	52 FR 7408
NPRM Comment Period End	05/11/87	52 FR 7408
Final Action Effective	06/01/88	

Small Entity: Not Applicable

Additional Information: LR-146-86

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John Coulter (202) 566-3331.

Treasury attorney: Elliot Stern (202) 566-2926.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3459**

RIN: 1545-AJ63

2398. CONTINUATION COVERAGE REQUIREMENTS OF GROUP HEALTH PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 106(b) Internal Revenue Code of 1986; 26 USC 162(i)(2) Internal Revenue Code of 1986; 26 USC 162(k) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide guidance relating to the requirement that a group health plan provide continuation coverage to individuals who would otherwise lose coverage as a result of certain events.

Timetable:

Action	Date	FR Cite
NPRM	06/15/87	52 FR 22716
NPRM Comment Period End	08/14/87	52 FR 22716
Hearing	11/04/87	
Final Action	12/00/88	

Small Entity: Not Applicable

Additional Information: EE-143-86

Drafting Attorney: Mark Schwimmer (202) 566-6212.

Review Attorney: Michael A. Thrasher (202) 566-6212.

Treasury Attorney: Priscilla Ryan (202) 566-4903.

Agency Contact: Mark Schwimmer, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6212**

RIN: 1545-AI93

2399. INCOME TAX REGULATIONS--LIMITATIONS ON DEDUCTIONS FOR NONBUSINESS INTEREST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 163 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance relating to the disallowance of a deduction for personal interest, including guidance regarding the definitions of qualified residence, qualified residence interest and qualified indebtedness.

TREAS—IRS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/22/87	52 FR 48452
Final Action	12/00/88	

Small Entity: Not Applicable

Additional Information: LR-137-86

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: John Fischer (202) 566-3394.

Treasury attorney: Reed Shuldiner (202) 566-6963.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK17

2400. INCOME TAX REGULATIONS--TAX STRADDLES RELATING TO SECTION 108 OF THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 165 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules under section 108 of the Tax Reform Act of 1984 and section 1808 (d) of the Tax Reform Act of 1986, relating to the treatment of certain losses on straddles entered into before the effective date of the Economic Recovery Tax Act of 1981.

Timetable:

Action	Date	FR Cite
NPRM	08/23/84	49 FR 33458
NPRM Comment Period End	10/22/84	49 FR 33458
Hearing	11/29/84	
Final Action	09/08/88	

Small Entity: Not Applicable

Additional Information: LR-147-84.

Drafting attorney: Timothy J. McKenna (202) 566-3287

Reviewing attorney: John Fischer (202) 566-3394.

Treasury attorney: Kathleen Ferrell (202) 566-2175.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AG57

2401. INCOME TAX--ACCELERATED COST RECOVERY SYSTEM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 168 Internal Revenue Code of 1986; 26 USC 179 Internal Revenue Code of 1986; 26 USC 1245 Internal Revenue Code of 1986; 26 USC 453 Internal Revenue Code of 1986; 26 USC 167 Internal Revenue Code of 1986; 26 USC 1250 Internal Revenue Code of 1986; 26 USC 57(a)(12) Internal Revenue Code of 1986; 26 USC 312(k) Internal Revenue Code of 1986; 26 USC 172(b) Internal Revenue Code of 1986; 26 USC 812(b) Internal Revenue Code of 1986; 26 USC 46(b) Internal Revenue Code of 1986; 26 USC 53(c) Internal Revenue Code of 1986; 26 USC 381(c) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: To provide regulations under section 168 and accompanying provisions clarifying the operation of the new accelerated cost recovery scheme. This new cost recovery system generally applies to property placed in service after December 31, 1980. Generally, section 168 applies to "recovery property" which is defined as tangible property of a character subject to the allowance for depreciation which is used in a trade or business, or held for the production of income.

Timetable:

Action	Date	FR Cite
NPRM	02/16/84	49 FR 5940
NPRM Comment Period End	05/16/84	49 FR 5940
Hearing held	05/21/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-185-81.

Drafting attorney: Ada S. Rousso (202) 566-3287.

Reviewing attorney: John M. Coulter (202) 566-4473.

Treasury attorney: Ellen Aprill (202) 566-5453.

Agency Contact: Ada S. Rousso, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AA87

2402. TAX-EXEMPT ENTITY LEASING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 7701 (e) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations provide rules concerning tax-exempt entity leasing and service contracts.

Timetable:

Action	Date	FR Cite
NPRM	07/02/85	50 FR 27297
NPRM Comment Period End	09/03/85	50 FR 27297
Hearing	11/25/85	
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-31-85.

Drafting attorney: Robert Beatson (202) 566-3459.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AH76

2403. TAX-EXEMPT ENTITY LEASING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 168 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations provide rules concerning tax-exempt entity leasing and service contracts.

Timetable:

Action	Date	FR Cite
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-166-86

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John Tolleris (202) 566-3294.

Treasury attorney: Kathleen Farrell (202) 566-2928.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224, **202 566-3459**

RIN: 1545-AJ36

TREAS—IRS

Final Rule Stage

2404. DEDUCTIONS IN EXCESS OF $5,000 CLAIMED FOR CERTAIN CHARITABLE CONTRIBUTIONS OF PROPERTY AND INFORMATION REPORTING BY DONEES WHO MAKE CERTAIN DISPOSITIONS OF DONATED PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 170(a)(1) Internal Revenue Code of 1986; 26 USC 6050L Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to deductions for charitable contributions. The regulations provide that deductions for certain charitable contributions made by an individual, closely held corporations, personal service corporation, partnership, or S corporation shall not be allowed unless the donor obtains a qualified appraisal and attaches an appraisal summary to the donor's return on which the deduction is first claimed. Additionally, the regulations require the donee of certain charitable deduction property to make an information return.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	49 FR 50740
NPRM Comment Period End	03/01/85	49 FR 50740
Hearing	06/28/85	
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-200-84.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: A.L. Spitzer (202) 565-5911.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AG86

2405. INDIVIDUAL RETIREMENT PLANS AND SIMPLIFIED EMPLOYEE PENSIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 62 Internal Revenue Code of 1986; 26 USC 219 Internal Revenue Code of 1986; 26 USC 220 Internal Revenue Code of 1986; 26 USC 404(h) Internal Revenue Code of 1986; 26 USC 408 Internal Revenue Code of 1986; 26 USC 409 Internal Revenue Code of 1986; 26 USC 2503 Internal Revenue Code of 1986; 26 USC 3121 Internal Revenue Code of 1986; 26 USC 3306 Internal Revenue Code of 1986; 26 USC 4973 Internal Revenue Code of 1986; 26 USC 4974 Internal Revenue Code of 1986; 26 USC 6693 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 25; 26 CFR 31; 26 CFR 54; 26 CFR 301

Legal Deadline: None.

Abstract: The regulations set forth rules for sponsors of and participants in individual retirement plans, spousal individual retirement plans, and simplified employee pensions.

Timetable:

Action	Date	FR Cite
NPRM	07/14/81	46 FR 36198
NPRM Comment Period End	09/14/81	46 FR 36198
Final Action	12/31/88	

Small Entity: Not Applicable

Additional Information: EE-7-78.

Drafting attorney: Mary E. Brennan (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8278.

Agency Contact: Mary E. Brennan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD59

2406. INDIVIDUAL RETIREMENT PLANS, SIMPLIFIED EMPLOYEE PENSIONS, AND QUALIFIED VOLUNTARY EMPLOYEE CONTRIBUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 219 Internal Revenue Code of 1986; 26 USC 408 Internal Revenue Code of 1986; 26 USC 409 Internal Revenue Code of 1986; 26 USC 415 Internal Revenue Code of 1986; 26 USC 2039 Internal Revenue Code of 1986; 26 USC 2517 Internal Revenue Code of 1986; 26 USC 6652 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 20; 26 CFR 25; 26 CFR 301

Legal Deadline: None.

Abstract: These regulations set forth rules for individual retirement plans, simplified employee pensions, and qualified voluntary employee contributions after amendment of the Internal Revenue Code of 1954 by the Economic Recovery Tax Act of 1981.

Timetable:

Action	Date	FR Cite
NPRM	01/23/84	49 FR 2794
NPRM Comment Period End	03/23/84	49 FR 2794
Final Action	12/31/88	

Small Entity: No

Additional Information: EE-148-81.

Drafting attorney: Mary E. Brennan (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

Agency Contact: Mary E. Brennan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3430

RIN: 1545-AD66

2407. CAPITALIZATION AND INCLUSION IN INVENTORY COSTS OF CERTAIN EXPENSES

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 253A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules relating to the costs incurred in

the production and acquisition of property for resale in a trade or business or activity conducted for profit.

Timetable:

Action	Date	FR Cite
NPRM	03/31/87	52 FR 10118
NPRM Comment Period End	05/29/87	
Hearing	12/07/87	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-168-86.

Drafting attorney: Paulette C. Galanko (202) 566-3288.

Reviewing attorney: John M. Fischer (202) 566-3394.

Treasury attorney: Thomas Evans (202) 566-5453.

Agency Contact: Paulette C. Galanko, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK05

2408. PRACTICAL CAPACITY

Legal Authority: 26 USC 263A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations provide guidance on specific issues relating to when section 263A applies and whether certain accounting principles are permitted in accounting for the costs of property produced or property acquired for resales.

Timetable:

Action	Date	FR Cite
NPRM	08/07/87	52 FR 29391
NPRM Comment Period End	10/06/87	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-73-87

Drafting attorney: Paulette C. Galanko (202) 566-3288.

Reviewing attorney: John M. Fischer (202) 566-3394.

Treasury attorney: Thomas Evans (202) 566-2784.

Agency Contact: Paulette Galanko, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK56

2409. REGULATIONS UNDER SECTION 267 OF THE CODE TO REFLECT SECTION 174 OF THE TAX REFORM ACT OF 1984 RELATING TO LOSSES, EXPENSES, AND INTEREST IN TRANSACTIONS BETWEEN RELATED TAXPAYERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 267 Internal Revenue Code of 1986; 26 USC 706 Internal Revenue Code of 1986; 26 USC 1502 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation deals with changes in section 267 arising from section 174 of the Tax Reform Act of 1984. It deals with the matching of payor deductions and payee income items in the case of expenses and interest where the accrual method payor and the cash method payee are related persons. The regulation also deals with the deferral and restoration of loss on the sale or exchange of property from one member of a controlled group of corporations to another member.

Timetable:

Action	Date	FR Cite
NPRM	11/30/84	49 FR 47048
NPRM Comment Period End	01/29/85	49 FR 47048
Final Action	00/00/00	

Small Entity: No

Additional Information: LR-183-84.

Drafting attorney: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Patricia McClanahan (202) 566-2926.

Agency Contact: Keith E. Stanley, John G. Schmalz, Attorneys, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AG11

2410. INCOME TAX--PERSONAL SERVICE CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 269A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal will provide rules for determining when the Internal Revenue Service may reallocate income or tax benefits between a personal service corporation and its employee-owners.

Timetable:

Action	Date	FR Cite
NPRM	03/31/83	48 FR 13438
NPRM Comment Period End	05/31/83	48 FR 13438
Hearing	07/19/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-188-82.

Drafting attorney: Katherine Lee Wambsgans (202) 566-3288.

Reviewing attorney: John M. Fischer (202) 566-3394.

Agency Contact: Katherine Lee Wambsgans, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF11

2411. INCOME TAX--DEDUCTIBILITY OF GIFTS BY EMPLOYERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 274(b) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would reflect the modification by the Economic Recovery Tax Act of 1981 of the third exception to the term "gift" (i.e., the exception within certain dollar limitations for awards of tangible personal property). The regulations would define the term "qualified plan award." The regulations would clarify the existing regulations under section 274 (b) of the Internal Revenue Code of 1954 by excluding from the term "tangible personal property" any award of cash, or of a gift certificate, or of a right to choose among 5 or more different items.

TREAS—IRS **Final Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	12/16/82	47 FR 56367
NPRM Comment Period End	02/14/83	47 FR 56367
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-252-81.

Drafting attorney: Christopher Wilson (202) 566-4336.

Reviewing attorney: John B. Bromell (202) 566-3326.

Agency Contact: Christopher Wilson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AB06

2412. INCOME TAX--SUBSTANTIATION REQUIREMENTS WITH RESPECT TO LISTED PROPERTY AND SUBSTANTIATION REQUIREMENTS RELATING TO THE TAXATION OF FRINGE BENEFITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will set forth the requirements to substantiate any deduction or credit for certain business-related expenses with adequate records or sufficient evidence corroborating a taxpayer's own statement.

Timetable:

Action	Date	FR Cite
NPRM	11/06/85	50 FR 46006
NPRM Comment Period End	01/06/86	50 FR 46006
Hearing	03/04/86	51 FR 02898
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-140-86.

Drafting Attorney: Joel Rutstein (202) 566-3297.

Reviewing Attorney: Sharon Galm (202) 566-3930.

Agency Contact: Joel Rutstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224, **202 566-3297**

RIN: 1545-AJ40

2413. INCOME TAX--DEDUCTIONS FOR EXPENSES ATTRIBUTABLE TO BUSINESS USE OF HOMES, RENTAL OF VACATION HOMES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 280A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules for determining the deductibility of expenses incurred in connection with the business use, or rental to others, of a dwelling unit. The regulations provide rules for determining when the taxpayer uses a dwelling unit for personal use or when use by another person of the unit is treated as personal use of the unit by the taxpayer.

Timetable:

Action	Date	FR Cite
NPRM	07/21/83	48 FR 33326
NPRM Comment Period End	09/21/83	
Hearing	10/04/83	
Final Action	02/01/89	

Small Entity: Not Applicable

Additional Information: LR-261-76.

Drafting attorney: Joel S. Rutstein (202) 566-3297.

Reviewing attorney: Paul Francis (202) 566-3218.

Agency Contact: Joel S. Rutstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AB09

2414. LIMITATIONS ON AMOUNT OF DEPRECIATION AND INVESTMENT TAX CREDIT FOR LUXURY AUTOMOBILES AND CERTAIN OTHER PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 280F Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will clarify the rules limiting the investment tax credit and cost recovery deductions allowable with respect to passenger automobiles and certain other "listed property."

Timetable:

Action	Date	FR Cite
NPRM	10/24/84	49 FR 42743
NPRM Comment Period End	12/24/84	49 FR 42743
Second Hearing	03/04/86	51 FR 2898
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-145-84.

Drafting attorney: Joel Rutstein (202) 566-3297.

Reviewing attorney: Sharon Galm (202) 566-3930.

Treasury attorney: Marjorie Roberts (202) 566-2565.

Agency Contact: Joel Rutstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AG99

2415. ● AFFILIATED GROUPS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 304 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation provides proper adjustments to stock bases and earnings and profits of members of an affiliated group in section 304 (a) transfers of intragroup stock.

Timetable:

Action	Date	FR Cite
Temporary Regulation	07/01/88	

Small Entity: Not Applicable

Additional Information: LR-2-88

Drafting attorney: Mark Jennings (202) 566-3458.

Reviewing attorney: Jerry Mason (202) 566-3458.

Income Taxes

Agency Contact: Mark Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AL41

TREAS—IRS

Final Rule Stage

2416. INCOME TAX--PART 1 TEMPORARY REGULATIONS-RECOGNITION OF GAIN OR LOSS LIQUIDATING SALES AND DISTRIBUTIONS OF PROPERTY (TRA 1986, SECTIONS 631 TO 633)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 336 Internal Revenue Code of 1986; 26 USC 337 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulations would provide rules for the recognition of gain or loss on a corporation's liquidation sales or distributions.

Timetable:

Action	Date	FR Cite
Temporary Regulation	09/01/88	

Small Entity: Not Applicable

Additional Information: LR-117-86.

Drafting attorney: Mark S. Jennings (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Mark S. Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AJ01

2417. CERTAIN STOCK SALES AND DISTRIBUTIONS TREATED AS ASSET TRANSFERS

Legal Authority: 26 USC 336 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance for making an election under section 336 (e) and the consequences which result from making such an election

Timetable:

Action	Date	FR Cite
Temporary Regulation	07/01/88	

Small Entity: Not Applicable

Additional Information: LR-51-87

Drafting attorney: Patricia W. Pellervo (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Treasury attorney: Thomas Wessel (202) 566-4979.

Agency Contact: Patricia W. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK30

2418. DEEMED SALE PRICE WHEN CERTAIN STOCK PURCHASES ARE TREATED AS ASSET ACQUISITIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 338 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal will prescribe rules for computing the basis of stock purchased in certain stock acquisitions and for allocating this basis among the assets of the corporation whose stock was thus acquired.

Timetable:

Action	Date	FR Cite
NPRM	07/01/86	51 FR 23790
NPRM Comment Period End	09/02/86	
Final Action	10/01/88	

Small Entity: Not Applicable

Additional Information: LR-191-82.

Drafting attorney: Patricia W. Pellervo (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Office of Tax Legislative Counsel reviewing attorney: Thomas Wessel (202) 566-3458.

Agency Contact: Patricia W. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AF29

2419. INCOME TAX-ELECTIONS UNDER SECTION 338, AS ADDED BY SECTION 224 OF THE TAX EQUITY AND FISCAL RESPONSIBILITY ACT OF 1982 AS AMENDED BY THE TECHNICAL CORRECTIONS ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 338 Internal Revenue Code of 1986; PL 97-248, Sec 224; PL 97-448, Sec 306

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation will provide rules for making elections under section 338, which permits certain stock purchases to be treated as asset acquisitions.

Timetable:

Action	Date	FR Cite
NPRM	09/06/84	49 FR 35144
NPRM Comment Period End	11/05/84	

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: LR-26-83.

Drafting attorney: Patricia W. Pellervo (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Treasury attorney: Thomas F. Wessel (202) 566-2927.

Agency Contact: Patricia W. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AF38

2420. REGULATIONS UNDER SECTION 338 (H) (10) AS ADDED TO THE CODE BY SECTION 306 OF THE TECHNICAL CORRECTIONS ACT OF 1982, RELATING TO SPECIAL ELECTIVE RECOGNITION OF GAIN OR LOSS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 338 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would interpret the rules of section 338 (h) (10) under which a special election can be made so that target recognizes gain or loss on the deemed sale of its assets. The proposal

is necessary so that affected taxpayers can make election under the provision.

Timetable:

Action	Date	FR Cite
NPRM	01/08/86	51 FR 763
NPRM Comment Period End	03/10/86	

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: LR-218-83.

Drafting attorney: Patricia W. Pellervo (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Office of Tax Legislative Counsel reviewing attorney: Thomas Wessel (202) 566-2927.

Agency Contact: Patricia W. Pellervo, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AF93

2421. INCOME TAX--APPLICATION OF SECTION 338 TO STOCK AND ASSET ACQUISITIONS IN THE INTERNATIONAL CONTEXT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 338 Internal Revenue Code of 1986

CFR Citation: 26 CFR 338

Legal Deadline: None.

Abstract: These regulations will provide rules relating to section 338 as it applies to stock and asset acquisitions in the international context.

Timetable:

Action	Date	FR Cite
NPRM	02/12/86	51 FR 5208
NPRM Comment Period End	04/14/86	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-35-84.

Drafting attorney: Ken Allison (202) 566-6457.

Reviewing attorney: Benedetta Kissel (202) 566-3179.

Agency Contact: Ken Allison, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C., 20224, **202 566-6457**

RIN: 1545-AG13

2422. QUESTIONS AND ANSWERS RELATING TO DOMESTIC MATTERS UNDER SECTION 338 OF THE INTERNAL REVENUE CODE OF 1954 - CROSS REFERENCE TO THE TEMPORARY REGULATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 338 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations provide guidance on a broad range of issues under section 338.

Timetable:

Action	Date	FR Cite
NPRM	06/24/85	50 FR 16430

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: LR-33-85.

Drafting attorney: Patricia W. Pellervo (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Treasury attorney: Thomas F. Wessel (202) 566-4979.

Agency Contact: Patricia W. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AH88

2423. STATEMENTS OF ELECTION AND DUE DATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 338 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations provide guidance to taxpayers who make express elections under section 338 pursuant to the extended July 15, 1986, filing deadline where the statute of limitations in the target's taxable year which includes the acquisition date has expired prior to July 15, 1986, or will expire shortly thereafter.

Timetable:

Action	Date	FR Cite
NPRM	05/16/86	51 FR 17989
NPRM Comment Period End	07/15/86	51 FR 17989

Next Action Undetermined

Small Entity: Undetermined

Additional Information: LR-8-86.

Drafting attorney: Patricia W. Pellervo (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Treasury Attorney: Thomas Wessel (202) 566-4979.

Agency Contact: Patricia W. Pellervo, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AI53

2424. INCOME TAX-APPLICATION OF INSTALLMENT METHOD OF REPORTING AND MANDATORY APPLICATION OF MADSP FORMULA FOR QUALIFIED STOCK PURCHASES UNDER SECTION 338 (H) (10)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 338 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance for utilization of the installment method of reporting and will require the use of the MADSP formula in a qualified stock purchase to which section 338 (h) (10) applies.

Timetable:

Action	Date	FR Cite
Temporary Regulation	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-76-86

Drafting attorney: Judith C. Winkler (202) 566-3458.

Reviewing attorneys: Robert J. Mason (202) 566-3463.

Treasury attorney: Thomas Wessel (202) 566-4979.

Agency Contact: Judith C. Winkler, Attorney, Department of the Treasury, Internal Revenue Service, 1111

Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AJ07

2425. TREATMENT OF AN AFFILIATED GROUP OF CORPORATIONS AS A SELLING CONSOLIDATED GROUP FOR PURPOSES OF ELECTIVE RECOGNITION UNDER SECTION 338 (H) (10)

Legal Authority: 26 USC 338 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide the guidance for making elections under section 338 (h) (10) when the selling group is an affiliated group of corporations which does not file a consolidated federal income tax return, and the consequences of making such an election.

Timetable:

Action	Date	FR Cite
Temporary Regulation	06/01/88	

Small Entity: Not Applicable

Additional Information: LR-49-87

Drafting attorney: Judith C. Winkler (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Treasury attorney: Thomas Wessel (202) 566-4979.

Agency Contact: Judith C. Winkler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK32

2426. INCOME TAX--DISTRIBUTION OF STOCK AND SECURITIES OF A CONTROLLED CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 355 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposal relates to the income tax treatment of the distribution of stock and securities of a controlled corporation.

Timetable:

Action	Date	FR Cite
NPRM	01/21/77	42 FR 3866
NPRM Comment Period End	03/22/77	42 FR 3866

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: LR-936-70

Drafting attorney: Patricia W. Pellervo (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Treasury attorney: Bryan Collins (202) 566-4979.

Agency Contact: Patricia W. Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AB20

2427. INCOME TAX--TRIANGULAR REORGANIZATIONS, BASIS AND OTHER CONSEQUENCES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 368 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules relating to basis of stock of a corporation acquiring property in exchange for stock of a corporation in control of the acquiring corporation.

Timetable:

Action	Date	FR Cite
NPRM	01/02/81	46 FR 112
NPRM Comment Period End	03/03/81	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-993-71.

Drafting attorney: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Thomas Evans (202) 566-8277.

Agency Contact: Keith E. Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AB21

2428. INCOME TAX--TREATMENT OF EXCHANGES DESCRIBED IN SECTION 367 (B)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 367(b) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 24 CFR 0820; 13 CFR 6787; 05 CFR 0314; 22 CFR 3456

Legal Deadline: None. As an alternative to a no-rule position on this issue, the Service could publish a revenue procedure that contains the terms and conditions of a plan that must be.

Abstract:

Proposal would amend the regulations under section 367 (b) of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	12/30/77	42 FR 65152
NPRM Comment Period End	03/01/78	42 FR 65152
Notice amended	10/02/79	44 FR 57390
Notice amended	12/27/82	47 FR 57502
Final Action	12/01/88	

Small Entity: Not Applicable

Additional Information: INTL - 76-86

Drafting attorney: Richard Chewning (202 566-3490.

Reviewing attorney: Bernard Bress (202) 566-6440.

Office of International Tax Counsel (Treasury) reviewing attorneys: Unassigned.

Office of Chief Counsel (INTL) for preparation of Treasury decision.

Affected Sectors: Multiple

Agency Contact: Richard Chewning, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3490**

RIN: 1545-AB26

TREAS—IRS **Final Rule Stage**

2429. AMENDMENT OF THE INCOME TAX REGULATIONS UNDER SECTION 367 OF THE CODE (TRANSFERS TO FOREIGN CORPORATIONS) TO REFLECT SECTION 131 OF THE TAX REFORM ACT OF 1984 (P.L. 98-369)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 367 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The Income Tax Regulations under section 367 will be amended to reflect the changes made to that section by the Tax Reform Act of 1984. Section 367 now provides generally that a foreign corporations will not be considered to be a corporation, for purposes of certain nonrecognition provisions of the Code, upon the transfer of property to such corporation by a U.S. person. The statute provides certain exceptions to that rule, exemptions to those exceptions, and special rules applicable to certain specified transfers. The regulations will provide guidance concerning the applicability of the general rule and its exceptions and special rules, including guidance concerning transfers of assets for use in the active conduct of a trade or business, stock transfers, transfers of intangible assets, and transfers of branch operations that have operated at a loss.

Timetable:

Action	Date	FR Cite
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: INTL-610-86

Drafting Attorney: Steven Lipschutz (202) 566-3319.

Reviewing Attorney: Charles Saverude (202) 566-6645.

Treasury Attorney: Mary Bennet (202) 566-3992.

Agency Contact: Steven Lipschutz, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3319

RIN: 1545-AK74

2430. FOREIGN LIQUIDATIONS AND REORGANIZATIONS (TEMPORARY REGULATIONS)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 367(b)(2) Internal Revenue Code of 1986

CFR Citation: 26 CFR 7

Legal Deadline: None.

Abstract: Temporary regulations would provide guidance concerning requirements relating to certain exchanges involving a foreign corporation.

Timetable:

Action	Date	FR Cite
Temporary Regulation	12/01/88	

Small Entity: Not Applicable

Additional Information: INTL-991-86

Drafting Attorney: Richard Chewning (202) 566-3490

Reviewing Attorney: Bernard Bress (202) 566-6440

Treasury Attorney: David Crowe (202) 566-5791

Agency Contact: Richard Chewning, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3490

RIN: 1545-AJ76

2431. INCOME TAX--PART 1--TEMPORARY-WHETHER EARNINGS AND PROFITS SHOULD BE ALLOCATED TO AN ACQUIRING CFC FROM AN ACQUIRED CFC FOLLOWING A NON-RECOGNITION TRANSACTION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 367(b) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Should earnings and profits be allocated to an acquiring CFC from an acquired CFC following a transaction which qualified for non-recognition treatment.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-76-86.

Drafting attorney: Marnie Carro (202) 566-3494

Reviewing attorney: Bernard Bress (202) 566-6440.

Agency Contact: Marnie Carro, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Room 4109, Washington, D.C. 20224, 202 566-3494

RIN: 1545-AI32

2432. INCOME TAX--TEMPORARY REGULATIONS--REORGANIZATIONS INVOLVING FINANCIALLY TROUBLED THRIFT INSTITUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 368 Internal Revenue Code of 1986; 26 USC 382 Internal Revenue Code of 1986; 26 USC 381 Internal Revenue Code of 1986; 26 USC 597 Internal Revenue Code of 1986

CFR Citation: 26 CFR 5c

Legal Deadline: None.

Abstract: Provision would provide temporary regulations dealing with reorganizations of financially troubled thrift institutions and with the tax consequences of financial assistance payments made to such an institution by a supervisory governmental agency, thereby giving the public needed guidance on how the Internal Revenue Service intends to interpret these issues.

Timetable:

Action	Date	FR Cite
Temporary Regulation	12/31/89	

Small Entity: Not Applicable

Additional Information: LR-230-81.

Drafting attorney: Mark S. Jennings (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Mark S. Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, 202 566-3458

RIN: 1545-AB28

2433. INCOME TAX--EXCHANGE FUNDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 368(a)(2)(F) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules relating to reorganizations of undiversified investment companies.

Timetable:

Action	Date	FR Cite
NPRM	01/07/81	46 FR 1744
NPRM Comment Period End	03/08/81	46 FR 1744

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: LR-135-76.

Drafting attorney: Robert M. Casey (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Robert M. Casey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AB31

2434. INCOME TAX--OWNERSHIP CHANGE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 382 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will provide guidance on what constitutes "ownership change" under section 382 of the Internal Revenue Code of 1986 (generally, an "ownership change" is a shift in loss corporation stock ownership (often which the corporation's net operating loss carryovers are limited).

Timetable:

Action	Date	FR Cite
NPRM	08/11/87	52 FR 29704
NPRM Comment Period End	10/13/87	

Next Action Undetermined

Small Entity: Not Applicable

Additional Information: LR-106-86.

Drafting attorneys: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Thomas Wessel (202) 566-2928.

Agency Contact: Keith Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AJ00

2435. COMPUTATION OF SECTION 382 LIMITATION

Legal Authority: 26 USC 382 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would explain the manner and method of computing the section 382 limitation under circumstances when there are successive ownership changes, capital contributions, mergers liquidations, and in instances when one corporation controls another corporation.

Timetable:

Action	Date	FR Cite
Temporary Regulation	05/31/88	

Small Entity: Not Applicable

Additional Information:

LR-66-87.

Drafting attorney: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Treasury attorney: Thomas Wessel (202) 566-2928.

Agency Contact: Keith E. Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK87

2436. ● LIMITATION TO GROUPS FILING CONSOLIDATED RETURNS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 382 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This temporary regulation imposes a limitation to groups that file consolidated returns.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-132-87

Drafting attorney: John Broadbent (202) 566-3458.

Reviewing attorney:

Treasury attorney:

Income Taxes

Agency Contact: John Broadbent, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AL36

2437. SPECIAL LIMITATIONS ON CERTAIN CREDIT AND LOSS CARRYOVERS

Legal Authority: 26 USC 383 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would specify the manner and method on applying the special limitations on certain credit and loss carryovers under section 383.

Timetable:

Action	Date	FR Cite
Temporary Regulation	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-68-87

Drafting attorney: Thomas J. Kane (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Thomas Wessel (202) 566-4979.

Agency Contact: Thomas J. Kane, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK28

2438. INCOME TAX--REFUND OF MISTAKEN CONTRIBUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 401(a)(2) Internal Revenue Code of 1986

TREAS—IRS **Final Rule Stage**

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations describe those circumstances under which an employer contribution or withdrawal liability payment to a multiemployer pension plan may be refunded due to a mistake of law or fact.

Timetable:

Action	Date	FR Cite
NPRM	03/11/83	48 FR 10374
NPRM Comment Period End	05/10/83	48 FR 10374
Final Action	06/30/88	

Small Entity: Not Applicable

Additional Information: EE-133-80.

Drafting attorney: John T. Ricotta (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AD68

2439. CERTAIN CASH OR DEFERRED ARRANGEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 401(k) Internal Revenue Code of 1986; 26 USC 402(a)(8) Internal Revenue Code of 1986; PL 95-600, Sec 135 Revenue Act of 1978

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulation will provide definitions and interpretations governing qualified cash or deferred arrangements described in section 401(k) of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	11/10/81	46 FR 55544
NPRM Comment Period End	02/15/82	47 FR 00988
Hearing	04/20/82	
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: EE-169-78.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Mary E. Oppenheimer (202) 566-3544.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AD72

2440. INCOME TAX--REQUIRED DISTRIBUTIONS FROM QUALIFIED PLANS AND INDIVIDUAL RETIREMENT ACCOUNTS AND PARTIAL ROLLOVERS OF INDIVIDUAL RETIREMENT ACCOUNTS

Legal Authority: 26 USC 408(a)(6) Internal Revenue Code of 1986; 26 USC 401(a)(9) Internal Revenue Code of 1986; 26 USC 408(b)(3) Internal Revenue Code of 1986; 26 USC 408(d)(3)(C) Internal Revenue Code of 1986; 26 USC 219(d)(4) Internal Revenue Code of 1986; 26 USC 403(b)(10) Internal Revenue Code of 1986; 26 USC 4974 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project will revise the Income Tax Regulations to incorporate the changes made in the law by the Tax Equity and Fiscal Responsibility Act of 1982 and the Tax Reform Act of 1984, and Income Tax Reform Act of 1986 concerning the required distributions from qualified plans, individual retirement accounts and 403(b) annuities and custodial accounts.

Timetable:

Action	Date	FR Cite
NPRM	07/27/87	52 FR 28070
HEARING	12/04/87	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-113-82.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AE95

2441. NOTICE, ELECTION, AND CONSENT RULES UNDER THE RETIREMENT EQUITY ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 602

Legal Deadline: None.

Abstract: The regulations would provide rules relating to notices, elections and consents required under the Retirement Equity Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	07/19/85	50 FR 29436
NPRM Comment Period End	09/17/85	50 FR 29436
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: EE-35-85.

Drafting attorney: William D. Gibbs (202) 566-3430

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

This is included in the Regulatory Program of the United States under overall RIN 1545-AH71.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3903**

RIN: 1545-AH80

2442. INCOME TAX--TREATMENT OF CERTAIN LUMP SUM DISTRIBUTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 402(a)(2) Internal Revenue Code of 1986; 26 USC 402(e) Internal Revenue Code of 1986; 26 USC 403(a)(2)(A)(iii) Internal Revenue Code of 1986; 26 USC 411(d)(1) Internal Revenue Code of 1986; PL 93-406, Sec 2005 Employee Retirement Income Security Act; PL 94-455, Sec 1512 Tax Reform Act of 1976

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulations will provide definitions and other guidance relating

TREAS—IRS

Final Rule Stage

to income tax treatment of certain distributions from qualified employee plans.

Timetable:

Action	Date	FR Cite
NPRM	04/30/75	40 FR 18798
Corrected NPRM	05/23/75	40 FR 22548
NPRM Comment Period End	06/16/75	40 FR 18798
Notice of Hearing	07/03/75	40 FR 28102
Hearing	08/12/75	
NPRM - Additional	05/31/79	44 FR 31228
Comment Period until	07/30/79	44 FR 31228
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-14-78.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AD73

2443. INCOME TAX--DEDUCTION FOR CERTAIN FOREIGN DEFERRED COMPENSATION PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 404A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance relating to the limitations on deductions and adjustments to earnings and profits (or accumulated profits) with respect to certain foreign deferred compensation plans.

Timetable:

Action	Date	FR Cite
NPRM	04/08/85	50 FR 13821
NPRM Comment Period End	06/07/85	50 FR 13821
Hearing	09/20/85	
Final Action	04/30/88	

Small Entity: Not Applicable

Additional Information: EE-14-81.

Drafting attorney: Nerman D. Hubbard (202) 566-3430.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Agency Contact: Nerman D. Hubbard, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AD81

2444. ANNUAL INFORMATION REPORTS BY TRUSTEES AND ISSUERS OF INDIVIDUAL RETIREMENT PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 408 Internal Revenue Code of 1986; PL 98-369, Sec 147

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: On June 28, 1983, the Internal Revenue Service issued news release IR-83-88 requiring new information reporting by trustees of individual retirement accounts and issuers of individual retirement annuities (including accounts and annuities that are simplified employee pensions). Form 5498, Individual Retirement Arrangement Information, was prescribed in the news release as the information return to be used for this purpose. This regulation project will amend the regulations under section 408 to conform them to the reporting requirements announced in the news release. In addition, section 147 of the Tax Reform Act of 1984 amended section 408 (i) of the Code to require that contributions be identified as to the taxable year to which they apply. This amendment will be included in this regulation period.

Timetable:

Action	Date	FR Cite
NPRM	11/16/84	49 FR 45450
NPRM Comment Period End	01/15/85	49 FR 45450
Final Action	06/30/88	

Small Entity: Not Applicable

Additional Information: EE-65-83.

Drafting attorney: Mary D. Brennan (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry J. Conaway (202) 566-8277.

Agency Contact: Mary D. Brennan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AF83

2445. RETIREMENT EQUITY ACT CHANGES TO PARTICIPATION, VESTING, ETC. RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; PL 98-297, Sec 301 Retirement Equity Act of 1984

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations provide rules relating to amendments to section 401(a)(25), 402(f), 410, 411, 6057(e), and 6652(j) of the Code, enacted by the Retirement Equity Act of 1984. The regulations will apply changes in the participation and vesting rules to plans that use the elapsed time method of service counting, and to class-year plans. In addition, the rules provide a sample notice that may be used to satisfy section 402(f). Rules governing reductions in accrued benefits will also be provided.

Timetable:

Action	Date	FR Cite
NPRM	01/30/86	51 FR 3798
NPRMDocument published is only a portion of total NPRM project	01/30/86	51 FR 03798
Hearing	05/22/86	51 FR 12340
Final Action	06/30/88	

Small Entity: Not Applicable

Additional Information: EE-95-84.

Drafting attorney: Nancy J. Marks (202) 566-3903.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry J. Conaway (202) 566-8277.

Agency Contact: Nancy J. Marks, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3903**

RIN: 1545-AH03

TREAS—IRS **Final Rule Stage**

2446. INCOME TAX--COORDINATION OF VESTING AND NONDISCRIMINATION REQUIREMENTS FOR QUALIFIED PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 411(d)(1) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project was developed to prescribe rules for determining if the vesting schedule of a qualified plan discriminates in favor of employees who are officers, shareholders, or highly compensated.

Timetable:

Action	Date	FR Cite
NPRM	04/09/80	45 FR 24201
Partial Revised Notice	06/12/80	45 FR 39869
Hearing	07/10/80	45 FR 29308
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-164-78.

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AD83

2447. SURVIVOR BENEFITS, DISTRIBUTION RESTRICTIONS AND VARIOUS OTHER ISSUES UNDER THE RETIREMENT EQUITY ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to the effective dates, transitional rules, restrictions on distributions from employee plans and other issues arising under the Retirement Equity Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	07/19/85	50 FR 29436
NPRM Comment Period End	09/17/85	50 FR 29436
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: EE-3-85

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel reviewing attorney: Harry J. Conaway (202) 566-8277.

This is included in the Regulatory Program of the United States under overall RIN 1545-AH71.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3903**

RIN: 1545-AH01

2448. INCOME TAX-PART 1 - REDUCTION OF ACCRUED BENEFITS TO QUALIFY FOR A STANDARD TERMINATION OF A SINGLE EMPLOYER DEFINED BENEFIT PENSION PLAN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide temporary guidelines for reducing benefits for certain key employees in order to qualify for a standard termination of a single-employer defined benefit pension plan.

Timetable:

Action	Date	FR Cite
Temporary Regulation	06/30/88	

Small Entity: Not Applicable

Additional Information: EE-47-86.

Drafting attorney: Mary E. Brennan (202) 566-3903.

Reviewing attorney: Mary Oppenheimer (202) 566-3544.

Cross-referenced with NPRM EE-48-86.

Agency Contact: Mary E. Brennan, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, **202 566-3903**

RIN: 1545-AI48

2449. INCOME TAX - PART 1 - MINIMUM VESTING STANDARDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 410 Internal Revenue Code of 1986; PL 99-514, Sec 1113 Tax Reform Act of 1986; PL 99-514, Sec 1141 Tax Reform Act of 1986; 26 USC 411 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: Statutory, February 1, 1988. Deadline set by Section 1141 of PL 99-514 "Tax Reform Act of 1986"

Abstract: These regulations will amend existing rules to reflect changes made by section 1113 of the Tax Reform Act of 1986, relating to minimum vesting standards and participation standards.

Timetable:

Action	Date	FR Cite
NPRM	01/06/88	53 FR 261
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-167-86

Drafting Attorney: V.A. Moore (202) 566-3422.

Reviewing Attorney: James Brokaw (202) 566-4173.

Treasury Attorney: Harry Conaway (202) 566-8277.

Cross-Reference to EE-73-87

Agency Contact: V. A. Moore, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AI88

2450. INCOME TAX--EXCISE TAX REGULATIONS--FUNDING FOR QUALIFIED PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 412 Internal Revenue Code of 1986; 26 USC 413(b) Internal Revenue Code of 1986; PL 93-406, Sec 1013

CFR Citation: 26 CFR 1; 26 CFR 54

Legal Deadline: None.

Abstract: The regulations would provide guidance relating to the minimum funding requirements for employee pension benefit plans, and to

excise taxes for failure to meet the minimum funding standards.

Timetable:

Action	Date	FR Cite
NPRM	12/01/82	47 FR 54093
NPRM Comment Period End	01/31/83	47 FR 54093
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-99-78.

Drafting attorney: Suzanne K. Tank (202) 566-3422.

Reviewing attorney: Jonathan P. Marget (202) 566-3651.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry Conaway (202) 566-8277.

Agency Contact: Suzanne K. Tank, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AD84

2451. INCOME TAX--DEFINITIONS & SPECIAL RULES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 414(b) Internal Revenue Code of 1986; 26 USC 414(c) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations relate to the definition of controlled groups of corporations and businesses under common control for purposes of certain provisions of the Employee Retirement Income Security Act of 1974 and pension related provisions of the Internal Revenue Code.

Timetable:

Action	Date	FR Cite
NPRM	11/05/75	40 FR 51467
NPRM Comment Period End	01/04/76	40 FR 51467
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-209-74.

Drafting attorney: Patricia Pellervo (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Don Rocap (202) 566-8277.

Agency Contact: Patricia Pellervo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AB35

2452. INCOME TAX--EMPLOYEES OF AN AFFILIATED SERVICE GROUP

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 414(m) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules with regard to the aggregation of employees of certain organizations for purposes of certain pension requirements.

Timetable:

Action	Date	FR Cite
NPRM	02/28/83	48 FR 8293
NPRM Comment Period End	04/29/83	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-3-81.

Drafting attorney: Michael Garvey (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry J. Conaway (202) 566-8277.

Agency Contact: Michael Garvey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AD90

2453. INCOME TAX REGULATIONS--AFFILIATED SERVICE GROUPS AND EMPLOYEE LEASING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 414(n)Internal Revenue Code of 1986; 26 USC 414(m)(5)Internal Revenue Code of 1986; 26 USC 414(o)Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules regarding the treatment of certain leased employees. In addition, the regulations will provide guidance regarding the aggregation of certain management companies as affiliated service groups.

Timetable:

Action	Date	FR Cite
NPRM	08/27/87	52 FR 32502
NPRM Comment Period End	10/26/87	
Hearing	12/02/87	52 FR 45835
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-111-82.

Drafting attorney: Michael Garvey (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Office of Tax Legislative Counsel reviewing attorney: Harry Conaway (202) 566-8277.

Agency Contact: Michael Garvey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AE91

2454. JOINT AND SURVIVOR ANNUITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 417 Internal Revenue Code of 1986; 26 USC 401(a)(11) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules on how plans which intend to qualify under section 401 can comply with the qualified joint and survivor annuity rules added to the Code by the Retirement Equity Act of 1984. The regulations will deal with which plans must provide survivor annuities, in what forms the survivor annuities may be paid, the notice and election procedures for survivor annuities and restrictions on a plan's ability to cash out a participant and spouse.

Timetable:

Action	Date	FR Cite
NPRM	10/22/82	47 FR 47600
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: EE-94-84.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Treasury attorney: Harry J. Conaway (202) 566-8277.

NPRM published under EE-52-78; contents of file transferred to EE-94-84.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AG72

2455. INCOME TAX--CREATION & TREATMENT OF INCENTIVE STOCK OPTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 422A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance for taxpayers who either grant or receive incentive stock options. The grant of an incentive stock option to an employee by an employer will not be a taxable event. At the time such option is exercised by the employee no amount of the spread between the fair market value of the stock at exercise and the option price will be included in the employee's gross income. When the stock acquired through the exercise of the option is sold, the entire gain will be treated as capital gain and not ordinary income if certain holding period and employment relationship requirements are met.

Timetable:

Action	Date	FR Cite
NPRM	02/07/84	49 FR 4504
NPRM Comment Period End	04/09/84	49 FR 4504
Hearing	06/21/84	49 FR 17040
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-279-81.

Drafting attorney: Michael J. Grace (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3288.

Treasury attorney: Susan Scherbel (202) 535-6965.

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB36

2456. TAXABLE YEARS OF CERTAIN ENTITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 441 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance to S corporations, personal service corporations and partnerships, that must conform their taxable years, in general, to the taxable year of their owners.

Timetable:

Action	Date	FR Cite
NPRM	12/23/87	52 FR 48546
Final Action	00/00/00	

Small Entity: No

Additional Information: LR-45-87

Drafting attorney: Arthur E. Davis III (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Richard Harvey (202) 566-6960.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AK63

2457. ● ELECTION OF TAXABLE YEARS OTHER THAN REQUIRED TAXABLE YEAR

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 444 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation provides guidance with respect to elections of taxable years other than required taxable years.

Timetable:

Action	Date	FR Cite
Temporary Regulation	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-6-88

Drafting attorney: Arthur Davis (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Richard Harvey (202) 566-2928.

Income Taxes

Agency Contact: Arthur Davis, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AL46

2458. LIMITATION OF THE USE OF THE CASH METHOD OF ACCOUNTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 448 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance to certain C Corporations, partnerships with a corporate partner and tax shelters prohibited from using the cash method of accounting.

Timetable:

Action	Date	FR Cite
NPRM	06/16/87	52 FR 22796
Interim Final Rule	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-122-86.

Drafting attorney: Ewan D. Purkiss (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Thomas Evans (202) 566-5453.

Agency Contact: Ewan D. Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3238**

RIN: 1545-AJ52

2459. ● CLARIFICATION OF DETERMINATION OF BAD DEBT EXPERIENCE UNDER NONACCRUAL-EXPERIENCE ACCOUNTING METHOD

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 448 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

TREAS—IRS

Final Rule Stage

Legal Deadline: None.

Abstract: This temporary regulation provides a clarification of determining the bad debt experience under nonaccrual-experience accounting methods.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-133-87

Drafting attorney: Ewan Purkiss (202) 566-3238.

Reviewing attorney:

Treasury attorney:

Income Taxes

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AL39

2460. ACCOUNTING FOR LONG-TERM CONTRACTS; CORPORATIONS FILING CONSOLIDATED RETURNS WITH A CONTRACTOR

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation provides rules for the manufacturer of components and subassemblies reasonably expected to be incorporated in the subject matter of an extended period long-term contract in the case of members of a consolidated group.

Timetable:

Action	Date	FR Cite
NPRM	01/06/86	51 FR 3
NPRM Comment Period End	03/07/86	51 FR 3
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-121-85.

Drafting attorney: Paulette C. Galanko (202) 566-3288.

Reviewing attorney: John M. Fischer (202) 566-3394.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Evans (202) 566-4902.

Agency Contact: Paulette C. Galanko, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AI19

2461. INCOME TAX--GENERAL RULES RELATING TO INSTALLMENT SALES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 453 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Treasury decision will provide general rules and rules for reporting contingent installment obligations.

Timetable:

Action	Date	FR Cite
NPRM	02/04/81	46 FR 10749
NPRM Comment Period End	04/06/81	46 FR 10749
Hearing	10/01/81	46 FR 40774
Final Action	00/00/00	

Small Entity: Yes

Additional Information: LR-173-80.

Drafting attorney: Ewan Purkiss (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Ellen Aprill (202) 566-5453.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB42

2462. INCOME TAX--INSTALLMENT OBLIGATIONS RECEIVED FROM A LIQUIDATING CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 453 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would provide rules for reporting gain in respect of installment obligations received as liquidating distributions from corporations under a plan of complete liquidation.

Timetable:

Action	Date	FR Cite
NPRM	01/13/84	49 FR 1742
NPRM Comment Period End	03/16/84	49 FR 1742
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-184-80.

Drafting attorney: Paulette C. Galanko (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Ellen Aprill (202) 566-5453.

Agency Contact: Paulette C. Galanko, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB43

2463. INCOME TAX--INSTALLMENT OBLIGATIONS RECEIVED IN TRANSACTIONS IN WHICH GAIN OR LOSS IS GENERALLY NOT RECOGNIZED

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 453 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would provide rules for reporting installment obligations that are received as boot in certain exchanges in which gain is not generally recognized.

Timetable:

Action	Date	FR Cite
NPRM	05/03/84	49 FR 18866
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-186-80.

Drafting attorney: Paulette C. Galanko (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Ellen Aprill (202) 566-5453.

Agency Contact: Paulette C. Galanko, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB44

TREAS—IRS **Final Rule Stage**

2464. INCOME TAX--INSTALLMENT METHOD REPORTING BY DEALERS IN PERSONAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 453A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would provide rules for installment method reporting by dealers in personal property.

Timetable:

Action	Date	FR Cite
NPRM	07/28/86	51 FR 26909
NPRM Comment Period End	09/29/86	
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-146-81.

Drafting attorney: Paulette C. Galanko (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Ellen Aprill (202) 566-5453.

Agency Contact: Paulette C. Galanko, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB47

2465. INCOME TAX REGULATIONS--PART 1. INSTALLMENT SALE BY DEALERS IN PERSONAL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 453A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project will provide rules relating to sales by dealers of personal property on the installment plan.

Timetable:

Action	Date	FR Cite
NPRM	07/28/86	
NPRM Comment Period End	09/26/86	
Final Action	00/00/00	

Small Entity: No

Additional Information: LR-141-83.

Drafting attorney: Paulette C. Galanko (202) 566-3288.

Office of Tax Legislative Counsel reviewing attorney: Ellen Aprill (202) 566-5453.

Agency Contact: Paulette C. Galanko, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF71

2466. INCOME TAX--EXCLUSION FROM GROSS INCOME WITH RESPECT TO MAGAZINES, PAPERBACKS, AND RECORD RETURNS AFTER CLOSE OF TAXABLE YEAR

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 458 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will provide rules on the exclusion from gross income of income attributable to the sale of magazines, paperbacks, or records that are returned.

Timetable:

Action	Date	FR Cite
NPRM	08/31/84	49 FR 34520
Final Action	12/31/88	

Small Entity: Not Applicable

Additional Information: LR-195-78.

Drafting attorney: Katherine Lee Wambsgans (202) 566-3288.

Agency Contact: Katherine Lee Wambsgans, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB48

2467. TEMPORARY INCOME TAX REGULATIONS--THE ECONOMIC PERFORMANCE REQUIREMENT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 461 (h) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide guidance relating to when economic performance occurs with respect to a liability and how the recurring item exception applies.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-257-84.

Drafting attorney: Bill Blagg (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Agency Contact: Bill Blagg, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 **566-3238**

RIN: 1545-AH33

2468. INCOME TAX--LIMITATION ON DEDUCTIONS IN CASE OF FARMING SYNDICATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 464 Internal Revenue Code of 1986; 26 USC 278(b) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide that enterprises which qualify as farming syndicates must deduct expenses for feed, seed fertilizer, etcetera, only when used or consumed and to capitalize certain cost of poultry. Furthermore, farming syndicates are to capitalize certain expenses of groves, orchards and vineyards to the extent such expenses are incurred before the grove, orchard or vineyard becomes productive.

Timetable:

Action	Date	FR Cite
NPRM	11/15/83	48 FR 51936
NPRM Comment Period End	01/16/84	48 FR 51936
Hearing	03/08/84	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-144-76.

Drafting attorney: Ewan D. Purkiss (202) 566-3238.

Reviewing attorney: Cynthia C. Clark (202) 566-3288.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Thomas Evans (202) 566-8277.

TREAS—IRS

Final Rule Stage

Agency Contact: Ewan D. Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB51

2469. INCOME TAX--DETERMINATION OF AMOUNTS AT RISK WITH RESPECT TO CERTAIN ACTIVITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 465 Internal Revenue Code of 1986; PL 94-455, Sec 204 Tax Reform Act of 1976

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance to taxpayers for purposes of determining the amount the taxpayer is at risk in certain activities. This guidance is necessary because a taxpayer's deductions are limited to the amount the taxpayer is at risk in the activity. This at risk limit applies to most activities except the holding of real property and certain equipment leasing by closely-held corporations.

Timetable:

Action	Date	FR Cite
NPRM	06/05/79	44 FR 32235
NPRM Comment Period End	08/06/79	44 FR 32235
Hearing	09/27/79	44 FR 49701
Final Action	12/00/88	

Small Entity: Not Applicable

Additional Information: LR-168-76.

Drafting attorney: Michael J. Grace (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Lorry Spitzer (202) 535-6968.

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AB52

2470. AGGREGATION OF CERTAIN ACTIVITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 465 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This temporary regulation will provide rules for aggregating certain activities for purposes of applying the at-risk rules under section 465. In general, the at-risk rules limit the amount of loss deductible in a taxable year with respect to an activity to the amount the taxpayer is at risk in the activity.

Timetable:

Action	Date	FR Cite
Temporary Regulation	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-155-85.

Drafting attorney: Arthur E. Davis III (202) 566-3238.

Treasury attorney: Robert Scarborough (202) 535-6969.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AI41

2471. TEMPORARY INCOME TAX REGULATIONS-DEFERRED PAYMENTS FOR USE OF PROPERTY OR SERVICES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 467 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1T

Legal Deadline: None.

Abstract: The regulations will provide rules to the accrual of rents for the use of tangible property (and interest on rent that accrues but is not paid) under a section 467 rental agreement. A section 467 rental agreement will be defined. Certain tax avoidance transactions will be defined. Rules will be provided for the recapture of prior understated inclusions. Comparable rules for services will be provided.

Timetable:

Action	Date	FR Cite
Temporary Regulation	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-292-84.

Drafting attorney: Sharon L. Hall (202) 566-3288.

Treasury attorney: Reed Shuldiner (202) 566-6963.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AG81

2472. INCOME TAX REGULATIONS -- SPECIAL RULES RELATING TO NUCLEAR DECOMMISSIONING COSTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 468A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules relating to the Federal income tax treatment of nuclear power plant decommissioning costs. The regulations will provide guidance with respect to the manner of making the election, the determination of the amount to be deducted, and the qualification requirements for the nuclear decommissioning fund.

Timetable:

Action	Date	FR Cite
NPRM	07/10/86	51 FR 25070
NPRM Comment Period End	09/08/86	51 FR 25070
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-18-85.

Drafting attorney: Bill Blagg (202) 566-3238.

Treasury attorney: Kathleen Ferrell (202) 566-2928.

Agency Contact: William L. Blagg, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AI01

2473. INCOME TAX--THREE-YEAR AVERAGING FOR INCREASES IN INVENTORY VALUE WHEN ELECTING LIFO METHOD OF ACCOUNTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 472(d) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide for three-year averaging for

increases in inventory value when electing the LIFO method of accounting.

Timetable:

Action	Date	FR Cite
NPRM	02/10/83	48 FR 6134
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-254-81.

Drafting attorney: Arthur E. Davis III (202) 566-3238.

Treasury attorney: J. Richard Harvey (202) 566-6960.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AB55

2474. SIMPLIFIED DOLLAR-VALUE LIFO METHOD FOR CERTAIN SMALL BUSINESSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 0474 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidance to certain small businesses that are eligible to elect a simplified dollar- value LIFO method of inventory valuation. This method requires the use of published government indexes.

Timetable:

Action	Date	FR Cite
Temporary Regulation	04/30/88	

Small Entity: No

Additional Information: LR-30-87

Drafting attorney: Arthur E. Davis III(202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Treasury accountant-advisor: J. Richard Harvey (202) 566-2926.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AK65

2475. INCOME TAX--RULES CLARIFYING THE REGULATIONS WITH RESPECT TO THE COMPUTATION OF "GROSS INCOME" OF AN ELECTRIC COOPERATIVE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 501(c)(12) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide that electric cooperatives would take into account costs of goods sold when determining income under the 85 percent member-income test.

Timetable:

Action	Date	FR Cite
NPRM	01/10/84	49 FR 1244
NPRM Comment Period End	03/12/84	49 FR 1244
Hearingheld 5/31/84	03/26/84	49 FR 1186
Final Action	12/31/88	

Small Entity: Not Applicable

Additional Information: EE-17-81.

Drafting attorney: William D. Gibbs (202) 566-3430.

Reviewing attorney: Richard J. Wickersham (202) 566-3250.

Agency Contact: William D. Gibbs, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AD99

2476. INCOME TAX--LIMITATION ON ADDITIONS TO BANK LOSS RESERVES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 585 Internal Revenue Code of 1986; PL 97-34, Sec 273

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would impose a requirement of a minimum addition to bad debt reserves of mutual savings banks in order to conform the treatment of these institutions to financial institutions described in section 585.

Timetable:

Action	Date	FR Cite
NPRM	12/19/83	48 FR 56083
NPRM Comment Period End	02/17/84	48 FR 56083
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-152-79.

Drafting attorney: Susan E. Overlander (202) 566-3459.

Reviewing attorney: Gerald W. Rock (202) 566-6456.

Agency Contact: Susan E. Overlander, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AB66

2477. INCOME TAX--SUPPLEMENTARY RULES ON LIMITATIONS ON PERCENTAGE DEPLETION FOR OIL & GAS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 613(a) Internal Revenue Code of 1986; 26 USC 703(a) Internal Revenue Code of 1986; 26 USC 705(a) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would clarify the circumstances under which percentage depletion will be available in the case of oil and gas wells.

Timetable:

Action	Date	FR Cite
NPRM	05/13/77	42 FR 24279
Hearing	08/31/78	
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-105-75.

Drafting attorney: Walter H. Woo (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: Walter H. Woo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AB73

2478. INCOME TAX--TO CONFORM TO SEC 3 OF THE ACT OF 12/28/80

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 613A(c)(10) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation would provide guidance to taxpayers using the section 613A(c)(10) exception to the transfer rules under section 613A(c)(9). In general section 613A(c)(9) disallows percentage depletion to the transferee of proven oil or gas property. Section 613A(c)(10) relates to the transfer of qualified property by an individual to a qualified transferee corporation solely in exchange for stock.

Timetable:

Action	Date	FR Cite
NPRM	10/03/84	49 FR 39076
NPRM Comment Period End	12/03/84	49 FR 39076
Hearing	03/15/85	
Final Action	07/31/89	

Small Entity: Not Applicable

Additional Information: LR-35-81.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AB74

2479. INCOME TAX - APPLICATION OF EFFECTIVE DATE FOR NEW RULES REGARDING DEDUCTIONS FOR MEAL, TRAVEL, AND ENTERTAINMENT TO PARTNERSHIPS AND S CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 702 Internal Revenue Code of 1986; 26 USC 1366 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide guidance to taxpayers relating to the effective date for new rules regarding deductions for meal, travel and entertainment to partnerships and S corporations.

Timetable:

Action	Date	FR Cite
Temporary Regulation	12/31/88	

Small Entity: Not Applicable

Additional Information: LR-28-87

Drafting Attorney: David R. Haglund (202) 566-3297.

Reviewing Attorney: Walter H. Woo (202) 566-3297.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AK85

2480. TAXABLE YEARS OF CERTAIN PARTNERSHIPS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 706 (b) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules for determining the appropriate taxable year for certain partnerships.

Timetable:

Action	Date	FR Cite
NPRM	12/29/87	52 FR 49030
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-101-86.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Treasury attorney: J. Richard Harvey (202) 566-4902.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AJ47

2481. MORTALITY AND MORBIDITY TABLES TO BE USED FOR INSURANCE PRODUCTS FOR WHICH THERE ARE NOT APPLICABLE COMMISSIONER'S TABLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 807 (d) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project will provide rules relating to the mortality and morbidity tables to be used in computing reserves for life insurance contracts for which there are no applicable Commissioner's standard tables.

Timetable:

Action	Date	FR Cite
NPRM	01/02/87	52 FR 0083
NPRM Comment Period End	03/03/87	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-71-86.

Drafting attorney: Sharon Hall (202) 566-3288.

Treasury attorney: Don Rocap (202) 566-8277.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK04

2482. INCOME TAX REGULATIONS-DIVERSIFICATION REQUIREMENTS FOR VARIABLE ANNUITY, ENDOWMENT, AND LIFE INSURANCE CONTRACTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 817 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide diversification requirements for variable annuity, endowment, and life insurance contracts. The testing of diversification for various periods and applicable effective dates.

Timetable:

Action	Date	FR Cite
NPRM	09/15/86	51 FR 32664
NPRM Comment Period End	11/14/86	51 FR 32664
Hearing	07/01/87	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-295-84.

Drafting attorney: Ewan D. Purkiss (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Donald Rocap (202) 566-8278.

TREAS—IRS

Final Rule Stage

Agency Contact: Ewan D. Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AG79

2483. TEMPORARY INCOME TAX REGULATIONS--DISCOUNTING OF UNPAID LOSSES OF PROPERTY AND CASUALTY INSURANCE COMPANIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 846 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules relating to the discounting of unpaid losses by property and casualty insurance companies. It is anticipated that the regulations will provide guidance with respect to the treatment of salvage and subrogation and the use of company's loss payment pattern.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-138-86.

Drafting attorney: Bill Blagg (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Agency Contact: Bill Blagg, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3238**

RIN: 1545-AI96

2484. ● ALLOCATION OF GROSS INCOME ATTRIBUTABLE TO INTEREST RATE SWAPS UNDER SECTION 863 (A)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 863 (a) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project provides source rules for income and expenses attributable to interest rate swap agreements. Interest rate swap agreements are basically agreements used to hedge against interest rate fluctuation.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-987-86

Drafting attorney: Scott Farmer (202) 634-5406.

Reviewing attorney: Bob Katcher (20) 634-5406.

Treasury attorney: Peter Daub (202) 566-5991.

Income Taxes

Agency Contact: Scott Farmer, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 634-5406**

RIN: 1545-AL26

2485. ● ALLOCATION AND APPORTIONMENT OF EXPENSES

Significance: Regulatory Program

Legal Authority: 26 USC 861 (b) Internal Revenue Code of 1986; 26 USC 863 (b) Internal Revenue Code of 1986; 26 USC 864 (e) Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations provide rules relating to the allocation and apportionment of expenses, including interest expense for purposes of the foreign tax credit rules and other international tax provisions.

Timetable:

Action	Date	FR Cite
NPRM	09/11/87	52 FR 4580
NPRM Comment Period End	10/26/87	
Hearing	11/13/87	
Final Action	04/30/88	

Small Entity: Not Applicable

Additional Information: INTL-935-86

Drafting attorney: David Merrick (202) 566-6275.

Reviewing attorney: Charles Saverude (202) 377-9060.

Treasury attorney: Mark Beams (202) 566-8275. Income Tax

Agency Contact: David Merrick, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-6276**

RIN: 1545-AL21

2486. INCOME TAX--ORIGINAL ISSUE DISCOUNT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 871 Internal Revenue Code of 1986; 26 USC 881 Internal Revenue Code of 1986; 26 USC 1441 Internal Revenue Code of 1986; 26 USC 1442 Internal Revenue Code of 1986; 26 USC 3401 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 31

Legal Deadline: None.

Abstract: The regulations would provide rules with respect to the taxation of original issue discount on bonds and obligations held by nonresident alien individuals and foreign corporations. The regulations would also provide guidance to withholding agents for withholding tax on original issue discount on such bonds and obligations.

Timetable:

Action	Date	FR Cite
NPRM	07/12/76	41 FR 28517
NPRM Comment Period End	09/09/76	41 FR 28517
Hearing	11/18/76	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-237-86

Drafting attorney: Theresa E. Bearman (202) 566-3407.

Reviewing attorney: Robert A. Katcher (202) 566-3407.

Agency Contact: Theresa E. Bearman, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3407**

RIN: 1545-AB93

TREAS—IRS

Final Rule Stage

2487. EMPLOYMENT TAXES: APPLICATION OF THE REPEAL OF 30% WITHHOLDING BY THE TAX REFORM ACT OF 1984 AND OF INFORMATION REPORTING AND BACKUP WITHHOLDING IN LIGHT OF SUCH REPEAL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 871 Internal Revenue Code of 1986; 26 USC 881 Internal Revenue Code of 1986; 26 USC 1441 Internal Revenue Code of 1986; 26 USC 1442 Internal Revenue Code of 1986; 26 USC 3406 Internal Revenue Code of 1986; 26 USC 6041 Internal Revenue Code of 1986; 26 USC 6045 Internal Revenue Code of 1986; 26 USC 6049 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations provide rules relating to the repeal of 30 percent withholding by the Tax Reform Act of 1984 and to the application of information reporting and backup withholding in light of such repeal.

Timetable:

Action	Date	FR Cite
Hearing held	01/28/85	49 FR 47870
NPRM	08/20/85	50 FR 33552
NPRM Comment Period End	10/22/85	50 FR 33552
NPRM	12/31/87	
Final Action	00/00/00	

Small Entity: No

Additional Information: INTL-53-86.

Drafting attorney: Carl Cooper (202) 576-3388.

Reviewing attorney:Carol Doran Klein (202) 566-6419.

Treasury attorney: Peter Daub (202) 566-5791.

Agency Contact: Carl Cooper, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Room 4109, Washington, D.C. 20224, **202 566-3388**

RIN: 1545-AH15

2488. BRANCH PROFITS TAX (GENERAL RULE AND DEFINITIONS) AND SECOND LEVEL WITHHOLDING TAXES (TEMPORARY REGULATIONS)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 884 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance on the calculation of the branch profits tax. The regulations will provide rules for the treatment of interest allocable to effectively connected income.

Timetable:

Action	Date	FR Cite
Interim Final Rule	00/00/00	

Small Entity: Undetermined

Additional Information: INTL-979-86

Drafting Attorney: Richard M. Elliott (202) 566-6457

Reviewing Attorney: Benedetta A. Kissel (202) 566-3179

Treasury Attorney: Peter Daub (202) 566-5791

Agency Contact: Richard M. Elliott, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6457**

RIN: 1545-AJ77

2489. INCOME TAX--RECAPTURE OF OVERALL FOREIGN LOSSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 904(f) Internal Revenue Code of 1986; PL 97-248, Sec 211

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide rules for determining the amount of and recapturing overall foreign losses. An overall foreign loss under any one of the separate limitations on the foreign tax credit may offset the taxpayer's United States tax on United States source income in the year of the loss. The recapture rules provide that a portion of the taxpayer's foreign taxable income under the same limitation in subsequent years is to be recharacterized as United States source income, thereby reducing the taxpayer's foreign tax credit and preventing a double tax benefit from the loss.

Timetable:

Action	Date	FR Cite
NPRM	01/24/86	51 FR 3193
Hearing	06/05/86	51 FR 11323
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: INTL-47-86

Drafting attorney: Carolyn M. DuPuy (202) 566-3289.

Reviewing attorney: Jacob Feldman (202) 566-3289.

Treasury attorney: Peter Barnes (202) 566-5815.

Agency Contact: Carolyn M. DuPuy, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AC05

2490. INCOME TAX REGULATIONS UNDER SECTION 121 OF THE TAX REFORM ACT OF 1984 RELATING TO RESOURCING CERTAIN AMOUNTS RECEIVED FROM A U.S. OWNED FOREIGN CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1954; 26 USC 904(g) Internal Revenue Code of 1954

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance on the resourcing of section 951 and 551 inclusions, and interest and dividends from certain U.S. owned foreign corporations. The regulations will provide rules for determining what interest amounts will be subject to resourcing.

Timetable:

Action	Date	FR Cite
NPRM	08/26/87	52 FR 32242
NPRM Comment Period End	10/26/87	
Hearing	11/12/87	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-931-86

Drafting attorney: Carolyn Dupuy (202) 566-3494.

Reviewing attorney: Carol Doran Klein (202) 566-6419.

Treasury attorney: Peter Daub (202) 566-5791.

Agency Contact: Carolyn M. Dupuy, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3499**

RIN: 1545-AI33

TREAS—IRS **Final Rule Stage**

2491. SEPARATE APPLICATION OF SECTION 904 WITH RESPECT TO CERTAIN CATEGORIES OF INCOME

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 904 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will provide rules for determining the separate application of the foreign tax credit limitation with respect to certain categories of income. The regulation will define the separate limitations, provide operational rules for determining the separate limitations (including look-through rules) and provide certain transition rules.

Timetable:

Action	Date	FR Cite
NPRM	08/26/87	
Hearing	11/12/87	
Final Action	04/30/88	

Small Entity: Not Applicable

Additional Information: INTL-931-86

Drafting Attorneys: Carolyn Dupuy (202) 566-3289 and Marnie Carro (202) 566-3499.

Reviewing Attorney: Carol Doran Klein (202) 566-6419

Treasury Attorney: Peter Daub (202) 566-2964

Agency Contact: Carolyn M. Dupuy & Marnie J. Carro, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3289**

RIN: 1545-AJ69

2492. SEPARATE APPLICATION OF SECTION 904 WITH RESPECT TO CERTAIN CATEGORIES OF INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 904 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will provide guidance to taxpayers in computing the foreign tax credit limitations with respect to certain categories of income.

Timetable:

Action	Date	FR Cite
NPRM	08/26/87	52 FR 32242
NPRM Comment Period End	10/26/87	
Hearing	11/12/87	52 FR 32242
Final Action	12/31/88	

Small Entity: No

Additional Information: INTL-931-86

Drafting Attorney: Carolyn DuPuy (202) 566-3494

Reviewing Attorney: Carol Doran-Klein (202) 566-6419

Treasury Attorney: Unassigned

Agency Contact: Carolyn M. DuPuy, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3494**

RIN: 1545-AJ72

2493. INCOME TAX--TEMPORARY REGULATIONS--TAXPAYER'S OBLIGATION TO FILE A NOTICE OF REDETERMINATION OF FOREIGN TAX AND CIVIL PENALTIES FOR FAILURE TO FILE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 905(c) Internal Revenue Code of 1986; 26 USC 6689 Internal Revenue Code of 1986

CFR Citation: 26 CFR 4

Legal Deadline: None.

Abstract: The regulations will establish procedures for taxpayers by which they must notify the Service of a change in foreign tax liability for a taxable year for which they claimed the foreign tax credit. The regulations provide special rules for redetermining the taxpayer's United States tax liability when the dollar value of the foreign currency fluctuates between the time for which the foreign tax credit is originally claimed and the time for which the foreign tax credit is redetermined. In addition, the regulations set forth deadlines for compliance with the notification requirements.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL - 61-86

Drafting attorney: Gerard Traficanti (202) 566-6384.

Reviewing attorney: Carol Doran Klein (202) 566-6419.

Draft of the Treasury decision to International Tax Counsel, on October 19, 1982.

Agency Contact: Gerard Traficanti, Tax Law Specialist, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Room 5531, Washington, D.C. 20224, **202 566-6384**

RIN: 1545-AC09

2494. FSC TRANSFER PRICING RULES, DISTRIBUTIONS, DIVIDENDS RECEIVED, DEDUCTION AND OTHER SPECIAL RULES FOR FSC

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 925(b)(1) Internal Revenue Code of 1986; 26 USC 925(b)(2) Internal Revenue Code of 1986; 26 USC 927(d)(2)(B) Internal Revenue Code of 1986; 26 USC 927(e)(1) to 927(e)(2) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would provide rules for Application of the FSC Transfer Pricing Rules, Distributions, Dividends Received Deductions and Other Special FSC provisions.

Timetable:

Action	Date	FR Cite
NPRM	03/03/87	52 FR 6467
NPRM Comment Period End	05/02/87	52 FR 6467
Hearing	01/19/88	
Final Action	12/01/88	

Small Entity: Not Applicable

Additional Information: INTL - 153-86.

Drafting attorney: Richard Chewning (202) 566-3490.

Reviewing attorney: Carol Doran Klein (202) 566-3289.

Treasury attorney: D. Crowe (202) 566-8275.

Agency Contact: Richard Chewning, Attorney - Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3490**

RIN: 1545-AI16

TREAS—IRS

Final Rule Stage

2495. INCOME TAX--DEFINITION OF QUALIFIED POSSESSION SOURCE INVESTMENT INCOME FOR PURPOSES OF PUERTO RICO & POSSESSION TAX CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 936(d)(2) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would provide rules with respect to what constitutes qualified possession source investment income for purposes of the Puerto Rico and possession tax credit.

Timetable:

Action	Date	FR Cite
NPRM	01/21/86	51 FR 2726
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL -44-86

Drafting attorney: Philip L. Garlett (202) 566-6645.

Reviewing attorney: Jacob Feldman (202) 566-6645.

Treasury attorney: Mary Bennett (202) 566-5815.

Agency Contact: Philip L. Garlett, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6645**

RIN: 1545-AC10

2496. CURRENT TAXATION OF FOREIGN OIL RELATED INCOME OF CONTROLLED FOREIGN CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 954 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would define and interpret when foreign oil related income will be subject to current taxation under section 954 of the Internal Revenue Code of 1954. Changes to the applicable law were made by section 212 of the Tax Equity and Fiscal Responsibility Act of 1982.

Timetable:

Action	Date	FR Cite
NPRM	08/27/87	52 FR 32308
NPRM Comment Period End	10/26/87	
Final Action	12/01/88	

Small Entity: Not Applicable

Additional Information: INTL-57-86.

Drafting attorney: Richard Chewning (202) 566-3490.

Reviewing attorney: Charles C. Saverude (202) 566-6645.

Treasury attorney: Peter Barnes (202) 566-8275.

Agency Contact: Richard Chewning, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3490**

RIN: 1545-AE38

2497. ● FUNCTIONAL CURRENCY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 985 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project provides rules for determining the currency an entity is a foreign entity it may be allowed to compute its gain or loss in foreign currency and translate the net amount of such gain or loss into U.S. dollars.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-982-86

Drafting attorney: Scott Farmer (202) 634-5406.

Reviewing attorney: Bob Katcher (202) 634-5406.

Treasury attorney: David Crowe (202) 566-5791.

Income Taxes

Agency Contact: Scott Farmer, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 634-5406**

RIN: 1545-AL27

2498. ● TRANSITION RULES FOR QUALIFIED BUSINESS UNITS USING A NET WORTH METHOD OF ACCOUNTING FOR TAXABLE YEARS BEGINNING BEFORE JANUARY 1, 1987

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 989 (c) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This project provides transition rules for those foreign branches of United States entities who used a net worth method of accounting prior to the enactment of the Tax Reform Act of 1986. Under the Act foreign branches must now account for their operations under the profit and loss method as set forth in section 987 of the Code.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-984-86

Drafting attorney: David Rosenberg (202) 634-5406.

Reviewing attorney: Ann Fisher (202) 634-5406.

Treasury attorney: David Crowe (202) 566-5791.

Income Taxes

Agency Contact: David Rosenberg, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 634-5406**

RIN: 1545-AL28

2499. PROPOSED INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1984 RELATING TO INTEREST CHARGE DISCS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 995 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The Regulations will provide guidance relating to the Interest Charge imposed on DISC shareholders for taxable years ending after 1984. The regulations will explain how the

TREAS—IRS **Final Rule Stage**

Deemed Distribution is computed and how the Interest Charge is computed.

Timetable:

Action	Date	FR Cite
NPRM	02/02/87	52 FR 3256
Final Action	07/31/88	

Small Entity: Not Applicable

Additional Information: LR-172-84.

Drafting attorney: Joseph M. Rosenthal (202) 566-3872.

Reviewing attorney: Jacob Feldman (202) 566-3289.

Treasury attorney: Jane Sarosdy (202) 566-8275.

Agency Contact: Joseph M. Rosenthal, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3872

RIN: 1545-AG71

2500. INCOME TAX--TRANSFERS OF SECURITIES UNDER CERTAIN AGREEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1058 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide that so long as the provisions of section 1058 and these regulations are met, the lender will neither recognize gain or loss on the transfer of securities nor upon the return of identical securities.

Timetable:

Action	Date	FR Cite
NPRM	07/26/83	48 FR 33912
NPRM Comment Period End	09/26/83	48 FR 33912
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-182-78.

Drafting attorney: Arthur E. Davis III (202) 566-3238.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AC20

2501. CUSTOMS LIMITATION ON TAXPAYER'S BASIS IN PROPERTY IMPORTED FROM RELATED PERSONS

Legal Authority: PL 99-514, Sec 1248

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Prior to the Tax Reform Act of 1986 importers could claim a transfer price for customs purposes that was too low to be consistent with the price they claim for income tax purposes. Section 1248 of the Tax Reform Act of 1986 addressed this problem by enacting Section 1059A of the Internal Revenue Code, under which importers cannot claim a transfer price for income tax purposes that is higher than would be consistent with the value they claim for customs purposes. Regulations will be needed to provide rules for coordinating customs and tax valuation principles. It is anticipated that as a result of Section 1059A of the Internal Revenue Code, some taxpayers will claim higher transfer prices for customs purposes. No estimate has been made of the revenue.

Timetable:

Action	Date	FR Cite
NPRM	09/03/87	52 FR 171
NPRM Comment Period End	11/02/87	
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: INTL-960-86

Drafting Attorney: W. Edward Williams (202) 287-4851

Reviewing Attorney: George Sellinger (202) 287-4851

Treasury Attorney: Stephen Shay (202) 566-5046

Agency Contact: W. Edward Williams, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza South, S.W., Room 3319, Washington, D.C. 20024, 202 287-4851

RIN: 1545-AJ92

2502. INCOME TAX--SPECIAL ALLOCATION RULES FOR CERTAIN ASSET ACQUISITIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1060 Internal Revenue Code of 1986; 26 USC 755 Internal Revenue Code of 1986; 26 USC 338 Internal Revenue Code of 1986; 26 USC 167 Internal Revenue Code of 1986; 26 USC 1031 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation will explain and illustrate the application of the residual method of allocation to the purchase price in certain asset acquisitions. It will also provide certain information reporting requirements.

Timetable:

Action	Date	FR Cite
Temporary Regulation	04/15/88	

Small Entity: No

Additional Information: LR-118-86.

Drafting attorney: Judith C. Winkler (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Kathleen Ferrell (202) 566-2175.

Agency Contact: Judith C. Winkler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AJ03

2503. INCOME TAX REGULATIONS UNDER THE TAX REFORM ACT OF 1984 RELATING TO MIXED STRADDLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1092(b)(1) Internal Revenue Code of 1986; 26 USC 1092(b)(2) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to mixed straddles. The regulations will explain the application of the straddle-by-straddle identification rules of mixed straddles and the establishment of mixed straddle accounts.

Timetable:

Action	Date	FR Cite
NPRM	01/24/85	50 FR 3351
NPRM Comment Period End	03/25/85	50 FR 3351
Hearing	05/02/85	
Final Action	07/00/88	

Small Entity: Not Applicable

Additional Information: LR-299-84.

Drafting attorney: Timothy J. McKenna (202) 566-3287.

TREAS—IRS

Final Rule Stage

Reviewing attorney: John M. Fischer (202) 566-3394.

Treasury attorney: Kathleen Ferrell (202) 566-2175.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AH59

2504. INCOME TAX REGULATIONS UNDER THE ECONOMIC RECOVERY TAX ACT OF 1981 AND THE TAX REFORM ACT OF 1984, RELATING TO STRADDLES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1092 (b) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to tax straddles. The regulations will explain the general loss deferral rule under section 1092, and the application of rules similar to section 1091 and 1233 to straddles.

Timetable:

Action	Date	FR Cite
NPRM	01/24/85	50 FR 3352
NPRM Comment Period End	03/25/85	50 FR 3352
Hearing	05/02/85	
Final Action	07/00/88	

Small Entity: Not Applicable

Additional Information: LR-297-84.

Drafting attorney: Timothy J. McKenna (202) 566-3287.

Reviewing attorney: John M. Fischer (202) 566-3294.

Treasury attorney: Kathleen Ferrell (202) 566-2175.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AH60

2505. INCOME TAX--GAIN FROM DISPOSITION OF INTEREST IN OIL OR GAS PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1254 Internal Revenue Code of 1986; 26 USC 751 Internal Revenue Code of 1986; PL 94-455, Sec 205 Tax Reform Act of 1976; PL 94-455, Sec 1901 Tax Reform Act of 1976; PL 95-618, Sec 402 Energy Tax Act of 1978

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will determine the tax treatment of gain from the disposition of certain oil, gas, or geothermal property to determine how much of the gain from the disposition is subject to recapture under section 1254 and accorded ordinary income treatment. The regulations also will define intangible drilling and development costs, disposition, and oil, gas and geothermal property for purposes of section 1254.

Timetable:

Action	Date	FR Cite
NPRM	06/11/80	45 FR 39512
NPRM Comment Period End	08/11/80	45 FR 39512
Hearing	09/09/80	
Final Action	12/00/88	

Small Entity: Not Applicable

Additional Information: LR-276-76.

Drafting attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AC35

2506. HEDGING EXCEPTION TO MARK-TO-MARKET RULES FOR SECTION 1256 CONTRACTS, DEFERRAL OF CERTAIN STRADDLE LOSSES, AND WASH-SALE AND SHORT-SALE PRINCIPLES APPLICABLE TO CERTAIN STRADDLE TRANSACTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1256 (e) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to the hedging transaction exception for section 1256 contracts and straddles.

Timetable:

Action	Date	FR Cite
Temporary Regulation	07/00/88	

Small Entity: Not Applicable

Additional Information: LR-10-86.

Drafting attorney: Timothy J. McKenna (202) 566-3287.

Reviewing attorney: John M. Fischer (202) 566-3394.

Treasury attorney: Kathleen Ferrell (202) 566-2175.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, DC 20224, 202 566-3287

RIN: 1545-AI72

2507. REGULATIONS UNDER SECTION 1271 THROUGH 1275 RELATING TO TAX TREATMENT OF DEBT INSTRUMENTS HAVING ORIGINAL ISSUE DISCOUNT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1275 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulations would provide guidance as to computation of amount to be included in income by holders and amount to be deducted by issuers of certain bonds issued after July 1, 1982. With respect to these bonds, original issue discount is computer based on constant interest accrual. Guidance is also provided as to the computation of original issue discount in special circumstances where the bond contains a variable interest rate, where put and call options are present, and in other circumstances.

Timetable:

Action	Date	FR Cite
NPRM	05/08/86	51 FR 12022
Hearing	11/17/86	51 FR 24162
Final Action	12/31/88	

Small Entity: Not Applicable

Additional Information: LR-189-84.

Drafting attorney: Laura Ann M. Lauritzen (202) 566-3459.

TREAS—IRS **Final Rule Stage**

Reviewing attorney: Susan T. Baker (202) 566-3294.

Agency Contact: Laura Ann M. Lauritzen, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3459

RIN: 1545-AH46

2508. INCOME TAX--DEFINITION OF S CORPORATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1361 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would address the following matters: (1) the number of permitted shareholders of a small business corporation, (2) the types of trusts that are permitted to be shareholders of a small business corporation, (3) whether shares are permitted to be owned as a split interest and (4) the rules relating to corporations that are ineligible to be an S corporation.

Timetable:

Action	Date	FR Cite
NPRM	10/07/87	51 FR 35659
NPRM Comment Period End	12/08/87	
Final Action	07/31/88	

Small Entity: Not Applicable

Additional Information: LR-262-82.

Drafting attorney: Joel S. Rutstein (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: Joel S. Rutstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE86

2509. TEMPORARY REGULATION--APPLICATION OF SECTION 1374 BUILT-IN GAIN TAX TO C CORPORATION'S ELECTING S CORPORATION STATUS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1374 Internal Revenue Code of 1986; 26 USC 337 (d) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulations will provide ruling relating to the section 1374 built-in gains tax to C corporations electing S corporation status

Timetable:

Action	Date	FR Cite
Temporary Regulation	04/15/86	

Small Entity: Not Applicable

Additional Information:

LR-6-87.

Drafting attorney: Mark S. Jennings (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Mark S. Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3458

RIN: 1545-AK91

2510. INCOME TAX--CERTAIN ELECTIONS UNDER THE SUBCHAPTER S REVISION ACT OF 1982

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1361 Internal Revenue Code of 1986; 26 USC 1362 Internal Revenue Code of 1986; 26 USC 1377 Internal Revenue Code of 1986; 26 USC 1378 Internal Revenue Code of 1986; 26 USC 1379 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations relate to the time and manner of making certain elections, consents, and refusals under the Subchapter S Revision Act of 1982 and to the taxable year which a corporation may select in order to make the election to be an S corporation.

Timetable:

Action	Date	FR Cite
NPRM	01/26/83	48 FR 03637
NPRM Comment Period End	03/28/83	48 FR 03637
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-1-83.

Drafting attorney: Walter H. Woo (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: Walter H. Woo, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AF30

2511. APPLICATIONS FOR EXEMPTION FROM SELF-EMPLOYMENT TAXES FOR MINISTERS, ETC

Legal Authority: 26 USC 1402 (e) Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation will provide guidance with respect to applications for exemption from self-employment taxes under section 1402 (e) for ministers, members of a religious order and Christian Science practitioners.

Timetable:

Action	Date	FR Cite
NPRM	04/15/87	52 FR 12194
NPRM Comment Period End	06/15/87	52 FR 12194
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-154-86

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: John Bromell (202) 566-3297.

Treasury attorney: Susan Scherbel (202) 566-4902.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111

Constitution Ave., N.W., Washington, DC 20224, **202 566-3297**

RIN: 1545-AJ94

2512. WITHHOLDING ON ITEMS OF INCOME COVERED BY AN INCOME TAX CONVENTION

Legal Authority: PL 97-248, Sec 342; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 301

Legal Deadline: None.

Abstract: These regulations relate to the withholding on certain items of income subject to a reduced rate of, or exemption from, U.S. tax under an income tax convention to which the United States is a party. These regulations would amend the existing regulations to provide a certification requirement for obtaining reduced rates of, or exemption from, U.S. withholding tax on payments of fixed or determinable annual or periodical income and certain other income.

Timetable:

Action	Date	FR Cite
NPRM	09/10/84	49 FR 35511
NPRM Comment Period End	11/09/84	49 FR 35511
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-41-86

Drafting attorney: Lilo A. Hester (202) 566-5862.

Reviewing attorney: Michael F. Patton (202) 566-5862.

Treasury attorney: Peter Daub (202) 566-5815.

Agency Contact: Lilo Alfreida Hester, Attorney, Department of the Treasury, Internal Revenue Service, 950 L'Enfant Plaza South, S.W., Suite 3319, Washington, DC 20024, **202 287-4851**

RIN: 1545-AH86

2513. ● TEMPORARY REGULATION ON WITHHOLDING TAX ON PAYMENTS FROM PARTNERSHIPS TO FOREIGN PARTNERS

Significance: Agency Priority

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1446 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: Statutory, December 31, 1987. Withholding must begin no later than January 1, 1988.

Abstract: The regulation explains when withholding is required under section 1446, how and when the amounts withheld are to be reported and paid over to the Internal Revenue Service, and when the taxpayer is to credit the tax withheld against its U.S. income tax liability or apply for a refund significant policy issues tax involved.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: INTL-938-86

Drafting attorney: David F.Chan (202) 634-5404.

Reviewing attorney: Robert E. Culbertson, Jr. (202) 634-5404.

Treasury attorney: David Crowe (202) 566-5791.

Income Taxes

Agency Contact: David F. Chan, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, Attn: CC:INTL, Room 3042, **202 634-5404**

RIN: 1545-AL32

2514. INCOME TAX--CREDIT & DEDUCTIONS ETC., FOR CONSOLIDATED RETURNS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1502 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Provision would amend the consolidated returns regulations to clarify, among other things, the rules relating to net operating loss carrybacks of a member of an affiliated group filing consolidated returns to a year in which the member was not in existence, thereby giving the public needed guidance on what the rule is in that situation.

Timetable:

Action	Date	FR Cite
NPRM	07/31/84	49 FR 30528
NPRM Comment Period End	10/01/84	
Hearing	12/10/84	
Final Action	12/31/88	

Small Entity: No

Additional Information: LR-97-79.

Drafting attorney: Judith C. Winkler (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Patricia McClanahan (202) 566-4902.

Agency Contact: Judith C. Winkler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AC48

2515. INVESTMENT ADJUSTMENTS UNDER THE CONSOLIDATED RETURN REGULATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1502 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Provision would amend the consolidated return investment adjustment rules by changing the computation of earnings and profits where section 312 (k), (l), (m), or (n) applies.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: LR-15-86.

Drafting attorney: Judith C. Winkler (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Judith C. Winkler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3458**

RIN: 1545-AI58

TREAS—IRS

Final Rule Stage

2516. TEMPORARY REGULATIONS-CONSOLIDATED RETURN INVESTMENT ADJUSTMENTS WITH RESPECT TO AN ACQUIRED SUBSIDIARY'S BUILT-IN GAINS OR LOSSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1502 Internal Revenue Code of 1986; 26 USC 337 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Regulations will prevent the consolidated return investment adjustments from reflecting the recognized built-in gains or losses of assets acquired in certain corporate acquisitions.

Timetable:

Action	Date	FR Cite
Temporary Regulation	04/01/88	

Small Entity: Not Applicable

Additional Information:

LR-4-87.

Drafting attorney: Mark S. Jennings (202) 566-3458.

Reviewing attorney: John Broadbent (202) 566-3458.

Agency Contact: Mark S. Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK95

2517. ● CONSOLIDATE GROUPS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1502 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation provides revisions of section1.1502-32 to alleviate the problems that occur when a subsidiary is deconsolidated and the consent dividend election is not available to the consolidated group.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-5-88

Drafting attorney: Judith Winkler (202) 566-3458.

Reviewing attorney: John Broadbent (202) 566-3458.

Income Taxes

Agency Contact: Judith Winkler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N:W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AL45

2518. CROSS-REFERENCE--ALASKA NATIVE CORPORATIONS; REQUIREMENTS FOR AFFILIATION IN ORDER TO FILE A CONSOLIDATED RETURN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1504 Internal Revenue Code of 1986; 26 USC 1502 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal will provide rules relating to the affiliated requirements of Alaska Native Corporations with certain other corporations in order to file a consolidated return.

Timetable:

Action	Date	FR Cite
NPRM	03/18/87	52 FR 8471

Next Action Undetermined

Small Entity: Not Applicable

Additional Information:

LR-23-87.

Drafting attorney: Mark S. Jennings (202) 566-3458.

Reviewing attorney: John Broadbent (202) 566-3458.

Agency Contact: Mark S. Jennings, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AK88

2519. ESTATE & GIFT TAXES--INCLUSION OF STOCK IN ESTATE WHERE DECEDENT RETAINED VOTING RIGHTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 2036(a) Internal Revenue Code of 1986

CFR Citation: 26 CFR 20

Legal Deadline: None.

Abstract: These regulations will provide the extent to which the retention of voting rights by a transferor of stock will require that the value of that stock be included in the transferor's gross estate.

Timetable:

Action	Date	FR Cite
NPRM	08/03/83	48 FR 35143
NPRM Comment Period End	11/03/83	48 FR 35143
Final Action	12/00/88	

Small Entity: Not Applicable

Additional Information: LR-181-76.

Drafting attorney: Fred E. Grundeman (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Susan Himes (202) 566-8527.

Agency Contact: Fred E. Grundeman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AC63

2520. ESTATE AND GIFT TAXES--INCREASE IN LIMITATIONS ON MARITAL DEDUCTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 2012 Internal Revenue Code of 1986; 26 USC 2014 Internal Revenue Code of 1986; 26 USC 2055 Internal Revenue Code of 1986; 26 USC 2056 Internal Revenue Code of 1986; 26 USC 2207A Internal Revenue Code of 1986; 26 USC 2519 Internal Revenue Code of 1986; 26 USC 2523 Internal Revenue Code of 1986; 26 USC 6019 Internal Revenue Code of 1986

CFR Citation: 26 CFR 20; 26 CFR 25

Legal Deadline: None.

Abstract: These regulations will clarify the estate and gift tax treatment of transfers of property between spouses. They will provide how an executor may elect to treat certain property as qualified terminable interest property, in which case the imposition of transfer taxes will be delayed until the latter of (1) the surviving spouse's disposition of an interest in the property or (2) the surviving spouse's death.

TREAS—IRS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	05/21/84	49 FR 21350
NPRM Comment Period End	07/20/84	49 FR 21350
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-211-76.

Drafting attorney: Christopher J. Wilson (202) 566-4336.

Reviewing attorney: Fredric E. Grundeman (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Susan Himes (202) 566-8527.

Agency Contact: Christopher J. Wilson, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AC67

2521. ESTATE TAX--GENERATION SKIPPING TRANSFER TAX

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 2653 (b) Internal Revenue Code of 1986; 26 USC 2662 Internal Revenue Code of 1986; 26 USC 2663 Internal Revenue Code of 1986

CFR Citation: 26 CFR 26; 26 CFR 26a

Legal Deadline: None.

Abstract: The regulations will provide rules relating to the effective date provisions, return requirements, definitions, and certain special rules for the tax on generation-skipping transfers.

Timetable:

Action	Date	FR Cite
Temporary Regulation	04/01/88	

Small Entity: Not Applicable

Additional Information:

LR-127-86.

Drafting attorney: Maurice B. Foley (202) 566-4336.

Reviewing attorney: Fred E. Grundeman (202) 566-3287.

Treasury attorney: Susan Himes (202) 566-8527.

Agency Contact: Maurice B. Foley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AJ12

2522. ● LEASED PROPERTY UNDER SECTION 280F

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 280F Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation provides inclusion amounts for listed property leased after December 31, 1986.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-1-88

Drafting attorney: Joel Rutstein (202) 566-3297.

Reviewing attorney: Sharon Galm (202) 566-3930.

Treasury attorney: John Parcell (202) 535-6965.

Income Taxes

Agency Contact: Joel Rutstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AL42

2523. EMPLOYMENT TAX--TO REQUIRE WITHHOLDING OF SOCIAL SECURITY AND RAILROAD RETIREMENT TAX FROM CERTAIN PAYMENTS OF SICK PAY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 3121 Internal Revenue Code of 1986; 26 USC 3231 Internal Revenue Code of 1986; PL 97-123, Sec 3

CFR Citation: 26 CFR 31

Legal Deadline: None.

Abstract: The regulations will provide guidance to third parties paying sick pay which is subject to social security or railroad retirement tax, employees receiving the sick pay, and employers of the employees.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/82	
NPRM	07/06/82	47 FR 29266
NPRM Comment Period End	09/06/82	
Final Action	06/30/88	

Small Entity: Not Applicable

Additional Information: LR-23-82.

Drafting Attorney: Renay France (202) 566-3459.

Reviewing Attorney: John M. Coulter, Jr. (202) 566-3331.

Treasury Attorney: Paul Strella (202) 535-6965.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AC77

2524. ● BACKUP WITHHOLDING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 3406 Internal Revenue Code of 1986

CFR Citation: 26 CFR 35a

Legal Deadline: None.

Abstract: This regulation clarifies certain requirements under section 35a.3406-1 regarding backup withholding due to incorrect TIN.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-8-88

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John Coulter (202) 566-3331.

Treasury attorney: Susan Himes (202) 566-8527.

Income Taxes

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AL48

TREAS—IRS

Final Rule Stage

2525. TREATMENT OF REAL ESTATE AGENTS AND DIRECT SELLERS AS NONEMPLOYEES FOR EMPLOYMENT TAX PURPOSES--REPORTING REQUIREMENTS WITH RESPECT TO DIRECT SELLERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 3508 Internal Revenue Code of 1986; 26 USC 3509 Internal Revenue Code of 1986; 26 USC 6041A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 31

Legal Deadline: None.

Abstract: The proposed regulations would provide rules for the treatment of real estate agents and direct sellers as independent contractors for employment tax purposes. The proposed rules would also provide guidance for the reporting requirements of sales to direct sellers. The proposed rules would also provide guidance for computing certain employer liability for employment taxes.

Timetable:

Action	Date	FR Cite
NPRM	01/07/86	51 FR 619
NPRM Comment Period End	03/10/86	51 FR 619
Hearing	06/18/86	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-214-82.

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: John Bromell (202) 566-3297.

Treasury Attorney: Harry Conaway (202) 566-8277.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AE62

2526. ● ELECTION TO HAVE CERTAIN DIESEL FUEL TAXES IMPOSED ON SALES TO RETAILERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4041 Internal Revenue Code of 1986

CFR Citation: 26 CFR 48

Legal Deadline: None.

Abstract: The regulations will provide guidance to assist diesel fuel retailers in making an election to have the diesel fuel excise tax collected by the wholesaler at the time the liquid is sold to the retailer.

Timetable:

Action	Date	FR Cite
Temporary Regulation	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-117-87

Drafting Attorney: Lauren G. Shaw (202) 566-3287.

Reviewing Attorney: William A. Jackson (202) 566-3287.

Treasury Attorney: Ellen Aprill (202) 566-2565.

Excise Taxes

Agency Contact: Lauren G. Shaw, Attorney - Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20008, **202 566-3287**

RIN: 1545-AL14

2527. TEMPORARY REGULATION EXCISE TAXES ON HEAVY TRUCKS, TRUCK TRAILERS AND SEMITRAILERS, AND TRACTORS SOLD AT RETAIL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4051 Internal Revenue Code of 1986; 26 USC 4052 Internal Revenue Code of 1986; 26 USC 4053 Internal Revenue Code of 1986

CFR Citation: 26 CFR 145

Legal Deadline: None.

Abstract: The regulations will provide guidance to dealers in paying tax on the sale of heavy trucks, trailers, and tractors.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/88	

Small Entity: Not Applicable

Additional Information: LR-142-83.

Drafting attorney: Maurice B. Foley (202) 566-4336.

Reviewing attorney: Ada Rousso (202) 566-3287.

Treasury attorney: Ellen Aprill (202) 566-5453.

Agency Contact: Maurice B. Foley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-4336**

RIN: 1545-AF79

2528. EXCISE TAX - EXCISE TAX ON HEAVY TRUCKS, TRUCK TRAILERS AND SEMITRAILERS, AND TRACTORS

Legal Authority: 26 USC 4052 Internal Revenue Code of 1986

CFR Citation: 26 CFR 145

Legal Deadline: None.

Abstract: These regulations will define the term "first retail sale" and provide rules relating to the determination if the retail sales price where the tax is paid by the manufacturer and where a long-term lease is treated as a taxable sale.

Timetable:

Action	Date	FR Cite
Final Action	04/01/88	

Small Entity: No

Additional Information: LR-1-86.

Drafting attorney: Maurice B. Foley (202) 566-4336.

Reviewing attorney: Ada Rousso (202) 566-3287.

Treasury attorney: Ellen Aprill (202) 566-2565.

Agency Contact: Maurice B. Foley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, DC 20224, **202 566-4336**

RIN: 1545-AI62

2529. EXCISE TAX--COLLECTION OF EXCISE TAX IMPOSED ON THE SALE OR REMOVAL OF GASOLINE

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4081 Internal Revenue Code of 1986; 26 USC 4082 Internal Revenue Code of 1986; 26 USC 4101 Internal Revenue Code of 1986

CFR Citation: 26 CFR 48

Legal Deadline: None.

Abstract: The regulations will provide rules relating to excise tax imposed on the sale or removal of gasoline. The regulations will also provide procedural requirements for any required registration and bonding, and obtaining applicable refunds or credits relating to the excise tax.

TREAS—IRS

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	11/18/87	52 FR 44141
hearing	01/05/88	
Final Action	07/00/88	

Small Entity: Not Applicable

Additional Information:

LR-115-86.

Drafting attorney: Timothy J. McKenna (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Treasury attorney: Robert Scarborough (202) 566-4979.

Agency Contact: Timothy J. McKenna, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AJ09

2530. ● EXCISE TAX ON DIESEL FUEL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4091 to 4093 Internal Revenue Code of 1986

CFR Citation: 26 CFR 48

Legal Deadline: None.

Abstract: This regulation provides guidance on the collection of diesel fuel excise tax under the Revenue Act of 1987.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-3-88

Drafting attorney: Lauren Shaw (202) 566-3287.

Reviewing attorney: William Jackson (202) 566-3287.

Treasury attorney: Ellen Aprill (202) 566-5453.

Excise Taxes

Agency Contact: Lauren Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AL43

2531. REDUCTION OF THE HEAVY VEHICLE USE TAX FOR FOREIGN-BASED TRUCKS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4481 Internal Revenue Code of 1986

CFR Citation: 26 CFR 41

Legal Deadline: None.

Abstract: This project will address how the heavy vehicle use tax will be imposed on foreign-based trucks at a reduced rate and what proof of payment of the tax must be presented upon entry into the United States.

Timetable:

Action	Date	FR Cite
NPRM	09/04/87	52 FR 33602
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-33-87

Drafting Attorney: William A. Jackson (202) 566-3287.

Reviewing Attorney: Ada Rousso (202) 566-3287.

Treasury Attorney: Ellen Aprill (202) 566-2565.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AK98

2532. TRANSITIONAL RULES RELATING TO INDEBTEDNESS TREATED AS PAYMENT ON INSTALLMENT OBLIGATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 453C Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide guidance to taxpayers in applying a 3-year phase-in transitional rule on the application of section 453C, which treats indebtedness as the receipt of payments on installment obligations.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-20-87

Drafting attorney: Ewan D. Purkiss (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Ellen Aprill (202) 566-2565.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AK54

2533. INCOME TAX--LOBBYING BY PUBLIC CHARITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 501(h) Internal Revenue Code of 1986; 26 USC 504 Internal Revenue Code of 1986; 26 USC 4911 Internal Revenue Code of 1986; 26 USC 170(f) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 53; 26 CFR 56

Legal Deadline: None.

Abstract: The regulations will provide rules primarily applicable to tax exempt organizations described in section 501(c)(3) that elect to have the provisions of section 501(h) and 4911 apply to their lobbying expenditures.

Timetable:

Action	Date	FR Cite
NPRM	11/05/86	51 FR 40211
NPRM Comment Period End	04/03/87	52 FR 802
Hearing	05/11/87	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-154-78.

Drafting attorney: Jerry P. Walsh Skelly (202) 566-3422.

Reviewing attorney: Paul G. Accettura (202) 566-3544.

Agency Contact: Jerry P. Walsh Skelly, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3422**

RIN: 1545-AE02

2534. EXCISE TAX--ELECTION TO AGGREGATE LINES OF BUSINESS FOR PURPOSES OF CERTAIN FRINGE BENEFIT EXCLUSIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4977 Internal Revenue Code of 1986

TREAS—IRS

Final Rule Stage

CFR Citation: 26 CFR 54

Legal Deadline: None.

Abstract: Regulations will provide guidance in the manner of making an election under section 4977. The regulations will also provide rules concerning the requirements for making a section 4977 election.

Timetable:

Action	Date	FR Cite
NPRM	01/07/85	50 FR 836
NPRM Comment Period End	03/08/85	
Hearing See additional information	04/16/85	50 FR 7072
Final Action	06/30/88	

Small Entity: No

Additional Information: EE-139-87

Drafting attorney: Rhonda G. Migdail (202) 566-6212.

Reviewing attorney: Mary Oppenheimer (202) 566-6628.

Treasury attorney: Susan Scherbel (202) 535-6965.

Proposed and temporary regulations under section 4977 were published together with other fringe benefits regulations (LR-216-84) and the subject of public hearings. Additional section 4977 regulations will be provided exclusively in this project.

Agency Contact: Rhonda G. Migdail, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-6212**

RIN: 1545-AI63

2535. EXCISE TAX -- EXCESS DISTRIBUTIONS FROM QUALIFIED RETIREMENT PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4981A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules for determining the amount of the excise tax on excess distributions from qualified retirement plans.

Timetable:

Action	Date	FR Cite
NPRM	12/10/87	52 FR 46782
NPRM Comment Period End	02/08/88	52 FR 46782
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: EE-162-86

Drafting Attorney: Marjorie Hoffman (202) 566-3430.

Reviewing Attorney: Richard J. Wickersham (202) 566-3250.

Treasury Attorneys: Paul Strella/Harry Conaway (202) 566-8277.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AI81

2536. EXCISE TAXES RELATING TO REAL ESTATE INVESTMENT TRUSTS AND REGULATED INVESTMENT COMPANIES UNDER THE TAX REFORM ACT OF 1986

Legal Authority: 26 USC 4981 Internal Revenue Code of 1986; 26 USC 4982 Internal Revenue Code of 1986; 26 USC 6011 Internal Revenue Code of 1986; 26 USC 6061 Internal Revenue Code of 1986; 26 USC 6071 Internal Revenue Code of 1986; 26 USC 6151 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 55

Legal Deadline: None.

Abstract: The regulation would provide guidance pertaining to the excise taxes relating to real estate investment trusts and regulated investment companies under the Tax Reform Act of 1986.

Timetable:

Action	Date	FR Cite
ANPRM	09/01/87	
NPRM	09/09/87	52 FR 33953
ANPRM Comment Period End	10/30/87	
NPRM Comment Period End	11/09/87	52 FR 33953
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-104-86.

Drafting attorney: Robert M. Casey (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Don Rocap (202) 566-8278.

Agency Contact: Robert M. Casey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AJ02

2537. EXCISE TAX--DEFINITION OF NEWLY DISCOVERED OIL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4997 Internal Revenue Code of 1986; 26 USC 4991 Internal Revenue Code of 1986; 26 USC 4996 Internal Revenue Code of 1986

CFR Citation: 26 CFR 51

Legal Deadline: None.

Abstract: The regulations would provide guidance on the requirements for the qualification of crude oil as newly discovered oil, as well as a definition of production in "commercial quantities" that affects the net income limitation on windfall profit and the exemption for Alaskan oil.

Timetable:

Action	Date	FR Cite
NPRM	11/05/82	47 FR 50306
NPRM Comment Period End	01/04/83	47 FR 50306
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-224-81.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AC96

2538. EXCISE TAX--ISSUES ARISING WHERE MULTIPLE PARTIES SHARE IN PRODUCTION, INCLUDING UNITIZATIONS, PARTNERSHIPS, TRUSTS AND ESTATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4986 to 4998 Internal Revenue Code of 1986

CFR Citation: 26 CFR 51

Legal Deadline: None.

TREAS—IRS

Final Rule Stage

Abstract: These regulations would provide rules relating to production from a unitized property of imputed stripper well crude oil, imputed heavy crude oil, and imputed newly discovered crude oil for purposes of the windfall profit tax. The regulations would provide rules for determining the amount of imputed oil and rules for allocating the imputed oil among the producers of the unitized property.

Timetable:

Action	Date	FR Cite
NPRM	09/30/86	51 FR 34653
NPRM Comment Period End	12/01/86	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-225-81.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Bryan Collins (202) 566-2175.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AC94

2539. EXCISE TAX--INCREMENTAL TERTIARY OIL

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4993 Internal Revenue Code of 1986

CFR Citation: 26 CFR 51

Legal Deadline: None.

Abstract: The regulations would clarify the rules relating to incremental tertiary oil. The regulations provide procedural rules for requesting approval from the Service of tertiary recovery methods which are not already approved under Department of Energy regulations. The regulations also define "project beginning date" and "tertiary injectant".

Timetable:

Action	Date	FR Cite
NPRM	09/10/84	49 FR 35517
NPRM Comment Period End	11/09/84	49 FR 35517
Hearing	07/26/85	
Final Action	06/01/88	

Small Entity: Not Applicable

Additional Information: LR-67-80.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AD04

2540. EXCISE TAX--OIL FROM A STRIPPER WELL PROPERTY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4991 Internal Revenue Code of 1986; 26 USC 4992 Internal Revenue Code of 1986; 26 USC 4994 Internal Revenue Code of 1986

CFR Citation: 26 CFR 51

Legal Deadline: None.

Abstract: The proposed regulations provide rules and definitions relating to oil from a stripper well property for purposes of tier 2 oil and exempt stripper well oil.

Timetable:

Action	Date	FR Cite
NPRM	01/20/83	48 FR 2552
NPRM Comment Period End	03/20/83	48 FR 2552
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-217-81.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: David R. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AD01

2541. EXCISE TAX--DEFINITION OF PROPERTY UNDER THE CRUDE OIL WINDFALL PROFIT TAX ACT 1980

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4996 Internal Revenue Code of 1986

CFR Citation: 26 CFR 51

Legal Deadline: None.

Abstract: These proposed regulations would provide rules relating to the definition of "property" for purposes of the crude oil windfall profit tax. These regulations are important because the rate of tax depends, in part, on the characteristics of the property from which the crude oil is produced.

Timetable:

Action	Date	FR Cite
NPRM	09/25/86	51 FR 34095
NPRM Comment Period End	11/24/86	51 FR 34095
Hearing	02/25/87	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-34-82.

Drafting attorney: David R. Haglund (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Bryan Collins (202) 566-2175.

Agency Contact: David A. Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AD08

2542. ELIMINATION OF FORM 941 FILING REQUIREMENT FOR QUARTERS IN WHICH SEASONAL EMPLOYERS PAY NO WAGES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 31

Legal Deadline: None.

Abstract: Regulations would direct the public to the instructions to Form 941 to find exceptions to the filing requirements of the form for seasonal and intermittent employers with respect to quarters in which no wages were paid.

Timetable:

Action	Date	FR Cite
Final Action	12/31/88	

Small Entity: Not Applicable

Additional Information: LR-57-86.

Drafting attorney: Joel S. Rutstein (202) 566-3297.

TREAS—IRS **Final Rule Stage**

Reviewing attorney: John B. Bromell (202) 566-3326.

Agency Contact: Joel S. Rutstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, DC 20224, 202 566-3297

RIN: 1545-AI56

2543. EXCISE TAX -- PART 54 -- PROCEDURE AND ADMINISTRATION-- PART 301 -- FILING OF RETURNS FOR PAYMENT OF PENSION EXCISE TAX ON REVERSIONS OF QUALIFIED PLAN ASSETS

Significance: Agency Priority

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4980 Internal Revenue Code of 1986

CFR Citation: 26 CFR 54; 26 CFR 602

Legal Deadline: None.

Abstract: The regulations would provide guidance regarding the payment of the excise tax by employers receiving reversions of qualified plan assets imposed by section 4980 of the Internal Revenue Code of 1986.

Timetable:

Action	Date	FR Cite
NPRM	04/02/87	52 FR 10583
NPRM Comment Period End	06/01/87	52 FR 10583
Final Action	00/00/00	

Small Entity: No

Additional Information: EE-151-86

Drafting Attorney: Suzanne K. Tank (202) 566-3422.

Reviewing Attorney: James L. Brokaw (202) 566-4173.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Harry J. Conaway (202) 566-8277.

Cross Reference to EE-150-86.

Agency Contact: Suzanne K. Tank, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-4322

RIN: 1545-AI83

2544. INCOME TAX-AMENDMENTS TO REQUIREMENTS FOR RETURN OF PARTNERSHIP INCOME

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6031 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide guidelines for determining when and what information a partnership must provide to its partners. The regulations also provide guidelines for determining what foreign partnerships must file information returns.

Timetable:

Action	Date	FR Cite
NPRM	01/23/86	51 FR 3075
Final Action	08/01/88	

Small Entity: Not Applicable

Additional Information: LR-198-82.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Treasury attorney: Mary Bennett (202) 566-5815.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE40

2545. NOMINEE REPORTING OF PARTNERSHIP INFORMATION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6031 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These temporary regulations will provide rules relating to nominee reporting of partnership interest which such nominee hold s for another person. The regulations will provide the information that the nominee is required to provide and will also provide the manner in which this information is to be reported to the partnership.

Timetable:

Temporary Regulation	
Temporary Regulation	04/01/88

Small Entity: Not Applicable

Additional Information: LR-155-86.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel Reviewing attorney: Greg Marich (202) 566-4979.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AJ97

2546. INFORMATION RETURNS OF BROKERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6045 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations in this project clarify the definition of the term "commodity" for purposes of broker reporting. Rules are provided for determining whether personal property (including gold and silver) is a commodity. Generally, the term "commodity" is defined as personal property that is deliverable in satisfaction of a regulated futures contract, certain specified personal property that the secretary determines is to be treated as a commodity or any form or quality of or any interest in such personal property. The term "commodity" does not include a security, regulated futures contract, forward contract, or a form of tangible personal property if the gross proceeds from its sale exceed by more than 15 percent its value as a commodity. The rules proposed include alternative methods (the "exact" and "approximate" methods) of tangible personal property valuation.

Timetable:

Action	Date	FR Cite
NPRM	01/05/84	49 FR 646
NPRM Comment Period End	03/05/84	49 FR 646
Hearing	03/28/84	49 FR 645
Final Action	00/00/00	

Small Entity: No

Additional Information: LR-201-83.

Drafting attorney: Arthur E. Davis III (202) 566-3238.

Treasury attorney: Susan Himes (202) 566-8527.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111

Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AG02

2547. INFORMATION RETURNS OF BROKERS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6045 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations provide a special rule for broker reporting with respect to transactions made through a cash on delivery account (COD). In addition, these regulations make technical corrections to the list of recipients exempted from coverage under the reporting requirement, and expand the class of brokers which qualify for the multiple broker rule.

Timetable:

Action	Date	FR Cite
NPRM	05/29/84	49 FR 22343
NPRM Comment Period End	07/30/84	49 FR 22343
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-62-84.

Drafting attorney: Arthur E. Davis III (202) 566-3238.

Treasury attorney: Susan Himes (202) 566-8527.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AG52

2548. INFORMATION REPORTING ON REAL ESTATE TRANSACTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6045 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would propose rules relating to the reporting of real estate transactions

Timetable:

Action	Date	FR Cite
NPRM	04/03/87	52 FR 10774
Hearing	07/22/87	52 FR 23308
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-95-86.

Drafting attorney: Arthur E. Davis III (202) 566-3238.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Patricia McClanahan (202) 566-2926.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 566-3238**

RIN: 1545-AJ25

2549. ● INFORMATION REPORTING ON REAL ESTATE TRANSACTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6045 (e) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This temporary regulations provides guidance with respect to information reporting on real estate transactions.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-130-87

Drafting attorney: Arthur Davis (202) 566-3238.

Reviewing attorney:

Treasury attorney:

Income Taxes

Agency Contact: Arthur Davis, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AL38

2550. INCOME TAX--MORTGAGE INTEREST REPORTING

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6050H Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations propose rules relating to information reporting of mortgage interest received in a trade or business from individuals, including the persons and interest subject to the reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/20/85	50 FR 33551
NPRM Comment Period End	10/21/85	50 FR 33551
Hearing	01/07/86	50 FR 46674
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-214-84.

Drafting attorney: Katherine Lee Wambsgans (202) 566-3288.

Reviewing attorney: Ewan D. Purkiss (202) 566-3238.

Treasury attorney: Reed Shuldiner (202) 566-2175.

Agency Contact: Katherine Lee Wambsgans, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AG93

2551. FINAL REGULATIONS RELATING TO REPORTS OF FORECLOSURES AND ABANDONMENTS OF SECURITY UNDER THE TAX REFORM ACT OF 1984

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6050J Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations proposed rules relating to information reporting of foreclosures, abandonments, and other acquisitions of property securing indebtedness, including the persons and property subject to the reporting requirement and the information required to be reported, and when a person has reason to know that property has been abandoned.

Timetable:

Action	Date	FR Cite
NPRM	08/31/84	49 FR 34518
NPRM Comment Period End	10/31/84	49 FR 34518
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-181-84.

Drafting attorney: Arthur E. Davis III (202) 566-3238.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AG48

2552. ● REPORTING REQUIREMENTS PERTAINING TO RETURNS RELATING TO PERSONS RECEIVING CONTRACTS FROM FEDERAL EXECUTIVE AGENCIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6050M Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would provide guidance to the heads of Federal executive agencies for purposes of complying with information and reporting requirements prescribed by section 6050M

Timetable:

Action	Date	FR Cite
Temporary regulation	05/02/88	

Small Entity: Not Applicable

Additional Information: LR-161-86

Drafting attorney: Keith E. Stanley (202) 566-3458

Reviewing attorney: Charles M. Whedbee (202) 566-3458

Treasury attorney: Patricia McClanahan (202) 566-8278

Information returns

Agency Contact: Keith E. Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AL33

2553. ● GRANT OF AUTOMATIC EXTENSION OF TIME TO FILE PARTNERSHIP AND TRUST RETURNS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6081 (a) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This temporary regulation grants an automatic extension of time for taxpayers who file partnership and trust returns.

Timetable:

Action	Date	FR Cite
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-131-87

Drafting attorney: Katherine Lee Wambsgans (202) 566-3288.

Reviewing attorney:

Treasury attorney:

Income Taxes

Agency Contact: Katherine Lee Wambsgans, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AL37

2554. PROPOSED REGULATIONS UNDER SECTIONS 6111 AND 6709, RELATING TO TAX SHELTER REGISTRATION

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6111 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: This project will provide rules explaining what investments are tax shelters that must be registered with the Internal Revenue Service. The project will also provide rules relating to the persons required to register tax shelters and to the furnishing of tax shelter registration numbers to investors in tax shelters.

Timetable:

Action	Date	FR Cite
NPRM	08/15/84	49 FR 32728
NPRM Comment Period End	10/15/84	49 FR 32728
Hearing held	01/17/85	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-142-84.

Drafting attorney: Paulette Galanko (202) 566-3288.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Agency Contact: Paulette C. Galanko, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AG45

2555. TIME AND MANNER OF MAKING QUARTERLY PAYMENTS OF THE RAILROAD UNEMPLOYMENT REPAYMENT TAX (NPRM)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6157 Internal Revenue Code of 1986; 26 USC 6011 Internal Revenue Code of 1986; 26 USC 6071 Internal Revenue Code of 1986; 26 USC 6302 Internal Revenue Code of 1986

CFR Citation: 26 CFR 31

Legal Deadline: None.

Abstract: The regulations will provide rules with respect to the time and manner of making quarterly payments of the railroad repayment tax.

Timetable:

Action	Date	FR Cite
NPRM	11/05/86	
NPRM Comment Period End	01/05/87	
Final Action	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-12-86.

Drafting Attorney: John B. Bromell (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3326.

Treasury attorney: Susan Scherbel (202) 535-6963.

Duplicate of RIN 1545-AI73

Agency Contact: John B. Bromell, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AI60

2556. MISCELLANEOUS RULES RELATING TO CONSOLIDATED ADMINISTRATIVE AND JUDICIAL PROCEEDINGS TO DETERMINE THE TAX TREATMENT OF PARTNERSHIP ITEMS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6222 Internal Revenue Code of 1986; 26 USC 6223 Internal Revenue Code of 1986; 26 USC 6224 Internal Revenue Code of 1986; 26 USC 6227 Internal Revenue Code of 1986; 26 USC 6230 Internal Revenue Code of 1986; 26 USC 6231 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

TREAS—IRS

Final Rule Stage

Legal Deadline: None.

Abstract: The proposed regulations would set forth miscellaneous procedural rules for consolidated administrative and judicial proceedings to determine the tax treatment of partnership items. The regulations would provide guidance for various elections under these new procedures and for filing requests for an administrative adjustment.

Timetable:

Action	Date	FR Cite
NPRM	04/18/86	51 FR 13231
NPRM Comment Period End	06/17/86	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-205-82.

Drafting attorney: Robert E. Shaw (202) 566-3297.

Reviewing attorney: Gerald W. Rock (202) 566-3930.

Treasury Attorney: Greg Marich (202) 566-2927.

Agency Contact: Robert E. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AE51

2557. SMALL S CORPORATION EXCEPTION AND DEFINITION OF SUBCHAPTER S ITEM

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6241 Internal Revenue Code of 1986; 26 USC 6245 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301; 26 CFR 602; 26 CFR 51

Legal Deadline: None.

Abstract: These regulations will provide a small S corporation exception to the unified corporate audit procedures of subchapter D of chapter 63 of the Internal Revenue Code. These regulations also will define subchapter S items for purposes of the income tax and windfall profit tax.

Timetable:

Action	Date	FR Cite
NPRM	01/30/87	52 FR 3027
NPRM Comment Period End	03/31/87	
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-74-86.

Drafting attorney: Stuart G. Wessler (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Office of Tax Legislative Counsel Reviewing attorney: Bryan P. Collins (202) 535-6968.

Agency Contact: Stuart G. Wessler, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AJ99

2558. TO REQUIRE FINANCIAL INSTITUTIONS TO DEPOSIT ESTIMATED TAX ON TRUSTS AND ESTATES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 25 USC 6302 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations would require certain financial institutions to make through the Federal Tax Deposit system quarterly estimated income tax payments with respect to certain trusts and estates.

Timetable:

Action	Date	FR Cite
NPRM	11/18/87	52 FR 44139
NPRM Comment Period End	01/04/88	52 FR 44140
Final Action	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-81-87

Drafting attorney: John A. Tolleris (202) 566-3829.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3331.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, llll Constitution Ave., N.W., Washington, D. C. 20224, 202 566-3829

RIN: 1545-AK35

2559. ELECTRONIC FILING OF NOTICE OF FEDERAL TAX LIEN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6323 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulation clarifies that the term "Form 668" as used in section 6323 (f) (3) of the Code includes a notice of magnetic medium where the law of the state in which a notice of Federal tax lien is filed permits such method of filing.

Timetable:

Action	Date	FR Cite
Temporary Regulation	04/01/88	

Small Entity: Not Applicable

Additional Information: LR-18-87

Drafting Attorney: Lauren G. Shaw (202) 566-3287.

Reviewing Attorney: Ada S. Rousso (202) 566-3287.

Treasury Attorney: Patricia McClanahan (202) 566-2926.

Agency Contact: Lauren G. Shaw, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3287

RIN: 1545-AL00

2560. PROPOSED REGULATIONS UNDER THE SPENDING REDUCTION ACT OF 1984, RELATING TO REDUCTION OF TAX OVERPAYMENTS BY THE AMOUNT OF PAST-DUE LEGALLY ENFORCEABLE DEBT OWED TO FEDERAL AGENCY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 31 USC 3720A Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: These proposed regulations will provide rules relating to the reduction of a taxpayer's overpayment of tax (i.e., tax refund) by the amount of any past-due legally enforceable debt owed to a federal agency by the taxpayer. The regulations explain which debts qualify for offset, and the steps a federal agency must make to refer a debt to the Internal Revenue Service.

Timetable:

Action	Date	FR Cite
NPRM	09/30/85	50 FR 39713
NPRM Comment Period End	11/30/85	50 FR 39713
Final Action	00/00/00	

TREAS—IRS **Final Rule Stage**

Small Entity: Not Applicable

Additional Information: LR-291-84.

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: David Dickinson (202) 566-6655.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AG95

2561. PROCEDURE AND ADMINISTRATIVE--REDUCTION OF TAX OVERPAYMENTS BY AMOUNT OF PAST DUE LEGALLY ENFORCEABLE DEBT OWED TO FEDERAL AGENCY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 31 USC 3720A Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: These regulations will amend proposed regulations published September 30, 1985 relating to the reduction of a taxpayer's overpayment of tax by the amount of past-due legally enforceable debt owed to a federal agency by the taxpayer.

Timetable:

Action	Date	FR Cite
NPRM	05/13/87	52 FR 17949
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-72-86

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: David Dickinson (202) 566-6655.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK12

2562. PROCEDURE AND ADMINISTRATION REGULATIONS--MODIFICATIONS OF INTEREST PAYMENTS FOR CERTAIN PERIODS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6611 Internal Revenue Code of 1986; 26 USC 6601 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulation would provide rules for determining the period during which interest accrues on an underpayment or an overpayment of tax as provided in sections 6601 and 6611 of the Internal Revenue Code of 1954. The period would be determined, in part, by the dates the return and the claim for refund are filed and by whether they were filed in a way that they can be processed.

Timetable:

Action	Date	FR Cite
NPRM	10/09/84	49 FR 39566
NPRM Comment Period End	12/10/84	
Final Action	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-280-82.

Drafting attorney: Michael J. Grace (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF10

2563. PROCEDURE AND ADMINISTRATION REGULATIONS - INCREASED RATE OF INTEREST ON SUBSTANTIAL UNDERPAYMENTS ATTRIBUTABLE TO CERTAIN TAX MOTIVATED TRANSACTIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6621 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulations provide guidance to taxpayers subject to the increased rate of interest on substantial underpayments attributable to certain tax motivated transactions. The regulations define tax motivated transaction and accounting methods that may result in a substantial distortion of income. The regulations also provide rules for determining the amount of a tax motivated underpayment and the accrual of interest at the increased rate.

Timetable:

Action	Date	FR Cite
NPRM	12/28/84	49 FR 50406
NPRM Comment Period End	02/26/85	49 FR 50406
Final Action	06/00/88	

Small Entity: Not Applicable

Additional Information: LR-180-84.

Drafting attorney: Michael J. Grace (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Treasury attorney: Patricia A. McClanahan (202) 566-2927.

Agency Contact: Michael J. Grace, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AG75

2564. TO PROVIDE REGULATIONS RELATING TO ACCELERATED PAYMENT OF ESTIMATED TAXES BY CORPORATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6655 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Rules will provide for acceleration of estimated payments by corporations, new seasonal income exception, and clarify the annualization rules. The amount of estimated tax payments required for all corporations is increased from 80 to 90 percent of current year's tax liability.

Timetable:

Action	Date	FR Cite
NPRM	03/26/84	49 FR 11186
Hearing	06/26/84	
Final Action	12/30/88	

Small Entity: Not Applicable

Additional Information: LR-228-82.

Drafting attorney: Renay France (202) 566-3829.

Reviewing attorney: John M. Coulter, Jr. (202) 566-4473.

Treasury attorney: Marjorie Roberts (202) 566-2927 and Dick Harvey (202) 566-6960.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111

Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3829**

RIN: 1545-AE37

2565. PENALTY FOR FAILURE TO INCLUDE CORRECT INFORMATION ON INFORMATION RETURNS AND PAYEE STATEMENTS

Legal Authority: 26 USC 6723 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulations provide guidance on the penalty for failing to provide correct information on information returns and payee statements

Timetable:

Action	Date	FR Cite
NPRM	09/10/87	52 FR 34358

Next Action Undetermined

Small Entity: No

Additional Information:

LR-l42-86.

Drafting Attorney: Renay France (202) 566-3459.

Reviewing Attorney: Sharon Galm (202) 566-3930.

Treasury Attorney: Patricia McClanahan (202) 566-2926.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224, **202 566-3459**

RIN: 1545-AJ29

2566. PROCEDURE AND ADMINISTRATION--PROPERTY SEIZED BY THE INTERNAL REVENUE SERVICE UNDER THE MONEY LAUNDERING CONTROL ACT OF 1986

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 7103 (b) Internal Revenue Code of 1986

CFR Citation: 26 CFR 405

Legal Deadline: None.

Abstract: This regulation provides guidance with respect to property seized by the Internal Revenue Service under the Money Laundering Control Act of 1986.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-24-87

Drafting Attorney: David Haglund (202) 566-3297.

Agency Contact: David Haglund, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, DC 20224, **202 566-3297**

RIN: 1545-AL04

2567. AMENDMENT OF REGULATIONS TO PERMIT DISCLOSURE OF TAX RETURN INFORMATION BETWEEN FRANCHISEES WHO JOINTLY OPERATE A TAX SERVICE

Legal Authority: 26 USC 7216 Internal Revenue Code of 1986; 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would allow disclosure of tax return information by tax return preparers for the purpose of monitoring quality of return preparation.

Timetable:

Action	Date	FR Cite
NPRM	11/19/85	50 FR 47563
NPRM Comment Period End	12/19/85	
Final Action	12/31/88	

Small Entity: Not Applicable

Additional Information: LR-3-85.

Drafting attorney: Robert M. Casey (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Robert M. Casey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AH91

2568. PROCEDURE AND ADMINISTRATION--AMENDMENT OF REGULATIONS RELATING TO THE TIMELY MAILING OF RETURNS, TAXES AND DEPOSITS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 7502 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulations would amend existing regulations, relating to the timely mailing of documents, to provide for the timely mailing of returns, taxes and deposits.

Timetable:

Action	Date	FR Cite
NPRM	12/11/79	44 FR 71430
NPRM Comment Period End	02/11/80	44 FR 71430
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-1406.

Drafting attorney: Katherine Wambsgans (202) 566-3288.

Reviewing attorney: Ewan Purkiss (202) 566-3238.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: unassigned.

Agency Contact: Ewan Purkiss, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3238**

RIN: 1545-AD42

2569. AMENDMENT OF PROCEDURE AND ADMINISTRATION REGULATIONS UNDER SECTION 7701(B) (DEFINITION OF RESIDENT ALIENS) TO REFLECT SECTION 138 OF THE TAX REFORM ACT OF 1984 (P.L. 98-369)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 7701(b) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1; 26 CFR 31; 26 CFR 301

Legal Deadline: None.

Abstract: These regulations provide rules for determining whether an alien individual is a resident or a nonresident alien of the United States.

Timetable:

Action	Date	FR Cite
NPRM	09/10/87	52 FR 34230
NPRM Comment Period End	11/10/87	52 FR 34230
Final Action	12/31/88	

Small Entity: Not Applicable

Additional Information: INTL-55-86.

Drafting attorney: Peter Hanley (202) 566-3499.

Reviewing attorney: Carol Doran Klein (202) 566-6419.

Treasury attorney: Mary Bennett (202) 566-5815.

Agency Contact: Peter J. Hanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3499**

RIN: 1545-AH13

2570. EFFECTIVE DATES AND OTHER QUESTIONS ARISING UNDER EMPLOYEE BENEFIT PROVISIONS OF THE TAX REFORM ACT OF 1984

Legal Authority: PL 98-369, Sec 511 to 561

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation will provide proposed rules relating to effective dates and other questions arising under the employee benefit provisions of the Tax Reform Act of 1984.

Timetable:

Action	Date	FR Cite
NPRM	02/04/86	51 FR 4391
Hearing	06/26/86	51 FR 15916
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: EE-96-85.

Drafting attorney: John T. Ricotta (202) 566-3544.

Reviewing attorney: Michael A. Thrasher (202) 566-3961.

Treasury attorney: Harry Conaway (202) 566-8277.

Agency Contact: John T. Ricotta, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3544**

RIN: 1545-AI21

2571. INDIAN TRIBAL GOVERNMENTS TREATED AS STATES FOR CERTAIN PURPOSES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 7701 Internal Revenue Code of 1986; 26 USC 7871 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulations would provide guidance to certain Indian tribal governments as to their treatment as States under designated sections of the Internal Revenue Code of 1954.

Timetable:

Action	Date	FR Cite
NPRM	05/07/84	49 FR 19329
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-221-83.

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: Cynthia L. Clark (202) 566-3288.

Office of Tax Legislative Counsel: Elliot Stern (202) 566-2926.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AF77

2572. REGULATIONS ON INCOME TAX UNDER THE TAX REFORM ACT OF 1984, RELATING TO BELOW-MARKET LOANS

Significance: Regulatory Program

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 7872 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations provide guidance to taxpayers who enter into certain below-market interest rate loan transactions. The regulations explain what type of transactions are treated as loans and what type of loans are subject to the provisions of section 7872. If the loan is subject to section 7872, the below-market loan will be recharacterized as an arm's length market-interest rate loan coupled with a payment by the lender to the borrower in an amount generally equal to the amount of imputed interest. The regulations provide rules for determining the amount and the character of the imputed transfers.

Timetable:

Action	Date	FR Cite
NPRM	08/20/85	50 FR 33553
NPRM Comment Period End	10/20/85	50 FR 33553
Hearing	01/09/86	
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-165-84.

Drafting attorney: Sharon L. Hall (202) 566-3828.

Reviewing attorney: John Fischer (202) 566-3394.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3828**

RIN: 1545-AH72

2573. INCOME TAX--MARITIME CAPITAL CONSTRUCTION FUND

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 46 USC 1177 Merchant Marine Act of 1936

CFR Citation: 26 CFR 3

Legal Deadline: None.

Abstract: The proposal would provide rules for the income tax treatment with respect to capital construction funds for certain vessels.

Timetable:

Action	Date	FR Cite
NPRM	01/29/76	41 FR 04280
NPRM Comment Period End	03/29/76	41 FR 04280
Hearing	07/07/76	
Final Action	10/01/88	

Small Entity: Not Applicable

Additional Information: LR-149-75.

Drafting attorney: Robert M. Casey (202) 566-3458.

Reviewing attorney: Robert J. Mason (202) 566-3463.

Agency Contact: Robert M. Casey, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, **202 566-3458**

RIN: 1545-AD46

DEPARTMENT OF THE TREASURY (TREAS)

Internal Revenue Service (IRS)

Completed Actions

2574. MISCELLANEOUS AMENDMENTS

Legal Authority: 5 USC 301; 5 USC 552

CFR Citation: 26 CFR 601

Legal Deadline: None.

Abstract: Amends two separate paragraphs in the statement of procedural rules to conform with recent revenue procedures.

Timetable:

Action	Date	FR Cite
Final Action Statement Of Procedural Rules	10/16/87	52 FR 38405

Small Entity: No

Additional Information: LR-9-87

Drafting attorney: George H. Bradley (202) 343-0231.

Reviewing attorney: Charles Whedbee (202) 566-3458.

Agency Contact: George H. Bradley, Staff Assistant, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, DC 20224, **202 343-0231**

RIN: 1545-AJ95

2575. INCOME TAX--UNEARNED OF MINOR CHILDREN

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1 (i) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules for determining the tax on unearned income of certain minor children.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8158	09/04/87	52 FR 33577

Small Entity: Not Applicable

Additional Information:

LR-112-86.

Drafting attorney: William A. Jackson (202) 566-3287.

Reviewing attorney: Fred E. Grundeman (202) 566-3287.

Treasury attorney: Susan Himes (202) 566-8527.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AJ17

2576. SUBSTANTIATION REQUIREMENT FOR MORTGAGE INTEREST CREDIT CERTIFICATES

Legal Authority: 26 USC 25 Internal Revenue Code of I986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation provides compliance rules for MCCs.

Timetable:

Action	Date	FR Cite
Closed without regulations	09/24/87	

Small Entity: Not Applicable

Additional Information: LR-46-87

Drafting Attorney: Robert Beatson (202) 566-3459.

Reviewing attorney: John Coulter (202) 566-3331.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, llll Constitution Ave. N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AK34

2577. SUBSTANTIATION REQUIREMENT FOR MORTGAGE INTEREST CREDIT CERTIFICATES

Legal Authority: 26 USC 25 Internal Revenue Code of I986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation provides compliance rules for MCCs.

Timetable:

Action	Date	FR Cite
Closed without regulations	09/24/87	

Small Entity: Not Applicable

Additional Information: LR-47-87

Drafting Attorney: Robert Beatson (202) 566-3459.

Reviewing Attorney: John Coulter (202) 566-3331.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D. C. 20224, **202 566-3459**

RIN: 1545-AK38

2578. INCOME TAX--NOTICE TO EMPLOYEES OF EARNED INCOME CREDIT

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6051 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations would provide the procedures necessary to implement the statutory requirement that employers notify certain employees whose wages are not subject to income tax withholding that they may be eligible for the refundable earned income credit.

Timetable:

Action	Date	FR Cite
Final Action	06/11/87	52 FR 22301

Small Entity: Not Applicable

Additional Information: LR-98-86.

Drafting attorney: Joel S. Rutstein (202) 566-3297.

Reviewing attorney: John B. Bromell (202) 566-3297.

Office of Legislative Counsel attorney: Marjorie Roberts (202) 566-2565.

Duplicate of RIN 1545-AI77

Agency Contact: Joel S. Rutstein, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3297**

RIN: 1545-AK00

2579. LOW-INCOME HOUSING CREDIT

Legal Authority: 26 USC 42 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations provide low-income housing credit allocation and reporting rules.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8162	11/03/87	52 FR 42098

Small Entity: Not Applicable

Additional Information: LR-61-87

Drafting attorney: Robert Beatson (202) 566-3459

Reviewing attorney: John Coulter (202) 566-3331

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AK39

2580. INCOME TAX REGULATIONS--MORTALITY TABLES TO BE USED TO DETERMINE AMOUNT HELD BY INSURER WITH RESPECT TO A BENEFICIARY

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 101(d)(2)(B)(ii) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will prescribe mortality tables to be used to determine the amount held by an insurer with respect to a beneficiary of a life insurance contract.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8161	09/21/87	52 FR 35414

Small Entity: Not Applicable

Additional Information: LR-134-86

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: John H. Parcell (202) 566-3336.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK15

2581. TO PROVIDE REGULATIONS RELATING TO THE STATE VOLUME CAP ON PRIVATE ACTIVITY BONDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 103(m) Internal Revenue Code of 1954; 26 USC 0146 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: These regulations will provide rules relating to the limitation on the aggregate amount of private activity bonds. The regulations will define the terms private activity bond and state ceiling. The regulations will also provide rules for carrying forward any unused private activity bond limit.

Timetable:

Action	Date	FR Cite
NPRM	10/05/84	49 FR 39344
NPRM Comment Period End	12/04/84	49 FR 39344
Hearing	04/22/85	
Closed without regulations	11/30/87	

Small Entity: Not Applicable

Additional Information: LR-144-84.

Drafting attorney: David Selig (202) 566-3297.

Reviewing attorney: Gerald Rock (202) 566-3294.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AH62

2582. INCOME TAX REGULATIONS--LIMITATIONS ON DEDUCTIONS FOR NONBUSINESS INTEREST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 163 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance relating to the disallowance of a deduction for personal interest, including guidance regarding the definitions of qualified residence, qualified residence interest and qualified indebtedness.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8168	12/22/87	52 FR 48407

Small Entity: Not Applicable

Additional Information: LR-136-86

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: John Fischer (202) 566-3394.

Treasury attorney: Reed Shuldiner (202) 535-6963.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK16

2583. INCOME TAX--OWNERSHIP CHANGE

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 382 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide guidance on what constitutes "ownership change" under section 382 of the Internal Revenue Code of 1986 (generally, an "ownership change" is a shift in loss corporate stock ownership (after which the corporation's net operating loss carryovers are limited)).

Timetable:

Action	Date	FR Cite
Final Action T.D. 8149	08/11/87	52 FR 29663

Small Entity: Not Applicable

Additional Information: LR-105-86

Drafting attorneys: Keith E. Stanley (202) 566-3458.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Thomas Wessel (202) 566-4979.

Agency Contact: Keith Stanley, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3458**

RIN: 1545-AJ08

2584. INCOME TAX - TEMPORARY REGULATIONS ON MINIMUM VESTING STANDARDS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 410 Internal Revenue Code of 1986; 26 USC 411 Internal Revenue Code of 1986; PL 99-514, Sec 1113 Tax Reform Act of 1986; PL 99-514, Sec 1141 Tax Reform Act of 1986

CFR Citation: 26 CFR 1

Legal Deadline: Statutory, February 1, 1988. Deadline set by section 1141 of PL 99-514 "Tax Reform Act of 1986"

Abstract: These temporary regulations will amend existing rules to reflect changes made by section 1113 of the Tax Reform Act of 1986, relating to minimum vesting standards and participation standards for qualified employee plans.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8170	01/06/88	53 FR 238

Small Entity: Not Applicable

Additional Information: EE-73-87

Drafting Attorney: V.A. Moore (202) 566-3422.

Reviewing Attorney: James Brokaw (202) 566-4173.

Treasury Attorney: Harry Conaway (202) 566-8277.

Cross-Reference to EE-167-86

Agency Contact: V.A. Moore, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue N.W., Washington, D.C. 20224, 202 566-3422

RIN: 1545-AK43

2585. TAXABLE YEARS OF CERTAIN ENTITIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 441 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation would provide guidance to S corporations, personal service corporations and partnerships that must conform their taxable years, in general, to the taxable year of their owners.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8167	12/23/87	52 FR 48524

Small Entity: No

Additional Information: LR-44-87

Drafting attorney: Arthur E. Davis III (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Richard Harvey (202) 535-6960.

Agency Contact: Arthur E. Davis III, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AK61

2586. TAXABLE YEARS OF CERTAIN PARTNERSHIPS (TEMPORARY)

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 706 (b) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The project provides temporary regulations with respect to the taxable year of certain partnerships.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8169	12/29/87	52 FR 48994

Small Entity: Not Applicable

Additional Information: LR-100-86.

Drafting attorney: Beverly A. Baughman (202) 566-3297.

Reviewing attorney: Walter H. Woo (202) 566-3297.

Treasury reviewer: J. Richard Harvey (202) 566-4902.

Agency Contact: Beverly A. Baughman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3297

RIN: 1545-AJ46

2587. TREATMENT OF SALVAGE AND REINSURANCE IN DETERMINING LOSSES OF PROPERTY AND CASUALTY INSURANCE COMPANIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 832 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules relating to the treatment of salvage and reinsurance recoverable in determining the paid and unpaid losses of property and casualty insurance companies.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8171	01/05/88	53 FR 117

Small Entity: Not Applicable

Additional Information: LR-64-87

Drafting attorney: Bill Blagg (202) 566-3238.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Treasury attorney: Don Rocap (202) 566-8278.

Agency Contact: Bill Blagg, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, 202 566-3238

RIN: 1545-AK48

2588. STATUTE OF LIMITATIONS - NATIONALIZED COMPANIES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: Proposal would define FOGEI and FORI.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8160	09/09/87	52 FR 33930

Small Entity: Not Applicable

Additional Information: INTL-59-86

Drafting Attorney: Richard Chewning (202) 566-3490

Reviewing Attorney: Charles Saverude (202) 566-9050

Office of International Tax Counsel Reviewing Attorney: Steve Shay (202) 566-5046

Agency Contact: Richard Chewning, Attorney-Advisor, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, 202 566-3490

RIN: 1545-AJ75

2589. INCOME TAX--TO REFLECT THE U.S. SUPREME COURT IN U.S. V. VOGEL FERTILIZER CO., HOLDING THAT EACH MEMBER OF STOCKGROUP MUST OWN STOCK IN EACH BROTHER-SISTER CORP

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 1563(a)(2) Internal Revenue Code of 1986; 26 USC 52 Internal Revenue Code of 1986; 26 USC 414(c) Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations relating to the definition of a brother-sister controlled group of corporations are to be amended to conform to the Supreme Court decision in U.S. v. Vogel Fertilizer Company, which held that a person's stock ownership is not taken into account for purposes of the 80% ownership test unless that person owns stock in each brother-sister corporation.

Timetable:

Action	Date	FR Cite
NPRM	11/16/83	48 FR 52081
NPRM Comment Period End	01/16/84	48 FR 52081
Closed without regulations	07/24/87	

Small Entity: Not Applicable

Additional Information: LR-35-82.

Drafting attorney: Michel A. Daze (202) 566-6456.

Reviewing attorney: Charles M. Whedbee (202) 566-3458.

Treasury attorney: Don Rocap (202) 566-8277.

Agency Contact: Michel A. Daze, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-6456**

RIN: 1545-AC59

2590. SUBMISSION OF CERTAIN WITHHOLDING EXEMPTION CERTIFICATES AND ENTITLEMENTS TO ADDITIONAL WITHHOLDING EXEMPTION

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 3402 (m) Internal Revenue Code of 1986

CFR Citation: 26 CFR 31

Legal Deadline: None.

Abstract: This document provides proposed regulations that relate to the submission of withholding exemption certificates when the total number of withholding exemptions claimed on a certificate exceed 10 and to the requirements that an employee must meet to be entitled to the additional withholding exemption in respect of the standard deduction.

Timetable:

Action	Date	FR Cite
NPRM	12/17/86	51 FR 45132
Final Action T.D. 8164	12/01/87	52 FR 45632

Small Entity: Not Applicable

Additional Information:

LR-144-86.

Drafting Attorney: Laura Ann M. Lauritzen (202) 566-3459.

Reviewing Attorney: John M. Coulter (202) 566-4473.

Treasury Attorney: Patricia McClanahan (202) 566-2929.

Agency Contact: Laura Ann M. Lauritzen, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3459**

RIN: 1545-AJ30

2591. TO PROVIDE TEMPORARY REGULATIONS RELATING TO BACKUP WITHHOLDING WHERE THE SERVICE NOTIFIES PAYOR TO WITHHOLD DUE TO AN INCORRECT TAXPAYER IDENTIFICATION NUMBER

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 3406 Internal Revenue Code of 1986; 26 USC 6676 Internal Revenue Code of I986

CFR Citation: 26 CFR 35a

Legal Deadline: None.

Abstract: These regulations will prescribe when withholding is required when the Internal Revenue Service notifies the payor of an incorrect taxpayer identification number. The regulations will also describe that no withholding is required if the payee, within 30 days of the Service's notification, certifies under penalties of perjury that the name and taxpayer identification number are correct. If no certification is received within 30 days, backup withholding applies until such certification is received.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/86	44 FR 44842
Final Action T.D. 8163	11/23/87	52 FR 44861

Small Entity: Not Applicable

Additional Information: LR-7-84.

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3331.

Treasury attorney: Susan Himes (202) 566-8527.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AF90

2592. SALES OF DIESEL AND SPECIAL MOTOR FUEL FROM UNATTENDED LOCATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4041 Internal Revenue Code of 1986

CFR Citation: 26 CFR 48

Legal Deadline: None.

Abstract: This project will address the requirements for nontaxable sales of diesel or special motor fuel from unattended locations and what recordkeeping requirements must be met for such sales.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8154	08/25/87	52 FR 32008

Small Entity: Not Applicable

Additional Information: LR-60-87

Drafting Attorney: William A. Jackson (202) 566-3287.

Reviewing Attorney: Ada Rousso (202) 566-3287.

Treasury Attorney: Moshe Schuldinger (202) 566-2928.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AK99

2593. MANUFACTURERS AND RETAILERS EXCISE TAXES--TAXES ON FUELS, TIRES AND GASOLINE

Legal Authority: 26 USC 4071 Internal Revenue Code of 1986; 26 USC 4041 Internal Revenue Code of 1986; 26 USC 4081 Internal Revenue Code of 1986; 26 USC 6420 Internal Revenue Code of 1986; 26 USC 6427 Internal Revenue Code of 1986

CFR Citation: 26 CFR 48

Legal Deadline: None.

Abstract: The regulations will provide guidance concerning the rates of tax on certain fuels and gasohol. In addition, the regulations will provide guidance concerning the tax on tires.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/84	52 FR 31614
NPRM	08/22/85	50 FR 33977
NPRM Comment Period End	10/21/85	
Hearing	01/14/86	
Final Action T.D. 8152	08/21/87	52 FR 31614

Small Entity: Not Applicable

Additional Information: LR-119-83.

Drafting attorney: Margaret O'Connor (202) 566-3287.

Reviewing attorney: Ada S. Rousso (202) 566-3287.

Office of Tax Legislative Counsel (Treasury) reviewing attorney: Mo Schuldinger (202) 566-2928.

Agency Contact: Margaret O'Connor, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AF58

2594. REDUCTION OF THE HEAVY VEHICLE USE TAX FOR FOREIGN-BASED TRUCKS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4481 Internal Revenue Code of 1986

CFR Citation: 26 CFR 41

Legal Deadline: None.

Abstract: This project will address how the heavy vehicle use tax will be imposed on foreign-based trucks at a reduced rate and what proof of payment of the tax must be presented upon entry into the United States.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8159	09/04/87	52 FR 33583

Small Entity: Not Applicable

Additional Information: LR-32-87

Drafting Attorney: William A. Jackson (202) 566-3287.

Reviewing Attorney: Ada Rousso (202) 566-3287.

Treasury Attorney: Mark Perlis (202) 566-8278.

Agency Contact: William A. Jackson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3287**

RIN: 1545-AK97

2595. ● EXCISE TAX -- EXCESS DISTRIBUTIONS FROM QUALIFIED RETIREMENT PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4981A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulation will provide rules for determining the amount of the excise distributions from qualified retirement plans.

Timetable:

Action	Date	FR Cite
Final Action	12/10/87	52 FR 96747

Small Entity: Not Applicable

Additional Information: EE-155-86

Drafting Attorney: Marjorie Hoffman (202) 566-3430.

Drafting Attorney: Richard J. Wickersham (202) 566-4621.

Treasury Attorneys: Paul Strella/Harry Conaway (202) 566-8277.

Cross Reference to EE-162-86.

Agency Contact: Marjorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue NW, Washington, DC 20224, **202 566-3430**

RIN: 1545-AL13

2596. ● EXCISE TAX--EXCESS DISTRIBUTIONS FROM QUALIFIED RETIREMENT PLANS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 4981A Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The regulations will provide rules for determining the amount of the excise tax on excess distributions from qualified retirement plans.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8165	12/10/87	52 FR 46747

Small Entity: Undetermined

Additional Information: EE-155-86

Drafting attorney: Marjorie Hoffman (202) 566-3430.

Reviewing attorney: Richard J.Wickersham (202) 566-3250.

Treasury attorney: Paul Strella/Harry Conaway (202) 566-8277.

Excise Tax

Agency Contact: Majorie Hoffman, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3430**

RIN: 1545-AL22

2597. INFORMATION REPORTING OF ALLOWANCES, OR REIMBURSEMENTS, OR CHARGES FOR TRAVEL AND OTHER EXPENSES OF PUBLIC SECTOR EMPLOYEES AND CERTAIN OTHER PERSONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6041 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: The proposed regulations would make clear that all employers, including the United States, a State, Territory or a political subdivision thereof, and the District of Columbia, are required to report amounts provided to persons in the military or civil service as allowances reimbursements, or charges for traveling and other business expenses, including an allowance for meals and lodging or a per diem allowance in lieu of subsistence, except to the extent that such persons are required to and do account to the employer for such expenses within the meaning of Sec. 1.162-17(b)(4).

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/86	52 FR 30357
NPRM	01/09/86	51 FR 985
NPRM Comment Period End	03/10/86	51 FR 985
Final Action T.D. 8151	08/04/87	52 FR 30357

Small Entity: Not Applicable

Additional Information: LR-59-85.

Drafting attorney: Renay France (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3331.

TLC attorney: Marjorie Roberts (202) 566-2927.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AI42

2598. INTEREST ON HOSPITAL INSURANCE TAXES ON WAGES OF STATE AND LOCAL GOVERNMENT EMPLOYEES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6205 Internal Revenue Code of 1986

CFR Citation: 26 CFR 31

Legal Deadline: None.

Abstract: This temporary regulation will permit interest-free adjustments for underpayments of hospital insurance taxes with respect to wages of state and local government employees hired after March 31, 1986.

Timetable:

Action	Date	FR Cite
Closed without regulations	09/13/87	

Small Entity: No

Additional Information: LR-47-86.

Drafting attorney: Laura Ann M. Lauritzen (202) 566-3459.

Reviewing attorney: John M. Coulter Jr., (202) 566-3331.

Treasury attorney: Susan Scherbel (202) 535-6965.

Agency Contact: Laura Ann M. Lauritzen, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., NW, Washington, DC 20224, **202 566-3459**

RIN: 1545-AI45

2599. INTEREST ON HOSPITAL INSURANCE TAXES ON WAGES OF STATE AND LOCAL GOVERNMENT EMPLOYEES

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6205 Internal Revenue Code of 1986

CFR Citation: 26 CFR 31

Legal Deadline: None.

Abstract: This regulation will permit interest-free adjustments for underpayments of hospital insurance taxes with respect to wages of State and local government employees hired after March 31, 1986.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8156 published. NPRM determined unnecessary.	09/04/87	52 FR 33581

Small Entity: No

Additional Information: LR-46-86.

Drafting attorney: Laura Ann M. Lauritzen (202) 566-3459.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3331.

Treasury Attorney: Susan Scherbel (202) 535-6965.

Agency Contact: Laura Ann M. Lauritzen, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AI50

2600. INCOME TAX--DEPOSIT OF ESTIMATED INCOME TAX BY CERTAIN PRIVATE FOUNDATIONS AND TAX-EXEMPT ORGANIZATIONS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 6302 Internal Revenue Code of 1986

CFR Citation: 26 CFR 1

Legal Deadline: None.

Abstract: This regulation would provide guidance regarding deposits by certain private foundations and tax-exempt organizations of estimated income taxes. The Tax Reform Act of 1986 requires these organizations to make quarterly estimated tax payments.

Timetable:

Action	Date	FR Cite
NPRM	12/24/86	51 FR 46689
Final Action Effective	01/01/87	52 FR 33808
NPRM Comment Period End	01/23/87	51 FR 46689
Final Action T.D. 8157	09/08/87	52 FR 33808

Small Entity: Not Applicable

Additional Information: LR-132-86.

Drafting attorney: John A. Tolleris (202) 566-3590.

Reviewing attorney: John M. Coulter, Jr. (202) 566-3331.

Agency Contact: John A. Tolleris, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, NW, Washington, DC 20224, **202 566-3590**

RIN: 1545-AJ43

2601. PROCEDURE AND ADMINISTRATION - ABATEMENT OF INTEREST

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulations will provide guidance on the definition of ministerial act.

Timetable:

Action	Date	FR Cite
Final Action T.D. 8150	08/13/87	52 FR 30162
Temporary Regulation	00/00/00	

Small Entity: Not Applicable

Additional Information: LR-35-87

Drafting attorney: Sharon L. Hall (202) 566-3288.

Reviewing attorney: Cynthia Clark (202) 566-3288.

Agency Contact: Sharon L. Hall, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3288**

RIN: 1545-AK70

2602. PENALTY FOR FAILURE TO INCLUDE CORRECT INFORMATION ON INFORMATION RETURNS AND PAYEE STATEMENTS

Legal Authority: 26 USC 6723 Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: The regulations provide guidance on the penalty for failing to provide correct information on information returns and payee statements.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/87	52 FR 34354
Final Action T.D.8155	09/10/87	52 FR 34354

Small Entity: No

Additional Information: LR-141-86

Drafting Attorney: Renay France (202) 566-3459.

Reviewing Attorney: Sharon Galm (202) 566-3930.

Treasury Attorney: Patricia McClanahan (202) 566-2926.

Agency Contact: Renay France, Attorney, Department of the Treasury, Internal Revenue Service, 1lll Constitution Avenue, N.W., Washington, D.C. 20224, **202 566-3459**

RIN: 1545-AJ26

2603. INCOME TAX--INVESTMENT CREDIT IN CASE OF PROPERTY USED BY TAX EXEMPT ORGANIZATIONS & GOVERNMENTAL UNITS; PRACTICE & PROCEDURE --DEFINITION OF SERVICE CONTRACTS & OTHER ARRANGEMENTS

Legal Authority: 26 USC 7805 Internal Revenue Code of 1986; 26 USC 48(a)(4) Internal Revenue Code of 1986; 26 USC 48(a)(5) Internal Revenue Code of 1986; 26 USC 7701(e) Internal Revenue Code of 1986

CFR Citation: 26 CFR 301

Legal Deadline: None.

Abstract: Proposal would change the definition of use of property by a tax exempt organization or a governmental unit, for purpose of applying rules relating to the investment tax credit. The regulations would also define service contracts and other arrangements, for purposes of analysis vis a vis leasing arrangements.

Timetable:

Action	Date	FR Cite
Closed without regulations	11/01/87	

Small Entity: Not Applicable

Additional Information: LR-223-78.

Drafting attorney: Robert Beatson (202) 566-3459.

Agency Contact: Robert Beatson, Attorney, Department of the Treasury, Internal Revenue Service, 1111 Constitution Ave., N.W., Washington D.C. 20224, **202 566-3459**

RIN: 1545-AA23

[FR Doc. 88-5801 Filed 04-22-88; 8:45 am]

BILLING CODE 4830-01-T

federal register

Monday
April 25, 1988

Part XVI

ACTION

Semiannual Regulatory Agenda

ACTION (ACTION)

ACTION

45 CFR Ch. XII

Executive Order 12291, Federal Regulation, Semiannual Agenda of Regulations

AGENCY: ACTION.

ACTION: Publication of semiannual agenda.

SUMMARY: This agenda announces the regulations that ACTION will have under development, revision or review during the next year. The purpose for publishing this agenda is to give notice of any regulatory activity by the Agency in order to allow the public an opportunity to participate in the rulemaking process.

FOR FURTHER INFORMATION CONTACT: The public is encouraged to contact the Agency official listed for the particular agenda item. For other information concerning ACTION regulations or this semiannual agenda, contact Terry T. Campo, General Counsel and Director of Legislative Affairs, ACTION, 806 Connecticut Avenue, NW., Washington, DC 20525, (202) 634-9333.

SUPPLEMENTARY INFORMATION: In accordance with Executive Order 12291, Federal Regulation, and the Regulatory Flexibility Act (5 U.S.C. 605), executive agencies are required to publish in the **Federal Register** semiannual regulatory agendas in April and October of each year.

ACTION has determined that the regulations under consideration will not impose compliance costs or reporting burdens on the public; and that the regulations will not have a significant economic impact on a substantial number of small entities. Accordingly, no Regulatory Analysis is required under 5 U.S.C. 602.

DATED: March 14, 1988.

Donna M. Alvarado,

Director.

ACTION (ACTION) — Prerule Stage

2604. NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS

Legal Authority: 42 USC 2000(d)(1); 42 USC 5057; 42 USC 5060

CFR Citation: 45 CFR 1203

Legal Deadline: None.

Abstract: In accordance with 42 USC 2000(d)(1) ACTION will promulgate regulations implementing provisions of title VI of the Civil Rights Act of 1964, title IX of the Education Amendments of 1972, as amended, and section 417 of the Domestic Volunteer Service Act of 1973, as amended, which prohibit discrimination on the basis of race, color, national origin, religion or sex, in federally assisted programs. Relevant provisions of existing ACTION title VI regulations will be subsumed into this new regulation.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Jeanne D. McCamley, Acting Director, Equal Opportunity Staff, Office of Compliance, ACTION, 806 Connecticut Ave., NW, Washington, DC 20525, **202 634-9312**

RIN: 3001-AA06

2605. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN ACTION PROGRAMS

Legal Authority: 29 USC 794; 42 USC 5057; 42 USC 5060

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: In accordance with section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), ACTION will promulgate implementing regulations which prohibit discrimination on the basis of handicap in federally conducted programs and activities. ACTION regulations prohibiting discrimination on the basis of handicap in federally assisted programs are contained in 45 CFR 1232.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Jeanne D. McCamley, Acting Director, Equal Opportunity Staff, Office of Compliance, ACTION, 806 Connecticut Ave., NW, Washington, DC 20525, **202 634-9312**

RIN: 3001-AA07

2606. INSPECTION AND COPYING OF RECORDS: RULES FOR COMPLIANCE WITH PUBLIC INFORMATION ACT

Legal Authority: 5 USC 552; 42 USC 4951

CFR Citation: 45 CFR 1215

Legal Deadline: None.

Abstract: In accordance with the Freedom of Information Act, (5 USC 522), the Agency is updating its regulation concerning the release of Agency Information.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Kirby McCollum, Director, Administrative Services Division, ACTION, 806 Conn. Ave., NW, Washington, DC 20525, **202 634-9242**

RIN: 3001-AA09

2607. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL ASSISTANCE FROM ACTION

Legal Authority: 42 USC 6101; 42 USC 4951

CFR Citation: 45 CFR 1221

Legal Deadline: None.

Abstract: In accordance with 42 USC 6101 and 42 USC 4951 ACTION will promulgate regulations implementing provisions of the Age Discrimination Act of 1975, as amended, and Section 417 of the Domestic Volunteer Service Act of 1973, as amended, which prohibits discrimination on the basis of

ACTION — Prerule Stage

age in programs or activities receiving Federal financial assistance.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Jeanne D. McCamley, Acting Director, Equal Opportunity Staff, Office of Compliance, ACTION, 806 Conn. Ave., NW, Washington, DC 20525, **202 634-9312**

RIN: 3001-AA10

ACTION (ACTION) — Final Rule Stage

2608. ● NONPROCUREMENT DEBARMENT AND SUSPENSION

Legal Authority: PL 93-113 42 USC 4951, et seq

CFR Citation: 45 CFR 1229

Legal Deadline: None.

Abstract: In accordance with Executive Order 12549 and OMB guidelines this proposed rule would establish a uniform system of nonprocurement debarment and suspension from programs and activities involving Federal financial and nonfinancial assistance and benefits.

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	52 FR 39015
Final Action	05/26/88	

Small Entity: No

Agency Contact: Margaret McHale, Acting Chief, Grants Branch, ACTION, 806 Connecticut Ave., Washington, DC 20525, **202 634-9150**

RIN: 3001-AA14

ACTION (ACTION) — Completed Actions

2609. SENIOR COMPANION PROGRAM: NON-STIPENDED VOLUNTEERS

CFR Citation: 45 CFR 1207

Completed:

Reason	Date	FR Cite
Final Action	08/26/87	52 FR 32133
Final Action Effective	10/13/87	52 FR 32133

Small Entity: No

Agency Contact: C. Wade Freeman 202 634-9355

RIN: 3001-AA11

2610. FOSTER GRANDPARENT PROGRAM: NON-STIPENDED VOLUNTEERS

CFR Citation: 45 CFR 1208

Completed:

Reason	Date	FR Cite
Final Action	08/26/87	52 FR 32132
Final Action Effective	10/13/87	52 FR 32132

Small Entity: No

Agency Contact: C. Wade Freeman 202 634-9355

RIN: 3001-AA12

2611. ● UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

Legal Authority: PL 93-113 42 USC 4951, et seq

CFR Citation: 45 CFR 1234

Legal Deadline: None.

Abstract: In accordance with the Presidential Memorandum, "Uniform Requirements for Grants to State and Local Governments," dated March 12, 1987, this proposed rule would establish uniform requirements for the administration of grants and cooperative agreements and subawards to State, local and Indian tribal governments.

Timetable:

Action	Date	FR Cite
NPRM	06/09/87	52 FR 21819
Final Action	03/11/88	53 FR 8033
Final Action Effective	10/01/88	

Small Entity: No

Agency Contact: Margaret McHale, Acting Chief, Grants Branch, ACTION, 806 Connecticut Avenue, NW, Washington, DC 20525, **202 634-9150**

RIN: 3001-AA13

[FR Doc. 88-6197 Filed 04-22-88; 8:45 am]

BILLING CODE 6050-28-T

federal register

Monday
April 25, 1988

Part XVII

Agency for International Development

Semiannual Regulatory Agenda

AGENCY FOR INTERNATIONAL DEVELOPMENT (AID)

INTERNATIONAL DEVELOPMENT COOPERATION AGENCY

Agency for International Development

22 CFR Ch. II

Federal Regulations; Agency Regulatory Agenda Semiannual Summary

AGENCY: Agency for International Development, IDCA.

ACTION: Agency regulations agenda.

SUMMARY: The Agency for International Development (A.I.D.) is publishing this agenda as required by section 5(a) of Executive Order 12291, Federal Regulation (46 FR 13193, February 19, 1981) and by the Regulatory Flexibility Act (Pub. L. 96-354, September 30, 1980). This agenda reports the status of those regulations currently under review and gives A.I.D.'s plan for the issuance of proposed regulations during the next twelve months. It is expected that the information provided in this agenda will enable the public to be more aware of and more effectively participate in A.I.D.'s rulemaking process.

FOR FURTHER INFORMATION CONTACT:

General: For further information on the agenda or the review list, in general, contact: Mr. Fred D. Allen, Office of Information Resources Management, Agency for International Development, Washington, DC 20523, Telephone (703) 875-1573.

Specific: For further information about any particular item on the agenda, contact the individual listed as the contact for that item.

Regulatory Flexibility Act (RFA)

The Agency does not have any rulemaking activity that falls within the requirements of RFA and does not anticipate any during the next reporting period.

Dated: February 24, 1988.

R. T. Rollis, Jr.,

Assistant to the Administrator for Management.

AGENCY FOR INTERNATIONAL DEVELOPMENT (AID) — Proposed Rule Stage

2612. NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS OF THE AGENCY FOR INTERNATIONAL DEVELOPMENT -- EFFECTUATION OF TITLE VI OF THE CIVIL RIGHTS ACT OF 1964

Legal Authority: 22 USC 2381

CFR Citation: 22 CFR 209

Legal Deadline: None.

Abstract: The regulation will address the problem of discrimination on the basis of race, color, or national origin in any program or activity receiving assistance from the Agency for International Development. The regulation provides that no person in the United States on the ground of race, color or national origin, be excluded from participation in, be denied the benefits of or be subjected to discrimination under any program or activity receiving Federal financial assistance from AID. The regulation provides procedures for 1) assuring that such discrimination does not occur and 2) effecting compliance. The Agency is not considering any alternatives for addressing the problem. There will be some minor costs in administering the regulation; there are potential benefits to individuals who might otherwise be discriminated against.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Government Levels Affected: Local, State

Agency Contact: **Leticia Peoples**, Equal Opportunity Officer, Agency for International Development, Office of Equal Opportunity Programs (EOP), Room 1224 SA - 1, Washington, DC 20523, **202 663-1340**

RIN: 0412-AA01

2613. NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES RECEIVING OR BENEFITTING FROM FEDERAL FINANCIAL ASSISTANCE

Legal Authority: 20 USC 1681 to 1683; 20 USC 1686

CFR Citation: 22 CFR 219, (New)

Legal Deadline: None.

Abstract: This regulation will address the problem of discrimination on the basis of sex in education programs and activities receiving or benefitting from financial assistance from the Agency for International Development. The regulation is intended to implement Title IX of the Education Amendments of 1972, as amended. The regulation provides procedures for 1) assuring that such discrimination does not occur and 2) effecting compliance. The Agency is not considering any alternatives for addressing the problem. There will be some minor costs in administering the regulation; there are potential benefits to individuals who might otherwise be discriminated against.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: **Leticia Peoples**, Equal Opportunity Officer, Agency for International Development, Office of Equal Opportunity Programs (EOP), Room 1224 SA - 1, Washington, DC 20523, **202 663-1340**

RIN: 0412-AA04

2614. DONATION OF AGRICULTURAL COMMODITIES/PRODUCTS TO ASSIST NEEDY PERSONS OVERSEAS (416 PROGRAM)

Legal Authority: 7 USC 1431; PL 97-253, Sec 110

CFR Citation: 22 CFR 210, (New)

Legal Deadline: None.

Abstract: This regulation sets forth provisions of the Agency for International Development (A.I.D.), acting as an Agent for the USDA/Commodity Credit Corporation (CCC), to carry out part of the responsibilities for selecting, approving,

administering and implementing the Section 416 program of the Agricultural Act of 1949, as amended. This program will assist needy persons overseas and reduce surplus stocks of dairy and wheat products in CCC inventory. The donation of commodities under this new authority will be coordinated with, but not replace, assistance provided under the Agricultural Trade Development and Assistance Act of 1954, as amended, Pub. L. 83-480. The Agency is not considering any alternatives for addressing the problem. There are some minor costs in administering the regulation. The potential benefits will go to needy persons overseas.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/24/84	49 FR 22024

Next Action Undetermined

Small Entity: No

Agency Contact: Jessie C. Vogler, Program Officer, Agency for International Development, Office of Food for Peace, Bureau for Food for Peace and Voluntary Assistance, Washington, DC 20523, **703 235-9193**

RIN: 0412-AA05

2615. TRANSFER OF FOOD COMMODITIES FOR USE IN DISASTER RELIEF AND ECONOMIC DEVELOPMENT AND OTHER ASSISTANCE

Legal Authority: 7 USC 1705; 7 USC 1721 to 1723; 7 USC 1693

CFR Citation: 22 CFR 211

Legal Deadline: None.

Abstract: This regulation prescribes the terms and conditions governing the transfer of agricultural commodities to foreign governments, U.S. voluntary agencies, or intergovernmental organizations. The regulation is being reviewed to assess its current procedures and requirements with an intent to improve its effectiveness and efficiency. There will be internal administrative and operational costs. There are potential benefits to aid-receiving countries.

Timetable:

Action	Date	FR Cite
Begin Review	12/15/83	

Next Action Undetermined

Small Entity: No

Agency Contact: Jessie C. Vogler, Program Officer, Agency for International Development, Office of Food For Peace, Bureau For Food For Peace and Voluntary Assistance, Washington, DC 20523, **703 235-9193**

RIN: 0412-AA06

[FR Doc. 88-5086 Filed 04-22-88; 8:45 am]

BILLING CODE 6116-01-T

federal register

Monday
April 25, 1988

Part XVIII

Architectural and Transportation Barriers Compliance Board

Semiannual Regulatory Agenda

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (ATBCB)

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD

36 CFR Ch. XI

Unified Agenda of Federal Regulations

AGENCY: Architectural and Transportation Barriers Compliance Board.

ACTION: Submission of Unified Agenda of Federal Regulations.

SUMMARY: The Architectural and Transportation Barriers Compliance Board submits the following agenda of proposed regulatory activities which may be conducted by the agency during the next twelve months. This regulatory agenda may be revised and/or refined by the agency during the coming months as a result of action taken by the Board. In addition to any regulatory actions, the Board may also consider issuing advisory standards and/or policy statements as part of its statutory responsibilities. When appropriate, these standards and policies will also be published in the **Federal Register.**

ADDRESS: U.S. Architectural and Transportation Barriers Compliance Board, 1111 18th Street, NW., Suite 501, Washington, DC 20036.

FOR FURTHER INFORMATION CONTACT: For information concerning Board regulations and proposed actions, contact Mr. Nicholas Chiarkas, General Counsel, 202/653-7834 (voice or TDD).

Thomas E. Harvey,

Chairperson, Architectural and Transportation Barriers Compliance Board.

ARCHITECTURAL AND TRANSPORTATION BARRIERS COMPLIANCE BOARD (ATBCB)

Final Rule Stage

2616. MINIMUM GUIDELINES AND REQUIREMENTS FOR ACCESSIBLE DESIGN

Significance: Agency Priority

Legal Authority: 29 USC 792(b)(7) Rehabilitation Act of 1973, as amended

CFR Citation: 36 CFR 1190

Legal Deadline: None.

Abstract: Specific provisions of the ATBCB Minimum Guidelines and Requirements for Accessible Design have been reserved until sufficient research information and/or field experience is obtained. At present the ATBCB is reviewing comments on the proposed rule to add provisions for leased facilities. In a separate notice of proposed rulemaking, the Board will propose the incorporation of certain technical specifications (including detectable warnings and signage) of the Uniform Federal Accessibility Standards and American National Standards Institute A117.1 (1986) standard into the ATBCB Minimum Guidelines and Requirements for Accessible Design.

Timetable:

ANSI/UFAS Technical Specifications
NPRM 09/16/87 (52 FR 34955)
NPRM Comment Period End 11/16/87
Leased Facilities
NPRM 02/11/87 (52 FR 4352)
NPRM Public Comment Period End 03/13/87
Final Action 07/00/88
UFAS Technical Specifications
Final Action ANSI 09/00/88

Small Entity: No

Additional Information: Phone number of agency contact is voice or TDD.

Government Levels Affected: Federal

Agency Contact: Mark W. Smith, General Attorney, Architectural and Transportation Barriers Compliance Board, 1111 18th Street, NW, Suite 500, Washington, DC 20036, **202 653-7834**

RIN: 3014-AA00

2617. PRACTICE AND PROCEDURES FOR COMPLIANCE HEARINGS

Legal Authority: 29 USC 794 Rehabilitation Act of 1973, as amended

CFR Citation: 36 CFR 1150

Legal Deadline: None.

Abstract: The current regulation sets forth procedures to ensure compliance with standards issued under the Architectural Barriers Act of 1968, Pub. L. 90-480, as amended, 42 U.S.C. 4151 et seq. The Board has published an interim rule revising this regulation to provide a 180-day period for informally resolving complaints in place of the previous 90-day period. This interim rule is expected to be published as a final rule. The Board has also published a notice of proposed rulemaking to amend its regulations to allow a rebuttable presumption of jurisdiction in those cases in which jurisdictional information is not timely provided by the responsible persons or agencies.

Timetable:

Action	Date	FR Cite
Interim Final Rule with Request for Comment	05/22/86	51 FR 18788
Interim Final Rule Comment Period End	07/21/86	
NPRM	12/23/87	52 FR 48546
NPRM Comment Period End	02/22/88	

Next Action Undetermined

Small Entity: No

Agency Contact: Mr. Nicholas Chiarkas, General Counsel, Architectural and Transportation Barriers Compliance Board, 1111 18th Street, NW, Washington, DC 20036, 202 **653-7834**

RIN: 3014-AA03

2618. INFORMATION AVAILABILITY: PROCEDURES (36 CFR, PART 1120)

Legal Authority: 5 USC 552

CFR Citation: 36 CFR 1120, (Revision)

Legal Deadline: Statutory, April 25, 1987.

Abstract: This interim final rule amends the ATBCB's regulations to establish a schedule and system for collecting fees to recover certain direct costs associated with responding to Freedom of Information Act (FOIA) requests as required by the Freedom of Information Reform Act of 1986.

ATBCB

Final Rule Stage

Timetable:

Action	Date	FR Cite
Interim Final Rule	11/10/87	52 FR 43193
Final Action	06/00/88	

Small Entity: No

Agency Contact: Mark W. Smith, General Attorney, Architectural and Transportation Barriers Compliance Board, 1111 18th Street, NW, Washington, DC 20036, **202 653-7834**

RIN: 3014-AA04

[FR Doc. 88-5087 Filed 04-22-88; 8:45 am]

BILLING CODE 6820-BP-T

federal register

Monday
April 25, 1988

Part XIX

Commission on Civil Rights

Semiannual Regulatory Agenda

COMMISSION ON CIVIL RIGHTS (CCR)

COMMISSION ON CIVIL RIGHTS

45 CFR Ch. VII

Semiannual Agenda of Regulations

AGENCY: Commission on Civil Rights.

ACTION: Publication of semiannual agenda.

SUMMARY: This agenda announces the regulations the U.S. Commission on Civil Rights will have under development during the 6-month period from April 1, 1988 through September 30, 1988. The purpose for publishing this agenda is to give notice of any regulatory activity by the Commission in order to allow the public an opportunity to participate in the rulemaking process.

FOR FURTHER INFORMATION CONTACT:

General: For further information on the agenda in general, contact: William H. Gillers, Solicitor, U.S. Commission on Civil Rights, Room 606, Washington, DC 20425, (202) 376-8514.

Specific: For further information about any particular item on the agenda, contact the individual listed under that item.

SUPPLEMENTARY INFORMATION: In accordance with Executive Order 12291, Federal Regulation, and the Regulatory Flexibility Act (5 U.S.C. 605), executive agencies are required to publish in the **Federal Register** semiannual regulatory agendas in April and October of each year.

The regulations being considered by the Commission are not "major" rules within the meaning of E.O. 12291 and no Regulatory Impact Analysis is required. The Commission has determined that the regulations under consideration will not impose compliance costs or reporting burdens on the public; nor will the regulations have a significant economic impact on a substantial number of small entities. Accordingly, no Regulatory Analysis is required.

William H. Gillers,

Solicitor.

COMMISSION ON CIVIL RIGHTS (CCR) — Proposed Rule Stage

2619. IMPLEMENTATION OF FREEDOM OF INFORMATION REFORM ACT

Significance: Agency Priority

Legal Authority: 42 USC 1975 to 1975f; 5 USC 552

CFR Citation: 45 CFR 704.1, (Revision)

Legal Deadline: Statutory, April 25, 1987.

Abstract: The regulation implements the 1986 statutory amendments to the Freedom of Information Act (FOIA) (5 USC 552). The revised provisions modify the terms of exemption 7 and also establish new procedures regarding the charging and waiving of fees pursuant to a FOIA request.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
NPRM Comment Period End	08/00/88	

Small Entity: No

Agency Contact: Willian H. Gillers, Solicitor, Commission on Civil Rights, 1121 Vermont Avenue, NW, Room 606, Washington, DC 20425, 202 376-8514

RIN: 3035-AA00

2620. IMPLEMENTATION OF REHABILITATION ACT OF 1973, PART 504-HANDICAPPED DISCRIMINATION PROHIBITION

Legal Authority: 29 USC 794

CFR Citation: 45 CFR 707

Legal Deadline: None.

Abstract: The proposed regulation provides for the implementation of Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), which prohibits discrimination on the basis of handicap, as it applies to programs or activities conducted by the Commission.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: No

Agency Contact: William J. Howard, General Counsel, Commission on Civil Rights, 1121 Vermont Avenue, NW, Room 600, Washington, DC 20425, 202 376-8351

RIN: 3035-AA01

[FR Doc. 88-5088 Filed 04-22-88; 8:45am]

BILLING CODE 6335-01-T

federal register

Monday
April 25, 1988

Part XX

Environmental Protection Agency

Semiannual Regulatory Agenda

ENVIRONMENTAL PROTECTION AGENCY (EPA)

ENVIRONMENTAL PROTECTION AGENCY

40 CFR Ch. I

[FRL-3338-4]

Regulatory Agenda

AGENCY: Environmental Protection Agency (EPA).

ACTION: Notice.

SUMMARY: EPA revises the Regulatory Agenda semiannually, and it appears in the **Federal Register** each April and October. It provides specific information on the status of regulations that are under development, revision, and review at the Agency. The agenda is published to keep interested parties informed of the progress of EPA regulations.

ADDRESSES: If you want to be on the mailing list for future agendas, please call or write to Bridgette Dent, Regulation Management Branch, EPA, PM-223, Washington, DC 20460, (202) 382-5475.

If you have any suggestions for improving this publication, or need general information about the agenda, please call or write to Angela Tyler, Regulation Management Branch, EPA, PM-223, Washington, DC 20460, (202) 382-7205.

FOR FURTHER INFORMATION CONTACT: For specific information on any item in the agenda, please contact the person listed with each entry.

SUPPLEMENTARY INFORMATION:

Statutes Covered in the Agenda

Asbestos Hazard Emergency Response Act (AHERA)
Atomic Energy Act (AEA)
Clean Air Act (CAA)
Clean Water Act (CWA)
Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA)
Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)
Federal Food, Drug, and Cosmetics Act (FFDCA)
Hazardous and Solid Waste Amendments (HSWA)
Marine, Protection, Research, and Sanctuaries Act (MPRSA)
Resource Conservation and Recovery Act (RCRA)
Safe Drinking Water Act (SDWA)
Superfund Amendments and Reauthorization Act (SARA)
Toxic Substances Control Act (TSCA)
Water Quality Act of 1987 (WQA)
General - Other Acts (including grant and procurement regulations that cut across several program areas)

Organization of the Agenda

The agenda is organized by statute, and in several cases it combines regulations with differing statutory authorities that have closely-related subject matter. For example, the Asbestos-in-Schools Inspection, Abatement, and Disposal regulation is written under AHERA, but appears with regulations under TSCA.

Within each statutory listing, the regulations are ordered numerically, by section number of the authorizing legislation. For example, all RCRA regulations under section 3001 appear before those under section 3006.

Within each statutory area the entries are further divided into four categories: (1) Prerule Stage; (2) Proposed Rule Stage; (3) Final Rule Stage; and (4) Completed Actions (regulations that EPA is deleting from the agenda because the Agency has completed, withdrawn, or postponed them indefinitely). Detailed information on each of these sections is presented below.

Appendix A includes a list of abbreviations of terms used in this document.

I. Prerulemakings

Prerulemaking actions include activities intended to determine whether or how to initiate rulemaking. These activities include anything that influences or leads to rulemaking, such as advance notices of proposed rulemaking, significant studies or analyses of the possible need for regulatory action, requests for public comment on the need for regulatory action, or important pre-regulatory policy proposals.

This section also includes existing EPA regulations that are now under review. The purpose of such reviews is to determine whether the Agency should revise the rule, rescind it, or leave it unchanged. When finished, the Agency will list these reviews in the completed section of the agenda. If EPA decides to revise or rescind the regulation, the action will appear in the proposed rule section of the next agenda, which will state the timetable for completing the revision or rescission.

For each regulation under review, the agenda provides the title, a short abstract, legal authority, CFR reference, any analysis EPA is preparing, contact person, and the schedule for completing the review. It also indicates the "review authority," which may be different from the regulation's statutory authority. EPA reviews regulations under various mandates, and some reviews satisfy more than one of these mandates. The principal mandates are:

Executive Order 12498 which is intended to establish annually the Administration's Regulatory Program. It defines priority activities that federal departments and agencies will work on during the upcoming year. Its purpose is to minimize duplication and conflict among regulatory activities and enhance public understanding of the Administration's regulatory objectives.

Executive Order 12291 (E.O. 12291) which establishes the general policy that federal departments and agencies should review their regulations to ensure that the costs of the regulations are justified by the benefits of the regulation.

The Regulatory Flexibility Act (RFA) which requires that federal departments and agencies review existing regulations that have a significant economic impact on a substantial number of small entities, including small businesses, small organizations, and small governments, at least once every ten years. EPA invites public comment regarding RFA issues on the list of regulations EPA is reviewing.

Reviews EPA has targeted under the RFA are identified by a "Yes" in the "small entity" category. When the Agency completes reviews of regulations with a significant impact on small entities, the agenda entry includes an abstract that announces the Agency's decision of whether to revise, rescind, or leave the regulation unchanged. This announcement complies with the RFA and EPA's July 16, 1981 plan (46 FR 36930) for reviewing regulations under the Act.

The Paperwork Reduction Act (PRA) which requires federal departments and agencies to review its information collection activities to assure that they need and will use the information and manage it efficiently. They must also

ensure that the information to be collected is of high quality, appropriate for its intended use, and does not already exist at EPA or at some other federal agency. In addition, the PRA requires agencies to review the cost of collecting the information, so that it will be held to a minimum for both the respondent and the agencies.

II. Proposed and Final Rules

EPA generally lists regulations in the agenda once they are within a year of proposal or final action. Very important regulations under development will usually appear even if the scheduled publication dates are more than a year away.

Proposed and final rules appear as: (a) Actions that will create new CFR parts, subparts, or subsections; or (b) actions that revise or amend already existing CFR parts, subparts, or subsections. The word "revision" will appear in parentheses after the title of each regulation undergoing revision. All regulations appearing in the agenda for the first time are marked with bullets (●).

This section includes all "significant" EPA regulations. Some are priority regulations under development that are subject to Executive Order 12498; or the Agency has designated for priority development or revision. These regulations are also subject to certain provisions of E.O. 12291, RFA, and PRA.

However, the listings exclude: (a) Specialized categories of actions (such as EPA approvals of State plans and other actions that do not apply nationally); and (b) routine actions (such as pesticide tolerances and minor amendments to existing rules).

For each proposed and final regulation, the agenda includes:

- Title
- Priority classification (if applicable)
- Legal authority
- CFR reference
- Legal deadline (if applicable)
- Short abstract
- Timetable of existing and scheduled actions
- Reference to small entity impacts (yes, no, or undetermined)
- Additional information (includes the FTS phone number for the Agency contact, the Start Action Request (SAR) number, which is assigned to the regulation for internal tracking purposes, and any other information that is not included in the abstract)
- Agency contact
- Analysis section (if the Agency is preparing a Regulatory Impact Analysis (RIA) and/or an RFA)

III. Completed Actions

These are actions that appeared in the last agenda, which EPA is deleting because they are completed or are no longer under consideration. Information on these regulations and reviews of regulations is less detailed than for those that are still under consideration. Generally, entries include: (1) An explanation of why the Agency is deleting the regulation from the agenda, or (2) the publication date and **Federal Register** citation of the final rule.

Dated: February 29, 1988.

Robert H. Wayland, III,

Deputy Assistant Administrator for Policy Planning and Evaluation.

Appendix A -- (Abbreviations)

ANPRM - Advance Notice of Proposed Rulemaking
BAT - Best Available Technology
BCT - Best Conventional Technology
BOD - Biochemical Oxygen Demand
BPT - Best Practicable Technology
CA - Cooperative Agreements
CAG - Carcinogenic Assessment Group
CBOD - Carbonaceous Biochemical Oxygen Demand
CEQ - Council on Environmental Quality
CFR - Code of Federal Regulations
DOE - Department of Energy
EAF - Electric Arc Furnaces
FR - Federal Register
FTS - Federal Telecommunications System
HDE - Heavy-Duty Engine
HDT - Heavy-Duty Truck
HDV - Heavy-Duty Vehicle
ICS - Intermittent Control System
LDT - Light-Duty Truck
LDV - Light-Duty Vehicle
MCL - Maximum Contaminant Level
MCLG - Maximum Contaminant Level Goals
NEPA - National Environmental Policy Act
NESHAPS - National Emission Standards for Hazardous Air Pollutants
NPDES - National Pollutant Discharge Elimination System
NPDWR - National Primary Drinking Water Regulations
NPRM - Notice of Proposed Rulemaking
NRDC - Natural Resources Defense Council
NSO - Nonferrous Smelter Orders
NSPS - New Source Performance Standards
OAQPS - Office of Air Quality Planning and Standards
OPP - Office of Pesticide Programs
OPTS - Office of Pesticides and Toxic Substances
OSHA - Occupational Safety and Health Administration
PCB - Polychlorinated Biphenyls
POTW - Publicly Owned Treatment Works
PSD - Prevention of Significant Deterioration
PSES - Pretreatment Standards for Existing Sources
PSNS - Pretreatment Standards for New Sources
RFA - Regulatory Flexibility Act
RIA - Regulatory Impact Analysis
RIN - Regulation Identifier Number
RMCL - Recommended Maximum Contaminant Level
SAR - Start Action Request
SIC - Standard Industrial Code
SSC - State Superfund Contract
TSS - Total Suspended Solids
UIC - Underground Injection Control
USC - United States Code
VOC - Volatile Organic Chemicals

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2621	SAR No. 2406. Pesticide Applicator Certification Fees for EPA Administered Programs	2070-AB76

EPA

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2622	SAR No. 2444. Procedures for Amending and Repealing Tolerances or Exemptions from Tolerances Under Section 408 and 409 of FFDCA	2070-AB78
2623	SAR No. 2317. Restricted Use Classification for Certain Active Ingredients Used in Termiticides	2070-AB53
2624	SAR No. 2351. Restricted Use Classification for Groundwater Contaminating Pesticides	2070-AB60
2625	SAR No. 2567. Registration Data Requirements for Pesticide Product Performance and Companion Pesticide Assessment Guidelines (Revision)	2070-AB82
2626	SAR No. 2337. Sale of Restricted Use Pesticides to Noncertified Persons	2070-AB48
2627	SAR No. 2446. Regulations on Certification of Pesticide Applicators (Revision)	2070-AB75
2628	SAR No. 2445. Experimental Use Permits (Revision)	2070-AB77
2629	SAR No. 1640. Worker Protection Standards for Agricultural Pesticides (Revision)	2070-AA49

Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2630	SAR No. 1964. Comprehensive Revision of Pesticide Registration and Classification Procedures (Revision)	2070-AA56
2631	SAR No. 2289. Labeling Requirements for Pesticides and Devices (Revision)	2070-AB46
2632	SAR No. 1703. FIFRA Good Laboratory Practice Standards (Revision)	2070-AB68
2633	SAR No. 2338. Reporting Requirements for Risk/Benefits Information	2070-AB50
2634	SAR No. 1747. Registration of Pesticide Producing Establishments (Revision)	2070-AA04
2635	SAR No. 2314. Pesticide Advertising for Unregistered Products	2070-AB47
2636	SAR No. 2554. Policy on Advertising Claims Made for Registered Products	2070-AB88
2637	SAR No. 2013. User Charges for Pesticide Registrations	2070-AB52

Toxic Substances Control Act (TSCA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2638	SAR No. 2549. Asbestos-Containing Materials in Schools; Transport and Disposal Rule(Revision)	2070-AB87
2639	SAR No. 2555. Toxic Chemical "Peak Release" Reporting Rule (Revision)	2070-AB86
2640	Decisions on Test Rules: Proposed Rules	2070-AB07
2641	SAR No. 2563. SARA Section 110 Chemicals Generic Test Rule	2070-AB84
2642	SAR No. 1923. Follow-up Rules on Existing Chemicals	2070-AA58
2643	SAR No. 1976. Follow-up Rules on Non-5(e) New Chemicals	2070-AA59
2644	Chemical Specific Significant New Use Rules to Extend Provisions of Section 5(e) Orders	2070-AB27
2645	SAR No. 2247. Generic Significant New Use Rule for Acrylate Compounds	2070-AB56
2646	Rulemaking Concerning Certain Microbial Products ("Biotechnology")	2070-AB61
2647	SAR No. 2149. Nitrosamines in Metalworking Fluids	2070-AB09
2648	SAR No. 2146. Regulatory Investigation of Formaldehyde	2070-AB14
2649	SAR No. 2150. Polychlorinated Biphenyls (PCBs): Applications for Exemptions from the Ban on Manufacturing, Processing, and Distribution	2070-AB20
2650	SAR No. 2284. Regulatory Investigation of Chlorinated Solvents	2070-AB41
2651	SAR No. 2297. PCB Spill Cleanup Recordkeeping Rule	2070-AB45
2652	SAR No. 2560. Procedures and Criteria for Termination of Polychlorinated Biphenyl Disposal Permits	2070-AB81
2653	SAR No. 2550. PCB Notification and Manifesting Rule	2070-AB83

Toxic Substances Control Act (TSCA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2654	SAR No. 2245. Negotiated Consent/Procedural Test Rule (Revision)	2070-AB30
2655	SAR No. 1886. TSCA Good Laboratory Practice Standards (Revision)	2070-AB65
2656	Decision on Test Rules: Final Rules	2070-AB94

EPA

Toxic Substances Control Act (TSCA)—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2657	SAR No. 2250. General Regulations on Significant New Use Rules (SNURs) (Revision)	2070-AB26
2658	SAR No. 2375. Procedural Rule for Expedited New Chemical Follow-up	2070-AB67
2659	SAR No. 2562. Recodification of TSCA CFR Section 721	2070-AB85
2660	SAR No. 2561. Proposal to Exempt Certain Microorganisms from PMN Requirements under TSCA 5(h)(4)	2070-AB89
2661	SAR No. 2244. Polychlorinated Biphenyls (PCBs): Manufacturing, Processing, Distribution in Commerce, and Use Prohibitions; Exclusions and Use Authorizations (Revision)	2070-AB25
2662	SAR No. 2296. Action Concerning Commercial and Industrial Use of Asbestos	2070-AB29
2663	SAR No. 2447. PCBs in Electrical Transformers (Revision)	2070-AB74
2664	SAR No. 2178. Section 8 (a) Preliminary Assessment Information Rules	2070-AB08
2665	SAR No. 1139. Section 8(d) Health and Safety Data Reporting Rules	2070-AB11
2666	SAR No. 2129. TSCA Section 8(a) Comprehensive Assessment Information Rule (CAIR)	2070-AB13
2667	SAR No. 2324. User Fees for Processing PMNs	2070-AB54

Toxic Substances Control Act (TSCA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2668	SAR No. 2404. SARA Section 313 Toxic Chemical Release Reporting Rule	2070-AB71
2669	SAR No. 2408. Asbestos-Containing Materials in Schools Rule	2070-AB44
2670	Restrictions on Disposal of Drained Electrical Equipment	2070-AB80

Clean Water Act (CWA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2671	SAR No. 2304. Future Effluent Guidelines -- Standards Initiatives	2040-AA90

Clean Water Act (CWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2672	SAR No. 1649. Effluent Guidelines for Offshore Oil and Gas Extraction Industry (Revision)	2040-AA12
2673	SAR No. 2600. Effluent Guidelines for Nonferrous Metals Forming (Revision)	2040-AB30
2674	SAR No. 2583. Effluent Guidelines for Nonferrous Metals Manufacturing (Phase II) (Revisions)	2040-AB31
2675	SAR No. 2473. Effluent Guidelines for Pesticides Chemicals	2040-AB32
2676	SAR No. 2395. Definition of "Waters of the United States"	2040-AB01
2677	SAR No. 2475. Water Quality Standards--Revision for Indian Tribes	2040-AB36
2678	SAR No. 2493. NPDES Regulatory Revisions	2040-AB38
2679	SAR No. 2525. Interpretation of Provisions of Section 304(1) of the CWA	2040-AB46
2680	SAR No. 2580. Procedural Rules for Class I Administrative Penalty Proceedings under the CWA	2040-AB49
2681	SAR No. 2587. Revisions to Regulations for Modification of Secondary Treatment Requirements for Municipal Discharge into Marine Waters	2040-AB29
2682	SAR No. 2200. NPDES Regulations: Stormwater Application Requirements (Revision)	2040-AA79
2683	SAR No. 2501. NPDES Permit Application Form 2C, Standard Form A, and Short Form A (Revision)	2040-AB39
2684	SAR No. 2162. Sewage Sludge Use and Disposal Regulations	2040-AA74
2685	SAR No. 2515. Citizen Suit Notice Regulation under the CWA	2040-AB50
2686	SAR No. 2189. Comprehensive Revisions to Ocean Dumping Regulations	2040-AA78
2687	SAR No. 2581. Underground Injection Control Program: Hazardous Waste Disposal Injection Restrictions; Effective Dates and Capacity Variances for Selected First Third Wastes	2040-AB47
2688	SAR No. 2342. General Pretreatment Regulations for Existing and New Sources	2040-AA99

EPA

Clean Water Act (CWA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2689	SAR No. 2300. Guidelines for Classifying Ground Water under the EPA Ground Water Protection Strategy	2040-AA85
2690	SAR No. 1962. Secondary Treatment/Percent Removal Requirements for Combined Sewer Systems	2040-AB13
2691	SAR No. 2163. National Pollutant Discharge Elimination System Sewage Sludge Permit Regulations; State Sludge Management Program Requirements	2040-AA73
2692	SAR No. 2479. Water Quality Planning and Management Grants for Indian Tribes	2040-AB35
2693	SAR No. 1722. Simplifying Construction Grants Regulations (Revision)	2040-AA70
2694	SAR No. 2585. Comprehensive Construction Grant Regulation Revision	2040-AB25
2695	SAR No. 1427. Effluent Guidelines for Pharmaceuticals	2040-AA13
2696	SAR No. 1425. Effluent Guidelines for Gum and Wood (Revision)	2040-AA17
2697	SAR No. 2584. Effluent Guidelines for Ore Mining and Dressing (Placer Mining)	2040-AA65
2698	SAR No. 1410. Effluent Guidelines for Nonferrous Metals: (Phase I) (Revision)	2040-AA96
2699	SAR No. 2212. General Pretreatment Regulations: Response to PIRT (Revision)	2040-AA81
2700	SAR No. 1973. Section 404 State Program Regulations (Revision)	2030-AA00
2701	SAR No. 2140. Ocean Incineration Regulation (Revision)	2040-AA72
2702	Ocean Incineration Site Evaluation, Solicitation, and Designation	2040-AB28

Clean Water Act (CWA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2703	SAR No. 2497. Water Quality Standards-Revision	2040-AB34
2704	SAR No. 1415. Effluent Guidelines for Organic Chemicals and Plastics and Synthetic Fibers	2040-AA05
2705	SAR No. 1910. Effluent Guidelines for Adhesives and Sealants	2040-AA30
2706	SAR No. 1969. Effluent Guidelines for Pulp, Paper, and Paperboard (PCB's) (Revision)	2040-AA63
2707	SAR No. 1409. Effluent Guidelines for Leather Tanning (Revision)	2040-AA91
2708	SAR No. 1438. Effluent Guidelines for Aluminum Forming (Revision)	2040-AB33
2709	SAR No. 1866. General Pretreatment Regulations: Removal Credits (Revision)	2040-AB02
2710	SAR No. 1579. Discharge of Oil (Revision)	2040-AA48

Atomic Energy Act (AEA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2711	Environmental Standards for the Management and Disposal of Spent Nuclear Fuel, High-Level and Transuranic Radioactive Wastes	2060-AC30
2712	SAR No. 1727. Environmental Protection Standards for Low-Level Radioactive Waste	2060-AA04
2713	SAR No. 2073. Residual Radioactivity	2060-AB31

Atomic Energy Act (AEA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2714	SAR No. 1162. Transuranium Elements	2060-AA01
2715	SAR No. 1525. Radiofrequency Radiation Guidance	2060-AA02
2716	SAR No. 1166. Groundwater Protection Standards for Inactive Uranium Tailing Sites	2060-AC03

EPA

Safe Drinking Water Act (SDWA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2717	SAR No. 2489. Revision to Public Water System Supervision (PWSS) State Primacy Requirements	2040-AB26
2718	SAR No. 2426. Revisions to the Safe Drinking Water Act's, Underground Injection Control Regulations	2040-AB27
2719	SAR No. 1755. National Primary Drinking Water Regulations: Synthetic Organic Chemicals and Inorganic Chemicals, Monitoring for Unregulated Contaminants (Phase II, 40 Contaminants)	2040-AA55
2720	SAR No. 2281. National Primary Drinking Water Regulation: Radionuclides	2040-AA94
2721	SAR No. 2340. National Primary Drinking Water Regulations: Disinfection, Disinfectants and Disinfection By-Products (Revision)	2040-AA97
2722	SAR No. 2396. National Primary Drinking Water Regulations: Inorganic and Organic Compounds (Phase V/30 Contaminants)	2040-AB11
2723	National Primary Drinking Water Regulations: Lead and Copper	2040-AB51
2724	SAR No. 2381(PWSS); SAR No. 1972(UIC) Public Water Supply Supervision Program and Underground Injection Control Program: Administrative Enforcement Implementation Procedures	2040-AB07
2725	SAR No. 2378. Public Water System Supervision Program: Ban on Lead in Plumbing	2040-AB05

Safe Drinking Water Act (SDWA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2726	SAR No. 2440. Indian Rule for the Wellhead Protection Program and Sole Source Aquifer Demonstration Program	2040-AB18
2727	SAR No. 2211. Underground Injection Control Program: Hazardous Waste Disposal Injection Restrictions; Amendments To Technical Requirements for Class I Hazardous Waste Injection Wells	2040-AB03
2728	SAR No. 2376. Criteria for Filtration and Disinfection of Surface Water and Primary Drinking Water Regulations for Microbiological Contaminants	2040-AB24
2729	SAR No. 2131. Underground Injection Control Program on Indian Lands	2040-AA76
2730	SAR No. 2383. SDWA Indian Primacy Regulations	2040-AB04
2731	SAR No. 2405. Criteria for Identifying Critical Aquifer Protection Areas	2040-AB23

Safe Drinking Water Act (SDWA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2732	SAR No. 2377. National Primary Drinking Water Regulation: List of Contaminants That May Require Drinking Water Regulations	2040-AB12
2733	SAR No. 1756. Public Water Supply Supervision Program: General Public Notification Requirements and New Lead Public Notice	2040-AB08

Noise Control Act (NCA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2734	SAR No. 2046. Withdrawal of Products from the Agency's Reports Identifying Major Noise Sources and Withdrawal of Proposed Rules	2060-AB24

EPA

Resource Conservation and Recovery Act (RCRA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2735	SAR No. 2494. Municipal Waste Combustor Ash Management	2050-AC24
2736	SAR No. 2449. Determination on Wastes from the Exploration, Development on Production of Crude Oil, Natural Gas, and Geothermal Energy	2050-AC08
2737	SAR No. 2434. Management of Used Oil	2050-AC17
2738	SAR No. 2572. Determination on Wastes from Combustion of Coal by Electric Utility Power Plants	2050-AC53
2739	SAR No. 2571. Determination on Solid Waste from Selected Metallic Ore Processing Operations	2050-AC54

Resource Conservation and Recovery Act (RCRA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2740	SAR No. 2332. Mandatory Inspections of Hazardous Waste Management Facilities	2050-AB59
2741	SAR No. 2527. New Requirements for State Hazardous Waste Programs	2050-AC51
2742	SAR No. 2524. No-Migration Variance for Restricted Hazardous Waste Land Disposal	2050-AC56
2743	SAR NO. 2174 For further information contact the RCRA/Superfund Identification and Listing of Hazardous Wastes - Wood Preserving and Surface Protection Waste	2050-AC59
2744	SAR No. 2224. Solid Waste Disposal Facility Criteria	2050-AB21
2745	SAR No. 2507. Test Methods for Evaluating Solid Waste (Manual SW846) Incorporation by Reference and Mandatory Good Laboratory Practices	2050-AC32
2746	SAR No. 2510. Guideline for Federal Procurement for Retread Tires	2050-AC52
2747	SAR No. 2062. Identification of Hazardous Wastes by Toxicity Characteristic and Listing of Additional Organic Toxicants	2050-AA78
2748	SAR No. 2068. Sampling and Analysis Methods for Waste Testing	2050-AA82
2749	SAR No. Air Toxicity Characteristic for Hazardous Waste	2050-AC23
2750	SAR No. 2482. Concentration-Based Relisting of Wastes from Chlorinated Aliphatics	2050-AC30
2751	SAR No. 2483. Concentration-Based Relisting of Wastes from Explosives, Inorganic Chemicals, and Iron and Steel Industries	2050-AC31
2752	SAR No. 2080. Liners and Leak Detection for Hazardous Waste Land Disposal Units	2050-AA76
2753	SAR No. 2277. Groundwater Monitoring at Hazardous Waste Facilities	2050-AB20
2754	SAR No. 2303. Location Standards for Hazardous Waste Facilities	2050-AB67
2755	SAR No. 2487. Delay in the Closure Period for Hazardous Waste Management Facilities	2050-AB71
2756	SAR No. 2390. Corrective Action for Solid Waste Management Units (SWMUs) at Hazardous Waste Management Facilities	2050-AB80
2757	SAR No. 2391. Landfill, Surface Impoundment, and Waste Pile Closures for Hazardous Waste Management Facilities	2050-AB81
2758	SAR No. 2453. Emission Controls for Hazardous Waste Incinerators	2050-AB90
2759	SAR No. 2461. Land Disposal Restrictions for Soil and Debris Containing Hazardous Wastes	2050-AC03
2760	SAR No. 2439. Permitting Experimental Facilities Conducting Hazardous Waste Research	2050-AC04
2761	SAR No. 2452. Land Disposal Restrictions for First Third of Scheduled Wastes	2050-AC13
2762	SAR No. 2503. Corrective Action for Releases to Groundwater from Regulated Hazardous Waste Units	2050-AC28
2763	SAR No. 2522. Land Disposal Restriction for Second Third of Scheduled Wastes	2050-AC55
2764	SAR No. 2435. List (Phase 2) of Hazardous Constituents for Groundwater Monitoring	2050-AC05
2765	SAR No. 2158. Compliance Monitoring and Enforcement Requirements for State Hazardous Waste Management Programs	2050-AB01
2766	SAR No. 2544. Trial Burns for Existing Hazardous Waste Incinerators	2050-AC50
2767	SAR No. 2389. Mining Waste Management Under RCRA Subtitle D	2050-AB77
2768	SAR No. 2465. Underground Storage Tanks Containing Hazardous Substances- Financial Responsibility Requirements	2050-AC15

Resource Conservation and Recovery Act (RCRA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2769	SAR No. 2226. Identification and Listing of Hazardous Wastes - Petroleum Refinery Primary Treatment Sludge	2050-AB70
2770	SAR No. 2157 For further information contact the RCRA/Superfund Identification and Listing of Hazardous Waste - Methyl Bromide	2050-AC60

EPA

Resource Conservation and Recovery Act (RCRA)—Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2771	SAR No. 2398. Changes to Interim Status and Permitted Facilities for Hazardous Waste Management; Procedures for Post-Closure Permitting	2050-AC29
2772	SAR No. 2078. Burning of Hazardous Waste in Boilers and Industrial Furnaces	2050-AA72
2773	SAR No. 2207. Disposal of Containerized Liquids in Hazardous Waste Landfills	2050-AB12
2774	SAR No. 2388. Double Liner and Leachate Collection Systems for Hazardous Waste Land Disposal Units	2050-AB76
2775	SAR No. 2436. Statistical Methods for Evaluating Groundwater Monitoring Data from Hazardous Waste Facilities	2050-AB92
2776	SAR No. 2460. Liability Requirements for Hazardous Waste Facilities - Other Instruments	2050-AC19
2777	SAR No. 1805. Permit Modifications for Hazardous Waste Management Facilities	2050-AC22
2778	SAR No. 2397. Permitting Mobile Hazardous Waste Treatment Units and Delisting Hazardous Wastes	2050-AC20
2779	SAR No. 2257. Guidelines for Content in Re-refined Oil Procured by the Federal Government	2050-AB53
2780	SAR No. 2433. Minimum Recovered Materials Content in Paper and Paper Products Procured by the Federal Government	2050-AC18
2781	SAR No. 2202, 2221, and 2256. Underground Storage Tanks - Technical Requirements	2050-AB19
2782	SAR No. 2255. Underground Storage Tanks Containing Petroleum - Financial Responsibility Requirements	2050-AB89
2783	SAR No. 2234. Underground Storage Tanks - State Program Approval	2050-AB31

Resource Conservation and Recovery Act (RCRA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2784	Identification and Listing of Hazardous Wastes	2050-AB46
2785	SAR No. 1817. Hazardous Waste Miscellaneous Units	2050-AA23
2786	SAR No. 2273. Liability Requirements for Hazardous Waste Facilities - Corporate Guarantee	2050-AB47
2787	SAR No. 2187. Codification Rule for the 1984 RCRA Amendments	2050-AB58
2788	SAR No. 2011. Guideline for Recovered Materials Content in Paper Products Procured by the Federal Government	2050-AA68

Clean Air Act (CAA)—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2789	SAR No. 1004. Review of NAAQS for Nitrogen Dioxide	2060-AC06
2790	SAR No. 1001. Review of NAAQS for Carbon Monoxide	2060-AC07
2791	SAR No. 2387. NSPS: Coal Preparation Plants	2060-AB84
2792	SAR No. 2430. NSPS: Asphalt Processing and Asphalt Roofing Manufacturing Plants(Review)	2060-AC21
2793	SAR No. 2430. NSPS: Asphalt Processing and Asphalt Roofing Manufacturing Plants	2060-AC23
2794	SAR No. 2181. Decisions on Regulating Various Air Pollutants	2060-AB56
2795	SAR No. 1869. NESHAPS: Cadmium	2060-AB92
2796	SAR No. 2557. "Guidelines on Air Quality Models" (Revision)	2060-AC43
2797	SAR No. 2214. Fuel and Fuel Additives: Gasoline Lead Content (Revision)	2060-AB60
2798	SAR No. 2365. Fuel and Fuel Additive Health Emissions Effects Testing	2060-AC10
2799	SAR No. 2366. Diesel Fuel Quality standards	2060-AC11

Clean Air Act (CAA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2800	SAR No. 1002. NAAQS for Sulfur Oxides (Revision)	2060-AA61
2801	SAR No. 1919. NAAQS: Lead	2060-AA95
2802	SAR No. 1920. NAAQS: Ozone	2060-AA96
2803	SAR No. 2577. Secondary NAAQS for Particulate Matter (Fine Particles)	2060-AC32
2804	SAR No. 2428. Federal Promulgation of State Implementation Plan to Protect Visibility	2060-AB82
2805	SAR No. 1119. NSPS: Perchloroethylene Dry Cleaning	2060-AA14
2806	SAR No. 1695. NSPS: Solvent Degreasing (111d)	2060-AA33

EPA

Clean Air Act (CAA)—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2807	SAR No. 2164. NSPS: SOCMI Reactor Processes	2060-AB55
2808	SAR No. 2239. NSPS: Small Boilers	2060-AB95
2809	SAR No. 2424. NSPS: Municipal Waste Combustors	2060-AC26
2810	SAR No. 2535. NSPS: Municipal Landfills	2060-AC42
2811	SAR No. 1685. NESHAPS: Benzene in Coke Oven By-Product Plants	2060-AA42
2812	SAR No. 1686. NESHAPS: Coke Oven Emissions from Coke Oven Charging, Door Leaks, and Topside Leaks on Wet-Coal-Charged Batteries	2060-AA48
2813	SAR No. 1714. NESHAP: Asbestos (Revision)	2060-AB51
2814	SAR No. 2181. NESHAPS: Chromium	2060-AB83
2815	SAR No. 2386. NESHAP: Chromium--Industrial Cooling Towers	2060-AC12
2816	SAR No. 2386. NESHAP: Chromium--Electroplating	2060-AC14
2817	SAR No. 2363. Hazardous Organic NESHAP	2060-AC19
2818	SAR No. 2360. NESHAP: Perchloroethylene Dry Cleaning	2060-AC27
2819	SAR NO. 2484 NESHAP: Ethylene Oxide from Commercial Sterilization	2060-AC28
2820	SAR No. 1695. NESHAP: Organic Solvent Cleaning	2060-AC31
2821	SAR No. 2558. NESHAP: Benzene Reconsideration	2060-AC41
2822	SAR No. 2547. NESHAP: Radionuclides	2060-AC47
2823	SAR No. 2491. PSD Increments for PM10	2060-AC33
2824	SAR No. 2287. Hydrocarbon Standards for Light-Duty Trucks (Revision)	2060-AB85
2825	SAR No. 2384. Decision on Air Pollution Regulatory Strategies for the Gasoline Marketing Industry	2060-AC04
2826	SAR No. 1315. Trading and Banking of Heavy-duty Engine NOx and PM Emission Credits	2060-AC05
2827	SAR No. 2373. Test Procedures for Trap-Equipped Diesel Vehicles and Engines	2060-AC08
2828	SAR No. 2431. Nonconformance Penalties for 1991 through 1994 Model Year Emission Standards for Heavy-Duty Vehicles and Engines	2060-AC39
2829	SAR No. 2136. Emission Performance Warranty Regulations (Revision)	2060-AB53
2830	SAR No. 2215. Fuel and Fuel Additives: Preventative Action Program to Prevent Self-Serve Fuel Switching	2060-AB59
2831	SAR No. 2240. Treatment, Storage, and Disposal Facility Area Source Air Emissions - RCRA Standards	2060-AB94

Clean Air Act (CAA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2832	SAR No. 2421. PSD Regulations for NOx	2060-AC24
2833	SAR No. 1845. Fugitive Emissions/Surface Coal Mines for Air Quality New Source Review	2060-AA68
2834	SAR No. 1010. NSPS: Solvent Degreasing	2060-AA12
2835	SAR No. 1618. NSPS: Synthetic Organic Chemical Industry: Air Oxidation Process	2060-AA30
2836	SAR No. 1733. NSPS: Distillation Operations	2060-AA35
2837	SAR No. 1736. NSPS: Petroleum Refinery, FCC Regenerators	2060-AA36
2838	SAR No. 1691. NSPS: Polymer and Resin Manufacture	2060-AA37
2839	SAR No. 2028. NSPS: Sewage Treatment Plants (Revision)	2060-AB05
2840	SAR No. 2044. NSPS: Automobile and Light-Duty Truck Coating Operations (Revision)	2060-AB22
2841	SAR No. 2083. NSPS: Fossil Fuel-Fired Steam Generators (Revision)	2060-AB29
2842	SAR No. 2186. NSPS: Cement Plants (Revision)	2060-AB38
2843	SAR No. 2237. NSPS: Polymeric Coating of Supporting Substrates	2060-AB67
2844	SAR No. 1696. NSPS: VOC Emissions from Petroleum Refinery Wastewater Systems	2060-AB81
2845	SAR No. 1928. NSPS: Magnetic Tape Manufacturing	2060-AB88
2846	SAR No. 2559. State Implementation Plans: Approval of Post -1987 Ozone and Carbon Monoxide Plan Revisions for Areas Not Attaining the National Ambient Air Quality Standards NAAQS	2060-AB96
2847	SAR No. 2386. NESHAP: Chromium--Comfort Cooling Towers	2060-AC13
2848	SAR No. 2543. Proposed Policy Statement: Alternative Rural Fugitive Dust Policy for PM10	2060-AC44
2849	SAR No. 2372. Stratospheric Ozone Protection Strategy	2060-AC09
2850	SAR No. 2112. Emission Standards and Test Procedures for Methanol-Fueled New Motor Vehicles	2060-AB28
2851	SAR No. 2318. Control of Excess Evaporative Emissions/Fuel Volatility	2060-AB89
2852	SAR No. 2416. Particulate Emission Standards for Certain 1987 and Later Model Year Light-Duty Diesel Trucks (Revision)	2060-AC18
2853	SAR No. 2143. Small-Volume Manufacturers Certification Procedure (Revision)	2060-AB54
2854	Amendments to Selective Enforcement Auditing Regulations	2060-AC34
2855	SAR No. 2145. Voluntary Aftermarket Parts Certification Regulations (Revision)	2060-AB58

EPA

Clean Air Act (CAA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2856	SAR No. 2428. Federal Promulgation of State Implementation Plans to Protect Visibility	2060-AC20
2857	SAR No. 1615. NSPS: Rubber Products Industry-Tire Manufacturing	2060-AA24
2858	SAR No. 2075. NSPS: Industrial Boilers, S02	2060-AB33
2859	SAR No. 2236. NSPS: Surface Coating of Plastic Parts for Business Machines	2060-AB66
2860	SAR No. 2238. NSPS: New Residential Wood Heaters	2060-AB68
2861	SAR No. 2778. Requirements for Preparation, Adoption, and Submittal of Implementation Plans; Approval and Promulgation of Implementation Plans; Surface Coal Mines	2060-AC40
2862	SAR No. 1941. "Guideline on Air Quality Models" (Revision)	2060-AB13
2863	SAR No. 1317. Importation of Motor Vehicles and Motor Vehicle Engines (Revision)	2060-AA54
2864	SAR No. 2290. Removal of Lead from EPA Certification and Test Fuels (Revision)	2060-AB87
2865	SAR No. 2421. PSD Regulations for NOx	2060-AC29
2866	SAR No. 2289. Fuel Economy Test Procedures; Adjustment to Test Results to Account for Test Procedure Changes (light-duty trucks)	2060-AB86

Superfund (CERCLA)—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2867	SAR No. 2336. Designation of the Extremely Hazardous Substances List as Hazardous Substances	2050-AB62
2868	SAR No. 2429. Reportable Quantities (RQs) for Releases Substances on the Extremely Hazardous Substances List	2050-AC14
2869	SAR No. 2411. Reporting Continuous Releases of Hazardous Substances	2050-AA46
2870	SAR No. 2394. Reporting Exemptions for Federally Permitted Releases of Hazardous Substances	2050-AB82
2871	SAR No. 2538. Planning and Implementing Superfund Off-Site Response Actions	2050-AC35
2872	SAR No. 2400. National Oil and Hazardous Substances Pollution Contingency Plan (NCP)	2050-AA75
2873	SAR No. 2566. Hazard Ranking System for Uncontrolled Hazardous Substance Releases	2050-AB73
2874	SAR No. 5358. National Priorities List for Uncontrolled Hazardous Waste Sites - Update 7	2050-AC16
2875	SAR No. 5357. National Priorities List for Uncontrolled Hazardous Waste Sites - RCRA Sites	2050-AC48
2876	SAR No. 5432. National Priorities List for Uncontrolled Hazardous Waste Sites - Federal Facility Sites	2050-AC57
2877	SAR No. 2455. Arbitration Procedures for Small Superfund Cost Recovery Claims	2050-AC36
2878	SAR No. 2498. Administrative Hearing Procedure for Superfund Claims	2050-AC26
2879	SAR No. 2427. Worker Protection Standards for Hazardous Waste Operations and Emergency Response	2050-AC12
2880	Emergency and Hazardous Chemical Inventory Forms and Community Right-to-Know Reporting Requirements	2050-AC34
2881	SAR No. 2511. Administrative Hearing Procedures for Class I Civil Penalties under CERCLA and the Emergency Planning Community Right to Know Act	2050-AC37

Superfund (CERCLA)—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2882	SAR No. 2104. Reportable Quantities (RQs) for Releases of Potential Carcinogens and Other Hazardous Substances	2050-AA80
2883	SAR No. 2335. Reportable Quantities (RQs) for Releases of Radionuclides	2050-AB60
2884	SAR No. 2459. Reportable Quantities (RQs) for Releases of Methyl Isocyanate (MIC) and Lead; Delisting of Ammonium Thiosulfate	2050-AC21
2885	SAR No. 5433. National Priorities List (NPL) for Uncontrolled Hazardous Wastes Sites - Update 5	2050-AC45
2886	SAR No. 5434. National Priorities List (NPL) for Uncontrolled Hazardous Wastes Sites - Update 6	2050-AC47
2887	SAR No. 2495. Citizen Awards for Information on Criminal Violations under Superfund	2050-AC38
2888	SAR No. 2564. Response Claims Procedures for the Hazardous Substances Superfund	2050-AA90
2889	SAR No. 2401. Technical Assistance Grants to Groups at National Priority List (NPL) Sites	2050-AC10
2890	SAR No. 2464. Reporting Hazardous Substances Activity When Transferring Federal Real Property	2050-AC00
2891	SAR No. 2409. Reimbursement of Local Governments for Emergency Response to Hazardous Substance Releases	2050-AC11
2892	SAR NO. 2419 Trade Secret Claims for Emergency Planning and Community Right-to-Know Information; Trade Secret Disclosures to Health Professionals	2050-AC27
2893	SAR NO. 2512 Administrative Hearing Procedures for Class II Penalties under CERCLA and Emergency Planning and Community Right to Know Act	2050-AC39

EPA

Superfund (CERCLA)—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2894	SAR No. 2457. Withdrawal of Arbitration Procedures and Natural Resource Claims Procedures for the Hazardous Substance Superfund	2050-AC06
2895	SAR No. 2077. National Priorities List (NPL) for Uncontrolled Hazardous Wastes Sites - Updates 3 and 4	2050-AA79
2896	SAR No. 2412. Emergency and Hazardous Chemical Inventory Forms and Community Right to Know Reporting Requirements	2050-AB88

General—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2897	SAR No. 2551. Environmental Protection Agency Acquisition Regulation (EPAAR); Submission of General Financial and Organizational Information, and Purchasing System Information by Offerors	2030-AA06
2898	SAR No. 2553. Contracting for Expert Services under the Superfund Amendment and Reauthorization Act (SARA) of 1986	2030-AA07
2899	SAR No. 2552. Amending EPA Acquisition Regulation Rules Regarding Disclosure and Use of Information in Proposals	2030-AA08
2900	SAR No. 2196. Denial or Restriction of Disposal Sites (Revision)	2040-AB20
2901	SAR No. 2195. Confidentiality Regulations: Special Rules Governing Certain Information Under FIFRA (Revision)	2020-AA06

General—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2902	SAR No. 2410. Program Fraud Civil Remedies	2020-AA11
2903	SAR No. 1825. Regulations for the Federal Claims Collection Act	2020-AA01
2904	SAR No. 2218. Nondiscrimination on the Basis of Age in Programs Receiving Financial Assistant from the EPA (Revision)	2090-AA09
2905	SAR No. 2476. Superfund Assistance Program	2010-AA11
2906	SAR No. 2307. Notice Requirements for Citizen Suits under the SDWA	2020-AA10

General—Completed Actions

Sequence Number	Title	Regulation Identifier Number
2907	SAR No. 2415. Amending regulations implementing the Freedom of Information Reform Act of 1986	2020-AA12
2908	SAR No. 2415. Amending Regulations Implementing the Freedom of Information Reform Act of 1986	2040-AB37

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

Prerule Stage

2621. PESTICIDE APPLICATOR CERTIFICATION FEES FOR EPA ADMINISTERED PROGRAMS

Legal Authority: 31 USC 9701/FIFRA 4

CFR Citation: 40 CFR 171.12

Legal Deadline: None.

Abstract: This rule is intended to implement a program for assessing fees for certification and training of commercial and private applicators who apply restricted use pesticides. Fees will be collected in States with Federally-administered pesticide certification and training programs, and will cover the costs of administering such programs.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/88	

Small Entity: Undetermined

EPA—FIFRA Prerule Stage

Additional Information: SAR No. 2406.

FTS:8-475-9580

Agency Contact: John MacDonald, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-788), Washington, DC 20460, 202 475-9580

RIN: 2070-AB76

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA) Proposed Rule Stage

2622. PROCEDURES FOR AMENDING AND REPEALING TOLERANCES OR EXEMPTIONS FROM TOLERANCES UNDER SECTION 408 AND 409 OF FFDCA

Significance: Regulatory Program

Legal Authority: 21 USC 346a/FFDCA 408; 21 USC 348/FFDCA 409

CFR Citation: 40 CFR 180

Legal Deadline: None.

Abstract: This regulation will set forth procedures by which food additive tolerances, required by section 409 of the Federal Food, Drug and Cosmetic Act (FFDCA), may be amended or revoked. It may include revisions to FIFRA section 3 and FFDCA section 408 regulations to make them consistent with the new regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2444.

FTS:8-557-7700

Agency Contact: Ferial Bishop, Branch Chief, Registration Support and Emergency Response, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-788), Washington, DC 20460, 703 557-7700

RIN: 2070-AB78

2623. RESTRICTED USE CLASSIFICATION FOR CERTAIN ACTIVE INGREDIENTS USED IN TERMITICIDES

Legal Authority: 7 USC 136a /FIFRA 3

CFR Citation: 40 CFR 162.31

Legal Deadline: None.

Abstract: FIFRA requires that pesticides be classified for either general use or restricted to trained, certified pesticide applicators. This rule would classify certain active ingredients in termiticides for restricted use based on the hazards of misuse. Classification for restricted use permits the continued use of certain pesticides which, if used without restrictions, may have adverse effects on human health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2317.

FTS: 8-557-5096

Agency Contact: James Roelofs, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767C), Washington, D.C. 20460, 703 557-0064

RIN: 2070-AB53

2624. RESTRICTED USE CLASSIFICATION FOR GROUNDWATER CONTAMINATING PESTICIDES

Significance: Regulatory Program

Legal Authority: 7 USC 136a /FIFRA 3; 7 USC 136d /FIFRA 6; 7 USC 136w /FIFRA 25

CFR Citation: 40 CFR 162.30

Legal Deadline: None.

Abstract: This rule will provide a scheme for identifying pesticides which may pose an unacceptable hazard because of the potential to leach into groundwater. The Agency will propose criteria for classify classifying such pesticides for restricted use. Restricted use pesticides generally may be applied only by state certified applicators.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Additional Information: SAR No. 2351.

FTS: 8-557-3942

Agency Contact: David Alexander, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767c), Washington, DC 20460, 202 557-3942

RIN: 2070-AB60

2625. REGISTRATION DATA REQUIREMENTS FOR PESTICIDE PRODUCT PERFORMANCE AND COMPANION PESTICIDE ASSESSMENT GUIDELINES (REVISION)

Legal Authority: 7 USC 136a /FIFRA 3; 7 USC 136w/FIFRA 25

CFR Citation: 40 CFR 158.160

Legal Deadline: None.

Abstract: The objective in revising the regulations is to make explicit the Agency's requirement of pesticide producers to submit quantitative data on the yield/quality enhancing performance of their pesticides as compared to alternative pesticides. These data will improve the quality and timeliness of benefit analyses the Agency uses in making risk/benefit decisions to regulate pesticides under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA). The companion revised guidelines will provide protocols and methodologies for conducting the studies necessary to produce acceptable comparative performance data. Registrants might experience very minor cost increases to register pesticide products. The benefit would be substantial in the form of better and more uniform data on pesticide product performance, for use by Agency analysts and others.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2567.

FTS:8-557-3691

Agency Contact: Bernard A. Schneider, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-

768c), Washington, DC 20460, 703 557-3691

RIN: 2070-AB82

2626. SALE OF RESTRICTED USE PESTICIDES TO NONCERTIFIED PERSONS

Legal Authority: 7 USC 136b /FIFRA 4; 7 USC 136j /FIFRA 12; 7 USC 136w /FIFRA 25

CFR Citation: 40 CFR 162

Legal Deadline: None.

Abstract: This action is intended to develop regulations to allow the sale of restricted use pesticides to persons who are not certified under special circumstances as set forth by Congress in 1978. Regulatory development will be coordinated with the review of state plans under FIFRA Section 4 to determine both need and compatibility with State authorities and programs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2337.

FTS: 8-382-3949

Agency Contact: Connie Musgrove, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-788), Washington, D.C. 20460, 202 475-9582

RIN: 2070-AB48

2627. REGULATIONS ON CERTIFICATION OF PESTICIDE APPLICATORS (REVISION)

Legal Authority: 7 USC 136a to b/FIFRA 4; 7 USC 136w /FIFRA 25

CFR Citation: 40 CFR 171

Legal Deadline: None.

Abstract: This action is intended to revise existing regulations on certification of pesticide applicators. The current standards and requirements may need to be updated to clarify definitions and to reflect changes in technology and current needs in State programs.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Additional Information: SAR No. 2446.

FTS:382-3847

Agency Contact: Maureen Lydon, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-788), Washington, DC 20460, 202 382-3847

RIN: 2070-AB75

2628. EXPERIMENTAL USE PERMITS (REVISION)

Significance: Regulatory Program

Legal Authority: 7 USC 136 /FIFRA 4

CFR Citation: 40 CFR 172

Legal Deadline: None.

Abstract: This proposed revision will amend the existing regulations (40 CFR 172) pertaining to Experimental Use Permits (EUPs) to incorporate the policies set forth in the Office of Science and Technology Policy, which were published in the Federal Register on June 26, 1986 (51 FR 23313). The existing regulations exempt prospective registrants from the requirement of obtaining an EUP if they propose to conduct tests which will involve less than 10 acres of land and less than one surface acre of water. The proposed revision would require them to notify EPA if tests are to involve genetically altered or manipulated microorganisms or nonindigenous pathogenic microorganisms and will describe certain data required to be submitted at the time of notification so that the Agency may determine whether an EUP will be required.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2445.

FTS:8-557-8196

Agency Contact: Henry Jacoby, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-769C), Washington, DC 20460, 703 557-8196

RIN: 2070-AB77

2629. WORKER PROTECTION STANDARDS FOR AGRICULTURAL PESTICIDES (REVISION)

Significance: Regulatory Program

Legal Authority: 7 USC 136a /FIFRA 3; 7 USC 136d /FIFRA 6; 7 USC 136w /FIFRA 25

CFR Citation: 40 CFR 156; 40 CFR 170

Legal Deadline: None.

Abstract: The Worker Protection Standards for Agricultural Pesticides will be revised to reflect new and developing requirements for the registration, reregistration and use of pesticides. The current standards need to be revised in order to increase the scope of coverage, update the provisions, clarify definitions and responsibilities, and improve implementation, compliance, and enforcement.

Timetable:

Action	Date	FR Cite
ANPRM	08/15/84	49 FR 32605
NPRM	05/00/88	

Small Entity: Yes

Additional Information: SAR No. 1640.

FTS: 8-557-7666.

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Patricia Breslin, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-757C), Washington, DC 20460, 703 557-7666

RIN: 2070-AA49

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA)

Final Rule Stage

2630. COMPREHENSIVE REVISION OF PESTICIDE REGISTRATION AND CLASSIFICATION PROCEDURES (REVISION)

Significance: Regulatory Program

Legal Authority: 7 USC 136(a) / FIFRA 3

CFR Citation: 40 CFR 162

Legal Deadline: None.

Abstract: These regulations will revise procedures and requirements for the registration, reregistration and classification of pesticide products as restricted use. The revisions are intended to improve the clarity of the existing rule and to integrate into the procedures aspects of the registration process, such as the Registration Standards program, which were initiated since the original regulation was promulgated.

Timetable:

Action	Date	FR Cite
ANPRM	12/26/79	44 FR 76311
NPRM	09/26/84	49 FR 37915
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 1964.

FTS: 8-557-0944.

Analysis: RIA

Agency Contact: Jean Frane, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767C), Washington, DC 20460, 703 557-0944

RIN: 2070-AA56

2631. LABELING REQUIREMENTS FOR PESTICIDES AND DEVICES (REVISION)

Significance: Regulatory Program

Legal Authority: 7 USC 136a /FIFRA 3; 7 USC 136d /FIFRA 6; 7 USC 136w /FIFRA 25

CFR Citation: 40 CFR 156; 40 CFR 167

Legal Deadline: None.

Abstract: This regulation will revise and expand the labeling requirements for pesticide products and devices. The revisions will provide for pesticide producers a comprehensive description of pesticide labeling requirements, and will result in better quality pesticide labeling for users.

Timetable:

Action	Date	FR Cite
NPRM	09/26/84	49 FR 37959
Final Action	12/00/88	

Small Entity: No

Additional Information: SAR No. 2289.

FTS: 8-557-0944.

Analysis: RIA

Agency Contact: Jean Frane, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767c), Washington, DC 20460, 703 557-0944

RIN: 2070-AB46

2632. FIFRA GOOD LABORATORY PRACTICE STANDARDS (REVISION)

Legal Authority: 7 USC 136a /FIFRA 3; 7 USC 136w /FIFRA 25; 21 USC 346a; 21 USC 348; 21 USC 371

CFR Citation: 40 CFR 160

Legal Deadline: None.

Abstract: This action will expand the scope of the FIFRA Good Laboratory Practices (GLPs) to include 1) additional types of testing not covered by the current 40 CFR 160 and certain changes from the recent FDA GLP regulation amendments. Specifically, environmental fate, certain other chemistry tests, ecological effects and efficacy (as required by 40 CFR 158.160) are among the types of tests to be added.

Timetable:

Action	Date	FR Cite
NPRM	12/28/87	52 FR 48920
Final Action	11/00/88	

Small Entity: No

Additional Information: SAR No. 1703.

FTS:8-382-7825

Agency Contact: Dan Helfgott, Environmental Protection Agency, Pesticides and Toxic Substances, EN-342, Washington, DC 20460, 202 382-7825

RIN: 2070-AB68

2633. REPORTING REQUIREMENTS FOR RISK/BENEFITS INFORMATION

Legal Authority: 7 USC 136 /FIFRA 6

CFR Citation: 40 CFR 153

Legal Deadline: None.

Abstract: FIFRA Section 6(a)(2) requires that registrants report to EPA additional factual information regarding unreasonable adverse effects of their products. In September 1985, EPA revised its 1979 section 6 (a)(2) enforcement policy by publishing a notice which expanded upon the types of factual information which must be reported and established uniform timeframes for compliance. In response to comments received on this notice, the Agency is revising it to clarify the types of information which registrants must report to EPA.

Timetable:

Enforcement Policy
Final Action 07/12/79 (44 FR 40716)

Interpretive Rule
Final Action 08/23/78 (43 FR 37611)

Rule and Policy Statement
NPRM 08/23/78 (43 FR 37611)
Final Action 09/20/85 (50 FR 38115)
Final Action 04/00/88

Small Entity: No

Additional Information: SAR No. 2338.

FTS: 8-557-3942

Agency Contact: David Alexander, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767C), Washington, D.C. 20460, 703 557-3942

RIN: 2070-AB50

2634. REGISTRATION OF PESTICIDE PRODUCING ESTABLISHMENTS (REVISION)

Legal Authority: 7 USC 136e /FIFRA 7; 7 USC 136w /FIFRA 25

CFR Citation: 40 CFR 167

Legal Deadline: None.

Abstract: This regulation amends the existing regulations on registering establishments that produce pesticides. The regulation implements the Congressional mandate to register establishments that produce active ingredients used in pesticides.

Timetable:

Action	Date	FR Cite
NPRM	07/09/80	45 FR 46100
NPRM	03/25/87	52 FR 9504
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 1747.

FTS: 8-382-7825.

EPA—FIFRA

Final Rule Stage

Agency Contact: David Hannemann, Environmental Protection Agency, Pesticides and Toxic Substances, (EN-342), Washington, DC 20460, **202 382-7825**

RIN: 2070-AA04

2635. PESTICIDE ADVERTISING FOR UNREGISTERED PRODUCTS

Legal Authority: 7 USC 136j /FIFRA 12; 7 USC 136w /FIFRA 25

CFR Citation: 40 CFR 153.12; 40 CFR 166.7

Legal Deadline: None.

Abstract: EPA is proposing to treat as unlawful under FIFRA section 12 or restrict the advertising of certain uses of pesticides authorized for experimental use, emergency use, and special local needs. The proposed policy will also address advertising of other unregistered pesticides and pesticide use patterns. This policy is intended to prevent misuse of pesticides which could cause unreasonable adverse effects on humans or the environment.

Timetable:

Interpretive Rulemaking
Final Action 07/00/88
Policy Statement
NPRM 07/03/86 (51 FR 24393)

Small Entity: No

Additional Information: SAR No. 2314.

FTS: 8-557-9089

Agency Contact: Franklin Gee, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-767C), Washington, D.C. 20460, **703 557-9089**

RIN: 2070-AB47

2636. ● POLICY ON ADVERTISING CLAIMS MADE FOR REGISTERED PRODUCTS

Legal Authority: 7 USC 136j /FIFRA 12

CFR Citation: 40 CFR 153

Legal Deadline: None.

Abstract: This rule interprets FIFRA section 12(a)(1)(B) which provides for the regulation of claims made when advertising registered pesticide products. The rule will establish standards for acceptable advertising claims with respect to claims made about the safety of the product.

Timetable:

Action	Date	FR Cite
Final Action	08/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2554.

FTS:8-557-7749

Agency Contact: Vivian Prunier, Environmental Protection Agency, Pesticides and Toxic Substances, (767c), **202 557-7749**

RIN: 2070-AB88

2637. USER CHARGES FOR PESTICIDE REGISTRATIONS

Significance: Regulatory Program

Legal Authority: 31 USC 9701 /Independent Offices Appropriation Act of 1952

CFR Citation: 40 CFR 152 (u); 40 CFR 172

Legal Deadline: None.

Abstract: Under the authority of the Independent Offices Appropriation Act (IOAA) of 1952, the Agency is proposing to establish user fees for processing pesticide registration actions which constitute special services to registrants. The Agency is also considering establishing fees for other special services such as re-registration. The proposed registration fee system would place all or part of the burden of payment for the Agency's services on those who benefit from the service rather than on the Agency.

Timetable:

Action	Date	FR Cite
NPRM	11/26/86	51 FR 42974
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2013.

FTS: 8-557-1128

Agency Contact: Ken Wetzel, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-757C), Washington, D.C. 20460, **703 557-1128**

RIN: 2070-AB52

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Toxic Substances Control Act (TSCA)

Proposed Rule Stage

2638. ● ASBESTOS-CONTAINING MATERIALS IN SCHOOLS; TRANSPORT AND DISPOSAL RULE(REVISION)

Legal Authority: 15 USC 2643 /AHERA

CFR Citation: 40 CFR 763

Legal Deadline: Statutory, October 17, 1987. School asbestos transport and disposal regulations were originally scheduled to be developed and promulgated by October 17, 1987, under a revision to the National Emission Standard for Hazardous Air Pollutants (NESHAP).

Abstract: The Asbestos Hazard Emergency Response Act (AHERA) requires that EPA promulgate regulations which prescribe standards for transportation and disposal of asbestos-containing waste material from schools to protect human health and the environment. Such regulations shall include provisions related to the manner in which transportation vehicles are loaded and unloaded and will assure the physical integrity of containers of asbestos- containing waste material. The management will complete all required regulatory subsections under AHERA.

Timetable:

Action	Date	FR Cite
ANPRM	08/12/86	51 FR 28913
NPRM	04/00/88	
Final Action	05/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2549.

FTS:8-382-3949

Agency Contact: Stephen Schanamann, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-788A), **202 382-3949**

RIN: 2070-AB87

2639. ● TOXIC CHEMICAL "PEAK RELEASE" REPORTING RULE (REVISION)

Legal Authority: 42 USC 11013 /SARA 313

CFR Citation: 40 CFR 372

Legal Deadline: None.

Abstract: This action proposes to add a "peak release" reporting element to the Toxic Chemical Release Inventory Reporting Form. Reporting of releases is of annual aggregate releases to all environmental media. The proposal addresses this issue of obtaining a more specific indication of this frequency and/or duration of releases in order to better assess risks to health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	00/00/00	

Small Entity: Yes

Additional Information: SAR No. 2555.

FTS:8-382-3667

Agency Contact: Michael Shapiro, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-779), **202 382-3667**

RIN: 2070-AB86

2640. DECISIONS ON TEST RULES: PROPOSED RULES

Legal Authority: 15 USC 2603 / TSCA 4

CFR Citation: 40 CFR 799

Legal Deadline: Statutory. 12-month statutory deadline for ITC-designated chemicals

Abstract: The following table lists chemicals for which EPA will initiate rulemaking to require testing, obtain testing through negotiated consent orders, or publish a notice which provides the reasons for not doing so. The list includes chemicals which have been designated for priority testing consideration by the Interagency Testing Committee as well as those chemicals (i.e., recommended and non-designated chemicals) for which the 12-month statutory requirement does not apply. The list also includes chemicals or categories of chemicals which have been identified for testing consideration by other EPA program offices and through EPA review processes.

Timetable:

Acid Blue 40 (ITC List 21) (SAR 5385)
NPRM 04/00/89
Acid Blue 45 (ITC list 21) (SAR 5386)
NPRM 04/00/89
Acrylates (SAR 5368)
NPRM 02/00/89
Anthroquinone Dyes (SAR 5367)
NPRM 12/00/89
Aryl Phosphates (ITC List 2)
NPRM 12/00/89
Aryl Phosphates (ITC List 2)(SAR 5369)
ANPRM 12/29/83 (48 FR 57452)
C.I. Disperse Blue 79 (ITC List 19)(SAR 5370)
NPRM 12/00/89
Diisodecyl Phenyl Phosphate (ITC List 17) (SAR 5371)
NPRM 09/00/88
Disperse Blue 56 (ITC List 21) (SAR 5387)
NPRM 04/00/89
Disperse Red 60 (ITC List 21) (SAR 5388)
NPRM 04/00/89
Environmental Monitoring Test Rule (SAR 5372)
NPRM 09/00/88
Ethylbenzene (ITC List 20) (SAR 5373)
NPRM 00/00/00
Ethylene Glycol Ethers Category (SAR 5374)
NPRM 00/00/00
Glycidols (ITC List 3)
NPRM 10/00/88
Glycidols (ITC List 3) (SAR 5375)
ANPRM 12/30/83 (48 FR 57562)
Isopropanol (ITC List 19) (SAR 5376)
NPRM 04/00/88
Methyl Ethyl Ketoxime (ITC List 19) (SAR 5377)
NPRM 09/00/88
Methylolurea (ITC List 12)
NPRM 12/00/89
Methylolurea (ITC List 12) (SAR 5379)
ANPRM 05/21/84 (49 FR 21371)
Nonylphenol (SAR 5380)
NPRM 06/00/88
Oleyamine (Pharmocokinetics (ITC List 13) (SAR 5381)
NPRM 09/00/88
Phenylenediamines (ITC List 6)
NPRM 01/06/86 (51 FR 472)
NPRM 01/14/88 (53 FR 913)
Phenylenediamines (ITC List 6) (SAR 5382)
ANPRM 01/08/82 (47 FR 973)
Tributyl Phosphate (ITC List 19) (SAR 5383)
NPRM 11/12/87 (52 FR 43346)
1,1,1-Tricholourethane (muta/neuro) (ITC List 2) (SAR 5384)
NPRM 01/00/89

Small Entity: No

Additional Information: SEE SAR NUMBER LISTED NEXT TO EACH ACTION

FTS: 8-475-8130.

Agency Contact: Gary Timm, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-788), Washington, DC 20460, **202 475-8130**

RIN: 2070-AB07

2641. SARA SECTION 110 CHEMICALS GENERIC TEST RULE

Significance: Regulatory Program

Legal Authority: 15 USC 2603 / TSCA 4

CFR Citation: 40 CFR 790

Legal Deadline: None.

Abstract: The regulation will set forth the policies and procedures to be used in using the TSCA Section 4 testing authority to obtain toxicity and chemical fate testing to fill certain data needs identified in toxicity profiles of chemicals prepared pursuant to Section 110 of the Superfund Amendments and Reauthorization Act.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 2563.

FTS:8-475-8130

Agency Contact: Gary E. Timm, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-788), Washington, DC 20460, **202 475-8130**

RIN: 2070-AB84

2642. FOLLOW-UP RULES ON EXISTING CHEMICALS

Legal Authority: 15 USC 2604 / TSCA 5; 15 USC 2607 / TSCA 8

CFR Citation: 40 CFR 704; 40 CFR 721

Legal Deadline: None.

Abstract: EPA has instituted a program to monitor the commercial development of existing chemicals of concern and/or to gather information to support risk assessments on such chemicals. As these chemicals are identified, EPA will initiate rulemakings under TSCA section 5 and/or 8 to require reporting by the manufacturers, importers and/or processors of these chemicals. Individual proposed or final rules will be published on at least the chemicals listed below.

Timetable:

Epibromohydrin
NPRM 01/02/87 (52 FR 107)
Final Action 10/27/87 (52 FR 41296)
Ethylenediaminetetra (Methylenephosphonic Acid) and its Salts
NPRM 04/00/88
Hexafluoropropylene Oxide
NPRM 01/02/87 (52 FR 107)
Final Action 10/27/87 (52 FR 41296)
Trichlorobutylene Oxide
NPRM 01/02/87 (52 FR 107)
Final Action 10/27/87 (52 FR 41296)
1-Chloro-2-bromoethane
NPRM 09/04/87 (52 FR 33606)
Final Action 00/00/00

Small Entity: No

Additional Information: SAR No. 1923.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-778), Washington, DC 20460, **202 382-3436**

RIN: 2070-AA58

2643. FOLLOW-UP RULES ON NON-5(E) NEW CHEMICALS

Legal Authority: 15 USC 2604 / TSCA 5; 15 USC 2607 / TSCA 8

CFR Citation: 40 CFR 704; 40 CFR 721

Legal Deadline: None.

Abstract: EPA has instituted a program to follow the commercial development of selected new chemicals that have completed premanufacture notice review. EPA will issue rules on new chemicals of concern as they are identified to require follow-up reporting under TSCA Section 5 or 8, by the manufacturers and processors of the chemicals.

Timetable:

Alkyl, Sulfonic Acid, Ammonium Salt (84-1056)
NPRM 06/11/86 (51 FR 21199)
Final Action 00/00/00

Dinitrophenyl Azo-2,4-Diamino-5-Methoxybenzene Derivatives
NPRM 10/25/84 (49 FR 42960)
Final Action 00/00/00

Diphenyl-2,4,6-Trimethylbenzol Phosphine Oxide (87-586)
NPRM 01/00/89

1-Decanimine-N-Decyl-N-Methyl-N-Oxide (86-566)
NPRM 12/08/87 (52 FR 46496)
Final Action 00/00/00

Small Entity: No

Additional Information: SAR No. 1976.

FTS: 8-382-3771.

Agency Contact: John Bowser, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, D.C. 20460, **202 382-3771**

RIN: 2070-AA59

2644. CHEMICAL SPECIFIC SIGNIFICANT NEW USE RULES TO EXTEND PROVISIONS OF SECTION 5(E) ORDERS

Legal Authority: 15 USC 2604 /TSCA 5

CFR Citation: 40 CFR 721

Legal Deadline: None.

Abstract: When the Agency determines that in the absence of adequate safety data, the uncontrolled manufacture, import, processing, distribution, use or disposal of a PMN substance may present an unreasonable risk, it may issue a proposed order under section 5(e) to limit the aforementioned activities. However, section 5(e) orders apply only to the PMN submitter. Once the substance is placed on the TSCA chemical inventory, other persons are free to manufacture, import, or process the substance without controls. Therefore, EPA by rule, designates manufacture, import, or processing of the substances for use without the specified controls as a significant new use. These SNURs ensure that the original submitter is not at a competitive disadvantage and that no uncontrolled activities will occur without an opportunity for prior Agency review.

Timetable:

(84-274) (see additional information for title) (SAR 5407)
NPRM 08/26/85 (50 FR 34505)
Final Action 00/00/00

(85-1176) (see additional information for title) (SAR 5404)
NPRM 00/00/00

(85-544) (see additional information for title) (SAR 5408)
NPRM 00/00/00

(85-564) (see additional information for title) (SAR 5405)
NPRM 00/00/00

(85-703) (see additional information for title) (SAR 5406)
NPRM 06/23/86 (51 FR 22831)
Final Action 00/00/00

Alkyl Aryl Phosphine (83-1023) (SAR 5413)
NPRM 09/20/84 (49 FR 36880)
Final Action 00/00/00

Alkyl Glycoether Acrylic Acid Derivative (84-27) (SAR 5414)
NPRM 12/24/84 (49 FR 49868)
Final Action 00/00/00

Brominated Aryl Alkyl Ether, Ethylated Amino (SAR 5415)
NPRM (83-906/908/909/910) 09/28/84 (49 FR 38303)
Final Action 00/00/00

Certain Acrylate and Methacrylate Chemicals (SAR 5416)
NPRM 03/27/85 (50 FR 12046)
Final Action 00/00/00

Certain Acrylate Chemicals (84-341-344) (SAR 5417)
NPRM 04/04/86 (51 FR 11591)
Final Action 00/00/00

Methylammonium n-Methyldithiocarbamate (84-1042) (SAR 5418)
NPRM 03/24/86 (51 FR 10027)
Final Action 00/00/00

N,N,N'N'-Tetrakis (oxiranylmethyl) (SAR 5420)
NPRM (84-7) 01/13/86 (51 FR 1396)
Final Action 00/00/00

Polyol Polyacrylate (85-718) (SAR 5419)
NPRM 00/00/00

Substituted Benzene, Halogenated (85-612) (SAR 5421)
NPRM 00/00/00

Substituted Benzene, Halogenated (84-660 and 84-704) (SAR 5422)
NPRM 03/18/86 (51 FR 9221)
Final Action 00/00/00

Substituted Bromothiophene (83-769) (SAR 5423)
NPRM 09/28/84 (49 FR 38310)
Final Action 00/00/00

Substituted Methylpyridine (83-237)(SAR 5424)
NPRM 02/06/84 (49 FR 4390)
Final Action 00/00/00

Substituted Polyester Resin (85-395)(SAR 5425)
NPRM 00/00/00

Substituted Tetrafluoro Alkanes (84-105/106/107) (SAR 5426)
NPRM 03/21/85 (50 FR 11384)
Final Action 00/00/00

2-Butenedioic Acid(z), (85-543) (SAR 5427)
NPRM 00/00/00

2-Propenoic Acid-3-Dimethylamino)-2,2-Dimethyl-Propyl (SAR 5428)
NPRM 00/00/00

2-Propenoic Acid, (85-546) (SAR 5429)
NPRM 00/00/00

2-Propenoic Acid, 3,3,5-Trimethylcyclohexylester(85-547) SAR 5430
NPRM 00/00/00

Small Entity: No

Additional Information: SEE SAR NUMBER LISTED NEXT TO EACH ACTION

FTS:8-382-3771.

(85-1176) Alcohols, C1-4, ethers with Polyethylent-polypropylene glycol mono (2-aminopropyl) ether, polymer with maleic anhydride and trimethylolpropane triacrylate

(85-564) Isocyanic acid, polymethylene-polyphenylene ester, polymer with 1,1-methylenebis ;4-isocyanatobenzene; 2-hydroxyethyl acrylate-blocked

(85-703) Poly 2-hydroelectric melamine, polymers with 5-isocyana to 1-isocyanatomethyl-1,3,3-trimethylcyclohexane 2-hydroxyethyl acrylate-blocked

(84-274) Poly(oxy-1,4-butanediyl)-alpha-(1-oxo-2-propenyl) -omega-{(1-oxo-2-propenyl)-oxy}

(85-544) 2-Propenoic Acid, 2-Methyl-7,7,9-Trimethyl-4,13-dioxo- 3,14-Dioxo-t,12-Diazahexadecane,1,16-Diyl Ester

Agency Contact: John Bowser, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, **202 382-3771**

RIN: 2070-AB27

2645. GENERIC SIGNIFICANT NEW USE RULE FOR ACRYLATE COMPOUNDS

Legal Authority: 15 USC 2694 /TSCA

CFR Citation: 40 CFR 721

Legal Deadline: None.

Abstract: The generic acrylate significant new use rule may require any person who proposes to manufacture, import, or process an acrylate/methacrylate subject to the category definition contained within the proposed rule to notify EPA at least 90 days in advance of the initiation of a significant new use. The significant new use rule will apply to a subset of acrylates and methacrylates added to the inventory after the effective date of the rule. It will no longer be necessary to issue routine 5(e) orders or chemical specific SNURs for those acrylates covered by the rule.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 2247.

FTS: 8-382-3779

Agency Contact: Lynda Priddy, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, D.C. 20460, **202 382-3969**

RIN: 2070-AB56

2646. RULEMAKING CONCERNING CERTAIN MICROBIAL PRODUCTS ("BIOTECHNOLOGY")

Significance: Regulatory Program

Legal Authority: 15 USC 2604 /TSCA 5; 15 USC 2607 /TSCA 8

CFR Citation: 40 CFR 704; 40 CFR 720; 40 CFR 721

Legal Deadline: None.

Abstract: Under the authority of the Toxic Substances Control Act, the agency is proposing two separate regulatory actions for manufacturers, importers, and processors of certain microbial products of biotechnology. Under section 5, the Agency is proposing to amend its definition of "small quantities solely for research and development" contained in the Premanufacture Notification (PMN) Rule, thereby requiring persons to submit PMNs prior to testing new microorganisms in the environment. This amendment will require reporting for new microorganisms and will establish a special notification mechanism for experimental releases of microorganisms. EPA also is proposing significant new use notification requirements under section 5(a)(2), which would ensure that EPA will receive for review notices of large scale releases of other microorganisms developed for significant new uses, and will review small-scale environmental releases, possibly with assistance from environmental biosafety committees (EBCs), peer review committees to be sponsored by researchers and accredited by EPA. In addition, the Agency may be proposing (SEE ABSTRACT CONTINUED UNDER THE ADDITIONAL INFORMATION SECTION)

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: section 8(a) reporting requirements for persons who are using microorganisms in the requirements. The primary objective of these actions is to ensure uses of microorganisms in the environment do not affect human health and the environmental in unforeseen and possible harmful ways.

SAR No. 2325 (SNUR for Certain Biotech Products); 2326 (PMN for Certain Biotech Products); 2327 (8(a) for Certain Biotech Products)

FTS:8-382-3856

Analysis: Regulatory Impact Analysis

Agency Contact: Jane Rissler, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, **202 382-3856**

RIN: 2070-AB61

2647. NITROSAMINES IN METALWORKING FLUIDS

Significance: Regulatory Program

Legal Authority: 15 USC 2605 / TSCA 6

CFR Citation: 40 CFR 747

Legal Deadline: None.

Abstract: The formulation of water-based metalworking fluids with nitrite in combination with alkanolamines may present an unreasonable risk to machinists due to the formulation of nitrosamines, particularly n-nitrosodiethanolamine (NDELA). Recent studies indicate that NDELA is a potent animal carcinogen. EPA may either propose to prohibit the intentional addition of inorganic nitrites to water-containing metalworking fluids that contain amines, refer occupational risks to the Occupational Safety and Health Administration under section 9(a) of TSCA, or initiate other actions.

Timetable:

Action	Date	FR Cite
ANPRM	01/23/84	49 FR 2767

Next Action Undetermined

Small Entity: Yes

Additional Information: SAR No. 2149.

FTS: 8-382-3945.

Analysis: RFA; RIA

Agency Contact: Joseph DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, **202 382-3945**

RIN: 2070-AB09

2648. REGULATORY INVESTIGATION OF FORMALDEHYDE

Significance: Regulatory Program

Legal Authority: 15 USC 2605 / TSCA 6; 15 USC 2608 / TSCA 9

CFR Citation: 40 CFR 765

Legal Deadline: None.

Abstract: As described in the Federal Register on May 23, 1984, the Agency has been investigating regulatory options for the reduction of three categories of exposure to formaldehyde: 1) residents exposed to formaldehyde emissions from wood products used in the construction of manufactured homes: 2) similarly exposed residents of conventional homes: 3) apparel manufacture employees exposed to formaldehyde released from treated

fabrics. Because OSHA proposed a standard in December 1985 that applies to all occupational exposure, EPA has terminated its investigation with respect to apparel manufacturing employees. Investigation of risks from exposure to formaldehyde emissions from wood products is being conducted in consultation with HUD and CPSC. This investigation may lead to the initiation of various control alternatives, including section 9 referral to other agencies and/ or section 6 regulations.

Timetable:

Action	Date	FR Cite
ANPRM	05/23/84	49 FR 21870
Section 9(d) and Notice of Termination for Apparel Workers	03/19/86	51 FR 9469
Section 9 Report, NPRM, or Statement of No Unreasonable Risk Regarding Wood Products	05/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 2146.

FTS: 8-382-3945.

Analysis: Regulatory Impact Analysis

Agency Contact: Joseph DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, 202 382-3945

RIN: 2070-AB14

2649. POLYCHLORINATED BIPHENYLS (PCBS): APPLICATIONS FOR EXEMPTIONS FROM THE BAN ON MANUFACTURING, PROCESSING, AND DISTRIBUTION

Legal Authority: 5 USC 556 / TSCA 6(e)(3)(B)

CFR Citation: 40 CFR 761

Legal Deadline: None.

Abstract: Section 6(e)(3)(b) of TSCA provides that the Administrator may grant, by rule, exemptions from the prohibitions on the manufacture, processing and distribution in commerce of PCBs upon finding (1) that granting the exemption will not pose an unreasonable risk of injury to health or the environment, and (2) that good faith efforts have been made to develop a PCB substitute which does not pose an unreasonable risk of injury to health or the environment.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 2150.

FTS: 8-382-3935.

Agency Contact: Martin Halper, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-798), Washington, DC 20460, 202 382-3866

RIN: 2070-AB20

2650. REGULATORY INVESTIGATION OF CHLORINATED SOLVENTS

Significance: Regulatory Program

Legal Authority: 15 USC 2605 / TSCA 6; 15 USC 2608 / TSCA 9

CFR Citation: 40 CFR 754

Legal Deadline: None.

Abstract: EPA, in consultation with the Consumer Product Safety Commission, Occupational Safety and Health Administration and Food and Drug Administration, is developing a comprehensive and integrated strategy for a regulatory investigation of methylene chloride and five other chlorinated solvents. In some cases, these chlorinated solvents are competitive and can be easily substituted for each other in a number of uses. The integrated effort is being conducted to reach general agreement on the risks associated with the solvents and to avoid ineffective risk management actions that may occur due to solvent switching or pollutant transfer among media which could be caused by piecemeal regulation. Data are being gathered for six solvents (methylene chloride, perchloroethylene, trichloroethylene, methyl chloroform, carbon tetrachloride, and CFC-113) and their potential substitutes. This regulatory investigation is focused on four major use categories: dry cleaning, metal degreasing, paint stripping and aerosol application. The investigation will determine whether coordinated regulatory controls are needed to eliminate or reduce exposure to these solvents.

Timetable:

Action	Date	FR Cite
ANPRM	10/17/85	50 FR 42037
NPRM	09/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2284.

FTS: 8-382-3945.

Analysis: Regulatory Impact Analysis

Agency Contact: Joseph DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, 202 382-3945

RIN: 2070-AB41

2651. PCB SPILL CLEANUP RECORDKEEPING RULE

Legal Authority: 15 USC 2605(e)(3)(B) / TSCA 6(e)

CFR Citation: 40 CFR 761

Legal Deadline: None.

Abstract: This regulation will require parties responsible for PCB spill clean up to maintain records of the cleanup. The information required to be included in the records will likely be the same as that required in the PCB spills cleanup policy. The recordkeeping requirements will facilitate verification of PCB spill cleanup.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
Policy Statement NPRM 04/02/87 (52 FR 10688)		

Small Entity: No

Additional Information: SAR No. 2297.

FTS: 382-3866.

Agency Contact: Martin Halper, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-798), Washington, DC 20460, 202 382-3866

RIN: 2070-AB45

2652. PROCEDURES AND CRITERIA FOR TERMINATION OF POLYCHLORINATED BIPHENYL DISPOSAL PERMITS

Legal Authority: 15 USC 2605/TSCA 6; 5 USC 556 et seq

CFR Citation: 40 CFR 761

Legal Deadline: None.

Abstract: Under section 6(e) of TSCA, the Agency is considering establishing uniform procedures and criteria for the revocation of TSCA disposal permits. The regulation would establish uniform revocation procedures and criteria and thereby ensure fairness in permit revocation proceedings.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2560.

FTS:8-382-3866

Agency Contact: Martin Halper, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-798), Washington, DC 20460, **202 382-3866**

RIN: 2070-AB81

2653. PCB NOTIFICATION AND MANIFESTING RULE

Significance: Regulatory Program

Legal Authority: 15 USC 2605/TSCA 6; 15 USC 2607/TSCA 8

CFR Citation: 40 CFR 761

Legal Deadline: None.

Abstract: Under the authority of TSCA, EPA is considering rulemaking which would require that all PCB wastes be manifested for disposal. The purposes of the regulation would be 1) to obtain information about handlers and storers of PCB wastes; and 2) to track shipment of wastes containing PCBs. Issues still under consideration are the scope of the generator's obligation to notify, and whether to exclude small quantities of wastes.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2550.

FTS:8-382-3866

Agency Contact: Martin Halper, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-798), Washington, DC 20460, **202 382-3866**

RIN: 2070-AB83

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Toxic Substances Control Act (TSCA)

Final Rule Stage

2654. NEGOTIATED CONSENT/PROCEDURAL TEST RULE (REVISION)

Legal Authority: 15 USC 2603/TSCA 4

CFR Citation: 40 CFR 790

Legal Deadline: None.

Abstract: This amends the test rule development and exemptions procedural rule published October 10, 1984 (49 FR 39776) to allow for rulemaking to be conducted in a single phase (i.e., a proposed rule and a final rule covering both the effects for which testing is necessary and the testing methodology) and adds consent orders as a means of obtaining test data required under Section 4 of TSCA. In addition, this rule will simplify the procedures governing the development and implementation of testing requirements under 2-phase rulemaking, and amend the current procedures governing modification of test standards and schedules for tests required under test rules and testing consent agreements.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/17/85	50 FR 20652
Interim Final Rule	06/30/86	51 FR 23706
Final Action	12/00/88	

Small Entity: No

Additional Information: SAR No. 2245.

FTS:8-475-8130.

Agency Contact: Gary Timm, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-777), Washington, DC 20460, **202 475-8130**

RIN: 2070-AB30

2655. TSCA GOOD LABORATORY PRACTICE STANDARDS (REVISION)

Legal Authority: 15 USC 2603 /TSCA 4

CFR Citation: 40 CFR 792

Legal Deadline: None.

Abstract: This action would expand the scope of the existing rule to include: 1) additional types of testing not covered by the current 40 CFR 792, 2) TSCA section 4 consent agreements, 3) certain changes in the FDA GLP regulation amendment.

Timetable:

Action	Date	FR Cite
NPRM	12/28/87	52 FR 48933
Final Action	11/00/88	

Small Entity: No

Additional Information: SAR No. 1886.

FTS:8-382-7825

Agency Contact: Dan Helfgott, Environmental Protection Agency, Pesticides and Toxic Substances, EN-342, **202 382-7825**

RIN: 2070-AB65

2656. ● DECISION ON TEST RULES: FINAL RULES

Legal Authority: 15 USC 2603 /TSCA 4

CFR Citation: 40 CFR 799

Legal Deadline: None.

Abstract: The following table lists chemicals for which EPA has issued proposed test rules and will take final action under TSCA section 4. The Agency defines final action as promulgation of a test rule or withdrawal of a proposed test rule. (See also Decisions on Test Rules: Proposed Rules under RIN: 2070-AB07.)

Timetable:

Alkyl Phthalates (Enviro)(ITC List 1)(SAR 5365)
Final Action 06/00/88

Anilines (ITC List 4) (SAR 5366)
ANPRM 01/02/84 (49 FR 108)
Final Action 04/00/88

Cumene (ITC List 15) (SAR 5390)
NPRM 05/15/87 (52 FR 7854)
Final Action 06/00/88

Cyclohexane (ITC List 18) (SAR 5391)
NPRM 05/20/87 (52 FR 19096)

Cyclohexane(ITC List 18) (SAR 5391)
Final Action 06/00/88

EPA—TSCA **Final Rule Stage**

Diethylene glycol butyl ether acrylate (ITC List 13) (SAR 5392)
ANPRM 11/19/84 (49 FR 45606)
NPRM 04/04/86 (51 FR 27880)
Final Action 05/00/88
Hexafluoropropylene Oxide (ItC List 2) (SAR 5395)
Final Action 04/00/89
Hexafluoropropylene Oxide (ITC List 2) (SAR 5395)
NPRM 12/30/83 (48 FR 57686)
Mercaptobenzoethiazole (ITC List 15) (SAR 5396)
NPRM 11/06/87 (52 FR 53160)
Final Action 07/00/88
Methylcyclopentane (ITC List 16) (SAR 5397)
NPRM 05/15/87 (52 FR 17854)
Final Action 02/05/88 (53 FR 3450)
Methyltert-butyl ether (ITC List 19)(SAR 5378)
Final Action 04/00/88
Octamethylcyclotetrasiloxane (ITC List 15) (SAR 5398)
NPRM 10/30/85 (50 FR 45123)
Final Action 09/00/88
Oleylamine (Test Standards) (ITC List 13) (SAR 5399)
NPRM 08/24/87 (52 FR 31962)
Final Action 04/00/88
OSW Generic Test Rule (SAR 5400)
NPRM 05/29/87 (52 FR 20336)
Final Action 01/14/88 (53 FR 911)
Pentabromoethylebenzene (ITC List 15) (SAR 5401)
NPRM 11/13/85 (50 FR 46785)
Final Action 04/00/88
Triethylene glycol monomethyl, monoethyl (SAR 5402)
NPRM 05/15/86 (51 FR 17883)
Final Action 04/00/88
Vinylidene Chloride (SAR 5403)
NPRM 08/12/86 (51 FR 28840)
Final Action 00/00/00
2,6 Di-tert-butylphenol (ITC List 18)(SAR 5394)
NPRM 06/25/87 (52 FR 23862)
Final Action 04/00/89

Small Entity: No

Additional Information: SEE SAR NUMBER LISTED NEXT TO EACH ACTION

FTS:8-475-8130

Agency Contact: Gary Timm, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-788), **202 475-8130**

RIN: 2070-AB94

2657. GENERAL REGULATIONS ON SIGNIFICANT NEW USE RULES (SNURS) (REVISION)

Legal Authority: 15 USC 2604 /TSCA 5

CFR Citation: 40 CFR 721

Legal Deadline: None.

Abstract: Subpart A of part 721 of 40 CFR contains general provisions for Significant New Use Rules (SNURs). The Agency has received comments requesting that the general provisions be modified to revise its hazard communication provisions to make them more compatible with OSHA's Hazard Communication Standard; and to allow manufacturers and processors to seek Agency approval, outside the context of a PMN submission, for risk management measures which are equivalent to those described in a SNUR. Based on comments, EPA has proposed revisions to the general provisions for SNURs.

Timetable:

Action	Date	FR Cite
NPRM	04/22/86	51 FR 15104
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2250.

FTS:8-382-3771.

Agency Contact: John Bowser/Andrew Cherry, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, **202 382-3771**

RIN: 2070-AB26

2658. PROCEDURAL RULE FOR EXPEDITED NEW CHEMICAL FOLLOW-UP

Significance: Regulatory Program

Legal Authority: 15 USC 2604 /TSCA 5

CFR Citation: 40 CFR 721

Legal Deadline: None.

Abstract: This rulemaking would establish criteria and procedures by which certain chemicals could be administratively added to or withdrawn from a list of chemicals subject to section 5(a)(2) of TSCA. This would reduce the time and resources required to regulate individual chemicals under the new chemical follow-up program. This rulemaking would also establish reporting requirements under sections 8(a) and 8(d) for manufacturers and processors of certain chemicals that meet the criteria mentioned above.

Timetable:

Action	Date	FR Cite
NPRM	04/29/87	52 FR 15594
Final Action	09/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2375.

FTS:8-382-2439

Agency Contact: John Bowser, Environmental Protection Agency, Pesticides and Toxic Substances, TS-794, Washington, DC 20460, **202 382-2439**

RIN: 2070-AB67

2659. RECODIFICATION OF TSCA CFR SECTION 721

Legal Authority: 15 USC 2604/TSCA 5

CFR Citation: 40 CFR 721

Legal Deadline: None.

Abstract: Section 721 of 40 CFR contains general provisions for Significant New Use Rules and a list of significant new uses for specific chemical substances. It is the Agency's intent to restructure Part 721 to allow 1) insertion of new generic SNUR triggers, and 2) other reorganization amendments to the SNUR regulations to clarify SNUR requirements.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2562.

FTS:8-382-3771

Agency Contact: John Bowser, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, **202 382-3771**

RIN: 2070-AB85

2660. ● PROPOSAL TO EXEMPT CERTAIN MICROORGANISMS FROM PMN REQUIREMENTS UNDER TSCA 5(H)(4)

Significance: Regulatory Program

Legal Authority: 15 USC 1504 /TSCA 0005

CFR Citation: 40 CFR 723

Legal Deadline: None.

Abstract: Under the authority of the Toxic Substances Control Act, the Agency will propose to exempt from review new microorganisms used in certain closed and contained systems. The Agency considers it a priority to exempt from consideration organisms that can be shown to meet the statutory requirements under section 5(h)(4) of

TSCA. To meet those requirements, it must be shown that the substances will not present unreasonable risks. EPA is considering public comment received and other evidence concerning use of microorganisms in closed systems and other controlled environments to determine whether those categories satisfy the requirements of section 5(h)(4) of TSCA.

Timetable:

Action	Date	FR Cite
NPRM	06/26/86	51 FR 23313
Final Action	12/00/88	

Small Entity: Yes

Additional Information: SAR No. 2561.

FTS:8-382-3856

Agency Contact: Jane Rissler, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), **202 382-3856**

RIN: 2070-AB89

2661. POLYCHLORINATED BIPHENYLS (PCBS): MANUFACTURING, PROCESSING, DISTRIBUTION IN COMMERCE, AND USE PROHIBITIONS; EXCLUSIONS AND USE AUTHORIZATIONS (REVISION)

Legal Authority: 5 USC 556 /TSCA 6

CFR Citation: 40 CFR 761

Legal Deadline: None.

Abstract: On July 10, 1984, EPA promulgated a rule for inadvertently generated PCBs and authorizing the limited use of PCBs in heat transfer and hydraulic systems (49 FR 28172). EPA will propose amendments to the July 10 Rule in response to two petitions for judicial review of the Rule. The proposed amendments will be based on EPA evaluation of new information submitted by the petitioners and other interested parties.

Timetable:

Action	Date	FR Cite
NPRM	07/08/87	52 FR 25838
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2244.

FTS:8-382-3935.

Agency Contact: Martin Halper, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-798), Washington, DC 20460, **202 382-3866**

RIN: 2070-AB25

2662. ACTION CONCERNING COMMERCIAL AND INDUSTRIAL USE OF ASBESTOS

Significance: Regulatory Program

Legal Authority: 15 USC 2605 / TSCA 6

CFR Citation: 40 CFR 763

Legal Deadline: None.

Abstract: Asbestos is a known human carcinogen. Persons are exposed to asbestos from releases to the environment during all phases of the lifecycle of asbestos products. Because of the serious risk presented to many people from exposure to asbestos during the lifecycle of asbestos products, EPA has proposed a rule under Section 6 of TSCA to ban certain asbestos products for which substitutes are currently available and to phase out all or most asbestos mining and importation over 10 years.

Timetable:

Action	Date	FR Cite
ANPRM	10/17/79	44 FR 60057
NPRM	01/29/86	51 FR 3738
Final Action	07/00/88	

Small Entity: Yes

Additional Information: SAR No. 2296.

FTS: 382-3862.

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: John Rigby, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, DC 20460, **202 382-3862**

RIN: 2070-AB29

2663. PCBS IN ELECTRICAL TRANSFORMERS (REVISION)

Legal Authority: 15 USC 2605 /TSCA 6

CFR Citation: 40 CFR 761

Legal Deadline: None.

Abstract: Section 6(e) of TSCA authorizes the Administrator to promulgate rules governing the manufacture, processing and distribution in commerce, use and disposal of PCBs. EPA promulgated a rule, which was published in the Federal Register of July 17, 1985 (50 FR 29170), to amend portions of an existing EPA rule concerning the use of PCBs by placing additional restrictions and conditions on the use of PCB transformers. EPA will propose amendments to the July 17, 1985 rule in response to the terms set forth in a settlement agreement in Mississippi Power Company v. EPA.

Timetable:

Action	Date	FR Cite
NPRM	08/21/87	52 FR 31738
Final Action	06/00/88	

Small Entity: No

Additional Information: SAR No. 2447.

FTS:8-382-3866

Agency Contact: Martin Halper, Environmental Protection Agency, Pesticides and Toxic Substances, TS-798, Washington, DC 20460, **202 382-3866**

RIN: 2070-AB74

2664. SECTION 8 (A) PRELIMINARY ASSESSMENT INFORMATION RULES

Legal Authority: 15 USC 2607a / TSCA 8(a)

CFR Citation: 40 CFR 712

Legal Deadline: None.

Abstract: These rules add chemicals to the list of chemicals and designated mixtures subject to the requirements of the TSCA Section 8(a) Preliminary Assessment Information Rule - (40 CFR Part 712). These chemicals are identified by OTS, other EPA offices, and other Agencies, as well as chemicals recommended by the Interagency Testing Committee (ITC) on the TSCA Section 4(e) priority list. Manufacturers and importers are required to submit exposure-related data (EPA Form No. 7710-35) on the chemicals. These data will be used to monitor the levels of production, import and/or processing of these substances and the avenues of human and environmental exposure to these substances. It will also support risk assessment and test rule decisions.

Timetable:

OAQPS/OTS Chemicals PAIR
NPRM 05/14/87 (52 FR 18250)
Final Action 04/00/88

Pesticide Inerts
NPRM 05/14/87 (52 FR 18245)
Final Action 00/00/00

20th ITC List Chemicals
Final Action 05/20/87 (52 FR 19027)

EPA—TSCA **Final Rule Stage**

21st ITC List Chemicals
Final Action 11/20/87 (52 FR 44826)
22nd ITC List Chemicals
Final Action 05/00/88

Small Entity: No

Additional Information: SAR No. 2178.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-778), Washington, DC 20640, **202 382-3436**

RIN: 2070-AB08

2665. SECTION 8(D) HEALTH AND SAFETY DATA REPORTING RULES

Legal Authority: 15 USC 2607(d)/TSCA 8(d)

CFR Citation: 40 CFR 716

Legal Deadline: None.

Abstract: These rules add chemicals to the list of chemicals and mixture subject to the requirements of the TSCA Section 8(d) Health and Safety Data Reporting Rule. These chemicals are identified by OTS, other EPA offices, other Agencies, as well as chemicals recommended by the Interagency Testing committee (ITC) on the TSCA Section 4(e) Priority List. Manufacturers, importers, and processors of listed substances must submit unpublished health and safety data on those listed substances.

Timetable:

Pesticide Inerts
NPRM 05/14/87 (52 FR 18245)
Final Action 00/00/00
21st ITC List Chemicals
Final Action 11/20/87 (52 FR 44826)
22nd ITC List Chemicals
Final Action 05/00/88

Small Entity: No

Additional Information: SAR No. 1139.

FTS: 8-382-3436.

Docket No. OPTS 84012.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-778), Washington, DC 20460, **202 382-3436**

RIN: 2070-AB11

2666. TSCA SECTION 8(A) COMPREHENSIVE ASSESSMENT INFORMATION RULE (CAIR)

Significance: Regulatory Program

Legal Authority: 15 USC 2607(a) / TSCA 8(a)

CFR Citation: 40 CFR 712

Legal Deadline: None.

Abstract: This rule will contain a comprehensive list of questions for industry reporting which will provide necessary information to complete chemical assessments. Each time EPA needs information on a chemical, the Agency will amend the rule to add the chemical. Not all questions will be selected for each chemical added to the rule; only the most relevant questions will be selected for each chemical. The information obtained by this rule will be used by EPA and other Federal Agencies to support assessments of and rulemaking on chemical substances.

Timetable:

Action	Date	FR Cite
NPRM	10/07/86	51 FR 35762
Final Action	06/00/88	

Small Entity: No

Additional Information: SAR No. 2129.

FTS: 8-382-3436.

Agency Contact: Frank Kover, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-778), Washington, DC 20460, **202 382-3436**

RIN: 2070-AB13

2667. USER FEES FOR PROCESSING PMNS

Significance: Regulatory Program

Legal Authority: 15 USC 2625 /TSCA 26(B)

CFR Citation: 40 CFR 700

Legal Deadline: None.

Abstract: Section 26(b) of TSCA authorizes EPA, by rule, to require the payment of a fee from any person required to submit data under section 4 or 5 of TSCA. The fee may not exceed $2,500 or, in the case of a small business concern, $100. EPA intends to issue a rule under this authority to require fees for Agency review of premanufacture notices (PMNs) and PMN exemption notices and applications for new chemical substances, and significant new use notices for new and existing chemicals.

Timetable:

Action	Date	FR Cite
NOTICE	07/11/86	51 FR 25250
NPRM	04/20/87	52 FR 12940
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2324.

FTS: 8-382-3945

Agency Contact: Joseph A. DeSantis, Environmental Protection Agency, Pesticides and Toxic Substances, (TS-794), Washington, D.C. 20460, **202 382-3945**

RIN: 2070-AB54

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Toxic Substances Control Act (TSCA)

Completed Actions

2668. SARA SECTION 313 TOXIC CHEMICAL RELEASE REPORTING RULE

Significance: Regulatory Program

CFR Citation: 40 CFR Not applicable

Completed:

Reason	Date	FR Cite
Final Action	02/16/88	53 FR 4500

Small Entity: Undetermined

Agency Contact: Michael Shapiro 202 382-3667

RIN: 2070-AB71

2669. ASBESTOS-CONTAINING MATERIALS IN SCHOOLS RULE

Significance: Regulatory Program

CFR Citation: 40 CFR 763

Completed:

Reason	Date	FR Cite
Final Action	10/30/87	52 FR 41826

Small Entity: Yes

Agency Contact: Michael Stahl 202 382-3934

RIN: 2070-AB44

EPA—TSCA

Completed Actions

2670. RESTRICTIONS ON DISPOSAL OF DRAINED ELECTRICAL EQUIPMENT

CFR Citation: 40 CFR 761.60(b)(4)

Completed:

Reason	Date	FR Cite
Withdrawn	02/01/88	

Small Entity: Yes

Agency Contact: Martin Halper 202 382-3866

RIN: 2070-AB80

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Clean Water Act (CWA)

Prerule Stage

2671. FUTURE EFFLUENT GUIDELINES -- STANDARDS INITIATIVES

Significance: Regulatory Program

Legal Authority: 33 USC 1251 /CWA 402, 301, 304, 306, 307, 501

CFR Citation: 40 CFR 400

Legal Deadline: None.

Abstract: EPA will evaluate additional categories of industrial discharges for hazardous or toxic pollutants; identify subcategories based upon production processes, pollutants, and applicable technologies; and determine the extent of the environmental problem and the practicality and efficiency of issuing effluent guidelines. Potential industrial categories for analysis will be selected based on requests from the EPA regional offices, states, and municipalities and from results of internal studies. The Agency will base regulations for these industries, if appropriate, on complex engineering and economic studies to determine wastewater characteristics and treatment capabilities of each industrial category and subcategory.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: SAR No. 2304.

FTS: 8-382-7137.

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Tom O'Farrell, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7137

RIN: 2040-AA90

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Clean Water Act (CWA)

Proposed Rule Stage

2672. EFFLUENT GUIDELINES FOR OFFSHORE OIL AND GAS EXTRACTION INDUSTRY (REVISION)

Significance: Regulatory Program

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 435

Legal Deadline: Judicial, December 1985.

Abstract: The Agency will promulgate BAT, BCT and NSPS regulations for drilling fluids and drill cuttings waste streams from offshore oil and gas extraction facilities to limit discharges of pollutants from the offshore segment of the oil and gas extraction point source category.

Timetable:

Action	Date	FR Cite
NPRM	08/26/85	50 FR 34592
NOTICE	11/13/85	50 FR 46784
NOTICE	12/31/85	50 FR 53348
NOTICE	03/00/88	
NOTICE	04/00/88	
BCT Reproposal	12/00/88	
Final Action	03/00/90	

Small Entity: No

Additional Information: SAR No. 1649.

This item was included under RIN 2040-AA89 in the April, 1987 Regulatory Program of the United States Government.

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Dennis Ruddy, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7131

RIN: 2040-AA12

2673. EFFLUENT GUIDELINES FOR NONFERROUS METALS FORMING (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1341 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 471

Legal Deadline: None.

Abstract: The Agency will propose and promulgate amendments to the regulation promulgated August 23, 1985 (50 FR 34242). These amendments will revise BPT, BAT, NSPS and pretreatment standards in the nickel-cobalt and zirconium-hafnium subcategories.

Timetable:

Action	Date	FR Cite
NPRM	03/06/84	49 FR 8112
NPRM Comment Period End	08/23/85	50 FR 34242
Proposed Amendments	04/00/88	
Final Action	12/00/88	

Small Entity: No

Additional Information: SAR No. 2600.

FTS: 8-382-7126

Government Levels Affected: Local, State, Federal

Agency Contact: Ernest P. Hall, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7126

RIN: 2040-AB30

2674. EFFLUENT GUIDELINES FOR NONFERROUS METALS MANUFACTURING (PHASE II) (REVISIONS)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 421

Legal Deadline: None.

Abstract: In response to settlement agreements, the Agency will propose and promulgate amendments to the regulation previously promulgated on September 20, 1985 (50 FR 38276). These amendments are in response to settlements arrived with six petitioners and will affect six subcategories, primary beryllium subcategory, primary molybdenum and rhenium subcategory, second molybdenum and vanadium subcategory, secondary precious metals subcategory and secondary tungsten and cobalt subcategory. The amendments will revise BPT, BAT, NSPS and standards pretreatment to limit the discharge of pollutants from these subcategories.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
NPRM	12/00/88	
Final Action	12/00/89	

Small Entity: No

Additional Information: SAR No. 2583.

FTS:8-382-7126

Agency Contact: Ernest P. Hall, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, **202 382-7126**

RIN: 2040-AB31

2675. EFFLUENT GUIDELINES FOR PESTICIDES CHEMICALS

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 455

Legal Deadline: Statutory, December 31, 1986.

Abstract: On October 4, 1985 the EPA promulgated a final regulation establishing BAT, NSPS, PSES, PSNS for the pesticide industry under the Clean Water Act. On July 25, 1986 the final regulation was remanded to the EPA by the Eleventh Circuit Court of Appeals in response to a joint motion filed by the Agency and other parties to litigation challenging the regulation. EPA removed the BAT, NSPS, PSNS, and PSES pesticide regulation from the Code of Federal Regulations at the direction of the Court, and informed the public that the regulation is no longer effective (December 15, 1986; 51 FR 44911). The Agency intends to establish new effluent limitation guidelines and standards for the pesticide manufacturers and formulators/packagers industry in a future rulemaking. The BCT limitations published on April 25, 1978 and September 29, 1978, are still effective.

Timetable:

Action	Date	FR Cite
NPRM	12/00/89	
Final Action	06/00/91	
Final Action Effective	09/00/91	

Small Entity: Undetermined

Additional Information: SAR No. 2473.

FTS:8-382-7156

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Thomas Fielding, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, **202 382-7156**

RIN: 2040-AB32

2676. DEFINITION OF "WATERS OF THE UNITED STATES"

Legal Authority: 33 USC 1251 /CWA 303

CFR Citation: 40 CFR 122.2

Legal Deadline: None.

Abstract: This action will revise the definition of "Waters of the United States". It is necessary to replace the existing definition that was suspended in 1980.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: No

Additional Information: SAR No. 2395.

FTS:8-475-9524

Agency Contact: Dave Greenburg, Environmental Protection Agency, Water, EN-336, **202 475-9524**

RIN: 2040-AB01

2677. WATER QUALITY STANDARDS--REVISION FOR INDIAN TRIBES

Significance: Regulatory Program

Legal Authority: 33 USC 1251 et seq; 33 USC 1313 et seq; 33 USC 1342 et seq; 33 USC 1344 et seq; 33 USC 1378 et seq

CFR Citation: 40 CFR 122; 40 CFR 123; 40 CFR 124; 40 CFR 131; 40 CFR 230; 40 CFR 231; 40 CFR 232; 40 CFR 233

Legal Deadline: Statutory, August 3, 1988.

Abstract: This rule establishes standards and procedures for treatment of Indian Tribes as States for sections 303, 402, and 404. The revised regulation will also incorporate a mechanism to resolve any disputes that might arise from unreasonable consequences if Indian tribes and States adopt differing water quality standards for common bodies of water.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
Final Action	09/00/89	

Small Entity: No

Additional Information: SAR No. 2475.

FTS:8-475-7315

Agency Contact: David Sabock, Environmental Protection Agency, Water, (WH-585), Washington, DC 20460, **202 475-7315**

RIN: 2040-AB36

2678. NPDES REGULATORY REVISIONS

Legal Authority: 33 USC 1251 /CWA 303

CFR Citation: 40 CFR 122; 40 CFR 123

Legal Deadline: None.

Abstract: This action will revise the NPDES Regulations pursuant to requirements contained in the 1987 Water Quality Act. In addition, several other changes will be made to clarify existing requirements and policies. These revisions will not encompass requirements mandated by Section 406 (sewage sludge) of the 1987 Water Quality Act.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: No

Additional Information: SAR No. 2493.

FTS:8-475-9524

Agency Contact: Dave Greenberg, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 475-9524

RIN: 2040-AB38

2679. ● INTERPRETATION OF PROVISIONS OF SECTION 304(1) OF THE CWA

Legal Authority: 33 USC 1251 /CWA 304(1)

CFR Citation: 40 CFR 122; 40 CFR 123; 40 CFR 130

Legal Deadline: None.

Abstract: This proposed rule will provide the Agency's regulatory interpretation of four provisions of section 304(1) of the Clean Water Act. It will clarify the nature of an individual control strategy under section 304(1) and the use of existing data by States to develop initial lists of waters. Further, it will describe the EPA approval/disapproval process for lists submitted in fulfillment of the requirements of section 304(1). Finally, it will establish the initial submission of lists and individual control strategies by the statutory deadline of February 4, 1989, as a first phase of an ongoing identification and permitting process called for under the water quality provisions of the Clean Water Act.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 2525.

FTS:8-475-7718

Agency Contact: Paul Connor, Environmental Protection Agency, Water, EN-336, Washington, DC 20460, 202 475-7718

RIN: 2040-AB46

2680. ● PROCEDURAL RULES FOR CLASS I ADMINISTRATIVE PENALTY PROCEEDINGS UNDER THE CWA

Legal Authority: 33 USC 1363 /CWA 309(g)

CFR Citation: 40 CFR 126

Legal Deadline: None.

Abstract: This rulemaking will convert EPA's Class I CWA administrative penalty procedures from the status of guidance to a final rule. Procedures for the assessment of Class I administrative penalties (maximum penalty of $25,000 with less than APA procedures) were issued as guidance in August 1987. The Agency will propose that guidance in identical form for public comment after internal review.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Guidance		
Final Action 08/17/87 (52 FR 30730)		

Small Entity: No

Additional Information: SAR No. 2580.

FTS:8-475-8187

Agency Contact: Elyse M. DiBiagio-Wood, Environmental Protection Agency, Water, LE-134W, Washington, DC 20460, 202 475-8187

RIN: 2040-AB49

2681. REVISIONS TO REGULATIONS FOR MODIFICATION OF SECONDARY TREATMENT REQUIREMENTS FOR MUNICIPAL DISCHARGE INTO MARINE WATERS

Legal Authority: 33 USC 1311(h)/CWA 301(h)

CFR Citation: 40 CFR 125

Legal Deadline: None.

Abstract: The revisions to the regulations primarily are intended to respond to statutory changes made to sec. 301(h) of the Clean Water Act (33 USC 1311(h)), which governs secondary treatment waivers for municipal discharges into marine waters. The statutory changes to be addressed include, among other things, new requirements for minimum treatment levels and additional requirements for pretreatment programs for certain waiver applicants. In addition, the Agency is considering revising the regulations to address more specifically procedures and requirements for the renewal of secondary treatment waivers. The revised regulations will affect only the limited number of municipal treatment plants which met the 1982 statutory deadline for applying for a secondary treatment waiver.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
NPRM Comment Period End	11/00/88	
Final Action	05/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 2587.

FTS:8-475-7134

Agency Contact: Barry Burgan, Environmental Protection Agency, Water, (WH-556F), Washington, DC 20460, 202 475-7134

RIN: 2040-AB29

2682. NPDES REGULATIONS: STORMWATER APPLICATION REQUIREMENTS (REVISION)

Legal Authority: 33 USC 1342 /CWA 402

CFR Citation: 40 CFR 122

Legal Deadline: None.

Abstract: These revisions to the NPDES permit program application requirements for stormwater discharges will reflect the 1987 amendments to the Clean Water Act and will address the deadline for application submission as a result of the recently-rescinded September 1984 stormwater regulations.

Timetable:

Action	Date	FR Cite
NPRM Deadline and Requirements	03/07/85	50 FR 9362
NPRM Reproposed Requirements	08/12/85	50 FR 32548
Final Action Deadline and Requirements	08/29/85	50 FR 35200
NPRM Deadline Extension	10/21/87	52 FR 39240
NPRM Reproposed Requirements	07/00/88	
Final Action Deadline and Requirements	11/00/89	

Small Entity: No

Additional Information: SAR No. 2200.

FTS: 8-475-9537.

Agency Contact: Harry Thron, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 475-9537

RIN: 2040-AA79

2683. NPDES PERMIT APPLICATION FORM 2C, STANDARD FORM A, AND SHORT FORM A (REVISION)

Legal Authority: 33 USC 1342/CWA 402

CFR Citation: 40 CFR 122

Legal Deadline: None.

Abstract: This action will revise the current NPDES Permit Application Form 2C (industrial), Standard Form A (municipal), and Short Form A (municipal) to reflect amendments to the Clean Water Act and changes in program requirements and emphasis. The new application forms will replace the old versions and enable permit writers to obtain more pertinent information regarding expected discharges and the environmental impact of proposed operations.

Timetable:

Action	Date	FR Cite
NPRM	03/00/89	

Small Entity: No

Additional Information: SAR No. 2501.

FTS:8-475-9527

Agency Contact: William A. Collins, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 475-9527

RIN: 2040-AB39

2684. SEWAGE SLUDGE USE AND DISPOSAL REGULATIONS

Significance: Regulatory Program

Legal Authority: 33 USC 1345 / CWA 405

CFR Citation: 40 CFR 503

Legal Deadline: Statutory. Proposal November 30, 1986; Final August 31, 1987.

Abstract: The Agency plans to provide technical criteria and management practices by issuing technical sludge regulations under Section 405 of the Clean Water Act as amended by the Water Quality Act of 1987. These regulations will address: distribution and marketing, application of sludge to lands which are used for food and non-food chain crops, ocean disposal, incineration and landfilling. Thirty-one chemicals are currently being evaluated for the various reuse and disposal options.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	12/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 2162.

FTS: 8-475-7311.

Analysis: Regulatory Impact Analysis

Agency Contact: Alan Rubin, Environmental Protection Agency, Water, WH-585, Washington, DC 20460, 202 475-7311

RIN: 2040-AA74

2685. ● CITIZEN SUIT NOTICE REGULATION UNDER THE CWA

Legal Authority: 33 USC 1355 /CWA 505

CFR Citation: 40 CFR 135

Legal Deadline: None.

Abstract: This regulation will specify on whom the copies of CWA citizen suit complaints and consent decrees should be served, the manner of service, and the addresses of such persons. This rule will amend existing 40 CFR 135.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2515.

FTS:8-382-2849

Agency Contact: Elizabeth M. Ojala, Environmental Protection Agency, Water, LE-134W, Washington, DC 20460, 202 382-2849

RIN: 2040-AB50

2686. COMPREHENSIVE REVISIONS TO OCEAN DUMPING REGULATIONS

Significance: Regulatory Program

Legal Authority: 33 USC 1401 et seq /MPRSA

CFR Citation: 40 CFR 220 to 229

Legal Deadline: None.

Abstract: These amendments are necessary to clarify the existing regulations, incorporate program experience, and respond to statutory amendments and the results of two lawsuits. Those lawsuits are the City of New York decision (543 F. Supp.1084), which involved the consideration of the need for ocean dumping and availability and impacts of land-based alternatives, and NWF v. Costle decision (629 F. 2d 118), which involved dredged material issues. Among other things, the statutory amendments to be addressed in the Regulatory Revisions include provisions applicable to the ocean disposal of low-level radioactive waste.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	08/00/89	

Small Entity: No

Additional Information: SAR No. 2189.

FTS: 8-475-7126

Agency Contact: John Lishman, Environmental Protection Agency, Water, (WH-556F), Washington, DC 20460, 202 475-7126

RIN: 2040-AA78

2687. ● UNDERGROUND INJECTION CONTROL PROGRAM: HAZARDOUS WASTE DISPOSAL INJECTION RESTRICTIONS; EFFECTIVE DATES AND CAPACITY VARIANCES FOR SELECTED FIRST THIRD WASTES

Significance: Regulatory Program

Legal Authority: 42 USC 6924 /RCRA 3004(f) & (g)

CFR Citation: 40 CFR 148

Legal Deadline: None.

Abstract: The Agency is required to prohibit injection of hazardous wastes under sections 3004(f) and (g) by specified deadlines unless (1) the facility demonstrates no migration through a petition or (2) the facility treats the waste to specified levels which reduce the threat to human health. The Administrator may grant variances for up to two years where treatment capacity is unavailable. This rule proposes effective dates for selected first thirds wastes. It also proposes to grant capacity variances for those wastes and extends the statutory prohibitions for two years.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	09/00/88	

Small Entity: No

Additional Information: SAR No. 2581.

FTS:8-382-5508

Agency Contact: John Atcheson, Environmental Protection Agency, Water, WH-550, Washington, DC 20460, 202 382-5508

RIN: 2040-AB47

EPA—CWA

Proposed Rule Stage

2688. GENERAL PRETREATMENT REGULATIONS FOR EXISTING AND NEW SOURCES

Significance: Regulatory Program

Legal Authority: 42 USC 6939 / RCRA 3018; 33 USC 1317 /CWA 307; 33 USC 1342 /CWA 402

CFR Citation: 40 CFR 403

Legal Deadline: Statutory, August 1987.

Abstract: The Agency plans to prepare proposed changes to the General Pretreatment Regulations that address: specific and general discharge prohibitions; controls on spills and batch dischargers and dischargers by liquid waste haulers; industrial user notification requirements; and local limits. These changes will be responsive to the recommendations of the Domestic Sewage Study submitted to Congress February 8, 1986 and are to improve the control of hazardous wastes discharged through sewers to publicly-owned treatment works.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Additional Information: SAR No. 2342.

FTS 8-475-9534.

Agency Contact: Marilyn Goode, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 475-9534

RIN: 2040-AA99

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Clean Water Act (CWA)

Final Rule Stage

2689. GUIDELINES FOR CLASSIFYING GROUND WATER UNDER THE EPA GROUND WATER PROTECTION STRATEGY

Significance: Regulatory Program

Legal Deadline: None.

Abstract: In August 1984, EPA issued a Ground water Protection Strategy to provide objectives to guide the Agency's efforts to protect ground water. One of the major goals announced in the strategy was to achieve greater consistency in decisionmaking among the many EPA programs in protecting ground water. The strategy also indicated that EPA would consider the value and vulnerability of ground water in developing protection and cleanup approaches. The classification guidelines implement these goals by providing technical information that will be useful in the evaluation of the vulnerability and value of a particular ground water unit, and by detailing a classification system that can be incorporated as a factor in program decision-making. Both should lead to greater consistency in decisions and assist in the identification of the most valuable and vulnerable ground waters, so that they receive appropriate attention. The agency will finalize the guidelines based on public comments received.

Timetable:

Action	Date	FR Cite
Draft Guidelines	12/03/86	51 FR 43664
Final Guidelines	05/00/88	

Small Entity: Not Applicable

Additional Information: SAR No. 2300. FTS: 8-382-7077.

Agency Contact: Marian Mlay, Environmental Protection Agency, Water, Environmental Protection Agency, Office of Ground Water Protection, (WH-550G), 202 382-7077

RIN: 2040-AA85

2690. SECONDARY TREATMENT/PERCENT REMOVAL REQUIREMENTS FOR COMBINED SEWER SYSTEMS

Legal Authority: 33 USC 1311(b)(1)(B) /CWA 301(b)(1)(B); 33 USC 1314(d)(1) /CWA 304(d)(1)

CFR Citation: 40 CFR 133

Legal Deadline: None.

Abstract: In this amendment the Agency will propose a mechanism for permit adjustments for treatment plants served by Combined Sewer Systems similar to that which was recently promulgated (June 3, 1985) for separate sewer systems. The existing regulation requires 85% removal of BOD5 and suspended solids (65% for equivalent treatment) from treatment plants served by combined sewers during dry weather flow conditions. Problems exist in meeting these requirements when plants experience less concentrated influents.

Timetable:

Action	Date	FR Cite
NPRM	09/17/87	52 FR 35210
Final Action	08/00/88	

Small Entity: No

Additional Information: SAR No. 1962.

FTS:8-382-7371.

Agency Contact: Lam Lim, Environmental Protection Agency, Water, (WH-595), 202 382-7371

RIN: 2040-AB13

2691. NATIONAL POLLUTANT DISCHARGE ELIMINATION SYSTEM SEWAGE SLUDGE PERMIT REGULATIONS; STATE SLUDGE MANAGEMENT PROGRAM REQUIREMENTS

Significance: Regulatory Program

Legal Authority: 33 USC 1251(b) /CWA 101(b); 33 USC 1285(j) /CWA 205(j); 33 USC 1313(e) /CWA 303(e); 33 USC 1317(b) /CWA 307(b); 33 USC 1318 /CWA 308; 33 USC 1345 /CWA 405; 33 USC 1361(a) /CWA 501(a); 33 USC 1370 /CWA 510; 42 USC 6905(b) /RCRA 1006(b); 42 USC 6907 /RCRA 1008; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6944 /RCRA 4004; 42 USC 6945 /RCRA 4005; 42 USC 7410 /CAA 110; 42 USC 7411 /CAA 111; ...

CFR Citation: 40 CFR 122; 40 CFR 123; 40 CFR 124; 40 CFR 125

Legal Deadline: Statutory, December 15, 1986. 12/15/86 for state program approval procedures (Water Quality Act of 1987).

Abstract: The agency proposed requiring States to develop and obtain approval for sludge management programs. Included in the proposal were: 1) program approval procedures; and 2) the elements of an approvable State program, including compliance monitoring and enforcement provisions. The agency will be developing revised state program regulations to conform to the new requirements of the Water Quality Act of 1987.

EPA—CWA **Final Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	02/04/86	51 FR 4458
Reproposal	03/09/88	53 FR 7642
Final Action	02/00/89	

Small Entity: No

Additional Information: SAR No. 2163.

FTS:8-475-9517

Agency Contact: Martha Kirkpatrick, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, 202 475-9517

RIN: 2040-AA73

2692. WATER QUALITY PLANNING AND MANAGEMENT GRANTS FOR INDIAN TRIBES

Significance: Regulatory Program

Legal Authority: 42 USC 1324 /CWA 314

CFR Citation: 40 CFR 35; 40 CFR 130

Legal Deadline: Statutory, August 1988.

Abstract: This regulation will enable Indian Tribes to be treated as states for the following programs: Water Pollution Control Program Grants (Section 106), Water Quality Management Planning Grants Section 205(j), Clean Lakes Implementation Grants (Section 314) and Nonpoint Source Implementation Grants (Section 319). This action is required by the Water Quality Act of 1987.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/88	

Small Entity: No

Additional Information: SAR No. 2479.

FTS:8-475-8637

Agency Contact: Patricia Morris, Environmental Protection Agency, Water, (WH-586), Washington, DC 20460, 202 475-8637

RIN: 2040-AB35

2693. SIMPLIFYING CONSTRUCTION GRANTS REGULATIONS (REVISION)

Legal Authority: 33 USC 1281 / CWA 201

CFR Citation: 40 CFR 35, Appendix A

Legal Deadline: None.

Abstract: A revised interim final regulation describing allowable and unallowable costs for construction grant projects was published February 17, 1984. The Agency is revising that action as a final rule.

Timetable:

Action	Date	FR Cite
NPRM - Previous	11/06/81	46 FR 55220
NPRM	05/12/82	47 FR 20470
Interim Final Rule	05/12/82	47 FR 20450
Interim Final Rule Revised	02/17/84	49 FR 6224
Final Action	05/00/88	

Small Entity: No

Additional Information: SAR No. 1722.

Docket No. G-81-5.

FTS: 8-382-7256.

Agency Contact: Geoffrey Cooper, Environmental Protection Agency, Water, (WH-546), Washington, DC 20460, 202 382-2287

RIN: 2040-AA70

2694. COMPREHENSIVE CONSTRUCTION GRANT REGULATION REVISION

Legal Authority: 33 USC 1281 / CWA 201; CWA 518; CWA Title VI

CFR Citation: 40 CFR 35

Legal Deadline: Statutory, August 5, 1988. Deadline applies only to amendment to 40 CFR Part 35, Subpart J to implement Indian provisions of WQA of 1987.

Abstract: This regulation will amend existing regulations to implement the Water Quality Act of 1987. That Act amended the construction grants program, provided for grants to Indian Tribes under a national set-aside, and added a new Title VI to the CWA for capitalization grants to states for state loan programs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/00/88	
Final Action	03/00/89	
Final Action Effective	05/00/89	

Small Entity: No

Additional Information: SAR No. 2585.

FTS:8-382-2287

Agency Contact: Geoffrey Cooper, Environmental Protection Agency, Water, WH-546, Washington, DC 20460, 202 382-2287

RIN: 2040-AB25

2695. EFFLUENT GUIDELINES FOR PHARMACEUTICALS

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 439

Legal Deadline: None.

Abstract: The Agency has not decided to issue NSPS regulations to control the discharge of conventional pollutants from new source direct dischargers in the pharmaceuticals industry. The Agency will finalize BAT and NSPS regulations to control the discharge of the nonconventional pollutant, COD, but no decision has been made when to begin regulation procedures. Therefore, this action will be deleted until a time table for regulation is determined.

Timetable:

Action	Date	FR Cite
NPRM	11/26/82	47 FR 53584
NPRM NSPS	10/27/83	48 FR 49832
Final Action	10/27/83	48 FR 49808
NOTICE	11/01/83	48 FR 50322
NOTICE	01/10/84	49 FR 1190
NPRM BCT Cost	03/09/84	49 FR 8967
NOTICE	04/26/84	49 FR 17978
NOTICE New Data	07/02/84	49 FR 27145
NOTICE	01/31/85	50 FR 4513
NOTICE	05/01/85	50 FR 18486
NOTICE New Data	09/09/85	50 FR 36638
Next Action Undetermined		
(BCT)		
Final Action 12/16/86 (51 FR 45094)		

Small Entity: No

Additional Information: SAR No. 1427.

FTS:8-382-7182.

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Frank Hund, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, 202 382-7182

RIN: 2040-AA13

EPA—CWA

Final Rule Stage

2696. EFFLUENT GUIDELINES FOR GUM AND WOOD (REVISION)

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 454

Legal Deadline: None.

Abstract: The Agency has not determined when to publish guidance describing wastewater treatment alternatives and the basis for the exclusion of BAT and pretreatment standards for new and existing sources for the Gum and Wood Industry. Therefore, this entry may not appear in future agendas until a decision is reached.

Timetable:

Action	Date	FR Cite
Interim Final Rule SUBCATEGORIES A-F	07/18/76	41 FR 20511
NPRM SUBCATEGORY G	11/29/79	44 FR 68710
Guidance	00/00/00	

Small Entity: No

Additional Information: SAR No. 1425.

FTS:8-382-7186.

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Richard E. Williams, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, **202 382-7186**

RIN: 2040-AA17

2697. EFFLUENT GUIDELINES FOR ORE MINING AND DRESSING (PLACER MINING)

Significance: Regulatory Program

Legal Authority: 33 USC 1311 / CWA 301; 33 USC 1314 / CWA 304; 33 USC 1316 / CWA 306; 33 USC 1317 / CWA 307; 33 USC 1361 / CWA 501

CFR Citation: 40 CFR 144.103; 40 CFR 144.104; 40 CFR 440.142; 40 CFR 440.144; 40 CFR 440.143; 40 CFR 440.145

Legal Deadline: Judicial, May 9, 1988.

Abstract: The Agency is developing BPT, BCT, and BAT limitations and NSPS for mines and mills that mine gold placer ores and recover gold by gravity separation methods. These limitations will apply to wastewater generated by these operations and are an additional subpart to the Ore Mining and Dressing subcategory for which final regulations were issued on December 3, 1982. In October of 1987 the Agency filed a motion for modification of the Consent Decree to extend the promulgation date. On February 1, the Agency was advised that the Court accepted the revised schedule and the promulgation date for the final amendments is now May 9, 1988.

Timetable:

Action	Date	FR Cite
NPRM	11/20/85	50 FR 47982
Notice new data	02/14/86	51 FR 5563
Notice	04/10/86	51 FR 12344
Notice	03/24/87	52 FR 9414
Final Action	05/00/88	

Small Entity: Yes

Additional Information: SAR No. 2584.

FTS 8-382-7191.

Analysis: Regulatory Flexibility Analysis

Agency Contact: Willis E. Umholtz, Environmental Protection Agency, Water, (WH-552), Washington, DC 20460, **202 382-7191**

RIN: 2040-AA65

2698. EFFLUENT GUIDELINES FOR NONFERROUS METALS: (PHASE I) (REVISION)

Legal Authority: 33 USC 1311 /CWA 301; 33 USC 1314 /CWA 304; 33 USC 1316 /CWA 306; 33 USC 1317 /CWA 307; 33 USC 1361 /CWA 501

CFR Citation: 40 CFR 421

Legal Deadline: None.

Abstract: In response to Settlement Agreements, the Agency promulgated amendments to the regulations previously issued on 3/8/84 (49 FR 8742). The first portion of these amendments is in response to a Settlement Agreement (11/27/85) affecting the primary and secondary aluminum subcategories. The recently promulgated amendments for this segment include regulations for BAT, pretreatment, and new source standards to limit the discharge of pollutants from facilities in these subcategories. In response to separate Settlement 6/26/85, EPA will promulgate amendments for the primary tungsten subcategory. These amendments address limitations for BPT, BAT, pretreatment and new source standards to limit the discharge of pollutants from facilities in this subcategory.

Timetable:

Action	Date	FR Cite
NPRM	02/17/83	48 FR 7032
Final Action	03/08/84	49 FR 8742
NOTICE	06/29/84	49 FR 26738
NOTICE	07/24/84	49 FR 29792
NOTICE	03/28/85	50 FR 12252
Primary and Secondary Aluminum		
NOTICE 05/20/86 (51 FR 18530)		
NOTICE FINAL 07/07/87 (52 FR 25552)		
Primary Tungsten		
NOTICE 01/22/87 (52 FR 2480)		
NOTICE FINAL 12/00/88		

Small Entity: No

Additional Information: SAR No. 1410.

FTS: 8-382-7126

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Ernest P. Hall, Environmental Protection Agency, Water, (WH-552), Washington, D.C. 20460, **202 382-7126**

RIN: 2040-AA96

2699. GENERAL PRETREATMENT REGULATIONS: RESPONSE TO PIRT (REVISION)

Significance: Regulatory Program

Legal Authority: 33 USC 1317 /CWA 307

CFR Citation: 40 CFR 403

Legal Deadline: None.

Abstract: Revisions to the General Pretreatment Regulations were proposed to address final recommendations of the Pretreatment Implementation Review Task Force (PIRT) and the need for other adjustments to the regulations. The purpose of the rule will be to clarify reporting and compliance monitoring requirements, add flexibility for cities implementing the program and improve procedures for local and state program approval.

Timetable:

Action	Date	FR Cite
NPRM	06/12/86	51 FR 21454
Final Action	00/00/00	
Extension of comment period		
Notice 08/21/86 (51 FR 29950)		

Small Entity: No

Additional Information: SAR No. 2212.

FTS: 8-475-7054.

EPA—CWA

Final Rule Stage

Agency Contact: George Utting, Environmental Protection Agency, Water, (EN-336), Washington, DC 20460, **202 475-8328**

RIN: 2040-AA81

2700. SECTION 404 STATE PROGRAM REGULATIONS (REVISION)

Significance: Regulatory Program

Legal Authority: 33 USC 1344 / CWA 404

CFR Citation: 40 CFR 124; 40 CFR 232; 40 CFR 233

Legal Deadline: None.

Abstract: Under Section 404(g) of the Clean Water Act, EPA is responsible for approving and overseeing assumption of the 404 "dredge and fill" program by States. In response to comments from the States, EPA is revising its State program regulations (formerly part of the Consolidated Permit Regulations), to provide increased incentives and simplified procedures for State assumption of the Section 404 program.

Timetable:

Action	Date	FR Cite
NPRM	10/02/84	49 FR 39012
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1973.

FTS: 8-382-5043.

Agency Contact: Lori Williams, Environmental Protection Agency, Administration and Resource Management, Wetland Strategies and State Programs Div., Office of Wetlands Protection, (A-104F), **202 382-5043**

RIN: 2030-AA00

2701. OCEAN INCINERATION REGULATION (REVISION)

Significance: Regulatory Program

Legal Authority: 33 USC 1410 / MPRSA

CFR Citation: 40 CFR 220; 40 CFR 227; 40 CFR 228; 40 CFR 234

Legal Deadline: None.

Abstract: The Agency plans to provide specific permitting regulations for the ocean incineration of liquid hazardous and nonhazardous wastes. These regulations will be an independent part of the Ocean Dumping Regulations. The existing Ocean Dumping Regulations provide no specific criteria or standards for the review of ocean incineration permit applications.

Timetable:

Action	Date	FR Cite
NPRM	02/28/85	50 FR 8222

Next Action Undetermined

Small Entity: No

Additional Information: SAR No. 2140.

FTS: 8-382-7166.

Agency Contact: Darrell Brown, Environmental Protection Agency, Water, (WH-556F), Washington, DC 20460, **202 382-7166**

RIN: 2040-AA72

2702. OCEAN INCINERATION SITE EVALUATION, SOLICITATION, AND DESIGNATION

Legal Authority: 33 USC 1410 /MPRSA

CFR Citation: 40 CFR 228; 40 CFR 234

Legal Deadline: None.

Abstract: This action is a finalization of a portion of the ocean incineration regulation, which was proposed on February 28, 1985. This rule provides specific criteria for evaluating candidate sites, selecting specific sites and establishes the procedures for designating and listing sites for use after issuance of and under the terms of an ocean incineration permit. Designation of sites is a prerequisite to issuance of a permit for use of a site. Promulgation of this rule will allow the Agency to begin the lengthy process of site evaluation, selection and designation.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Not Applicable

Additional Information:

FTS:8:382-7166

Agency Contact: Darrell Brown, Environmental Protection Agency, Water, (WH-556), Washington, DC 20460, **202 382-7166**

RIN: 2040-AB28

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Clean Water Act (CWA)

Completed Actions

2703. WATER QUALITY STANDARDS-REVISION

CFR Citation: 40 CFR 131

Completed:

Reason	Date	FR Cite
Postponed Indefinitely	03/00/88	

Small Entity: Not Applicable

Agency Contact: David K. Sabock **202 245-3042**

RIN: 2040-AB34

2704. EFFLUENT GUIDELINES FOR ORGANIC CHEMICALS AND PLASTICS AND SYNTHETIC FIBERS

Significance: Regulatory Program

CFR Citation: 40 CFR 414; 40 CFR 416

Completed:

Reason	Date	FR Cite
Final Action	11/05/87	52 FR 42522
Final Action Effective	12/21/87	

Small Entity: Yes

Agency Contact: E.H. Forsht 202 382-7190

RIN: 2040-AA05

2705. EFFLUENT GUIDELINES FOR ADHESIVES AND SEALANTS

CFR Citation: 40 CFR 463

Completed:

Reason	Date	FR Cite
Postponed indefinitely	03/25/88	

Small Entity: No

EPA—CWA

Completed Actions

Agency Contact: Elwood Forsht 202 382-7190

RIN: 2040-AA30

2706. EFFLUENT GUIDELINES FOR PULP, PAPER, AND PAPERBOARD (PCB'S) (REVISION)

CFR Citation: 40 CFR 430

Completed:

Reason	Date	FR Cite
Postponed Indefinitely	03/00/88	

Small Entity: No

Agency Contact: Thomas O'Farrell 202 382-7137

RIN: 2040-AA63

2707. EFFLUENT GUIDELINES FOR LEATHER TANNING (REVISION)

CFR Citation: 40 CFR 425

Completed:

Reason	Date	FR Cite
Final Action	03/21/88	53 FR 9176
Final Action Effective	05/04/88	

Small Entity: No

Agency Contact: Rexford R. Gile, Jr. 202 382-7146

RIN: 2040-AA91

2708. EFFLUENT GUIDELINES FOR ALUMINUM FORMING (REVISION)

CFR Citation: 40 CFR 467

Completed:

Reason	Date	FR Cite
Postponed Indefinitely	03/00/88	

Small Entity: Undetermined

Agency Contact: Ernest P. Hall 202 382-7126

RIN: 2040-AB33

2709. GENERAL PRETREATMENT REGULATIONS: REMOVAL CREDITS (REVISION)

CFR Citation: 40 CFR 403.7

Completed:

Reason	Date	FR Cite
Final Action	11/05/87	52 FR 42434

Small Entity: No

Agency Contact: Craig Jakubowics 202 475-9533

RIN: 2040-AB02

2710. DISCHARGE OF OIL (REVISION)

CFR Citation: 40 CFR 110

Completed:

Reason	Date	FR Cite
Final Action	04/02/87	52 FR 10712

Small Entity: No

Agency Contact: Hubert Watters 202 382-2463

RIN: 2040-AA48

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Atomic Energy Act (AEA)

Proposed Rule Stage

2711. ENVIRONMENTAL STANDARDS FOR THE MANAGEMENT AND DISPOSAL OF SPENT NUCLEAR FUEL, HIGH-LEVEL AND TRANSURANIC RADIOACTIVE WASTES

Legal Authority: 42 USC 2201/AEA 161

CFR Citation: 40 CFR 191

Legal Deadline: None.

Abstract: On August 15, 1987, the Agency promulgated generally applicable environmental standards for the management and disposal of spent nuclear fuel, high-level and transuranic radioactive wastes. These Standards applied to management and disposal of such materials generated by activities under the jurisdiction of the Department of Energy or regulated by the Nuclear Regulatory Commission. They established limits for the release of radioactive materials to the environment. Subsequent to promulgation of this rule, several petitions for review were filed and consolidated in the U.S. Court of Appeals for the First Circuit. As of September 23, 1987 the Court vacated and remanded Subpart B of the Standards to the Agency for revision consistent with its ruling.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information:

FTS: 8-475-9633

Agency Contact: Ray Clark, Environmental Protection Agency, Air and Radiation, ANR-460, Washington, DC 20460, 202 475-9633

RIN: 2060-AC30

2712. ENVIRONMENTAL PROTECTION STANDARDS FOR LOW-LEVEL RADIOACTIVE WASTE

Significance: Regulatory Program

Legal Authority: 42 USC 2201/AEA 274/Reorganization Plan 3 of 1970/TSCA/RCRA

CFR Citation: 40 CFR 193

Legal Deadline: None.

Abstract: The Agency intends to set generally applicable standards for the management and disposal of low-level radioactive wastes, possibly to include some natural and accelerator produced radioactive wastes. The Agency is considering criteria for declaring certain wastes as below regulatory concern as part of this activity.

Timetable:

Action	Date	FR Cite
ANPRM	08/31/83	48 FR 39563
NPRM	08/00/88	
Final Action	11/00/90	

Small Entity: Undetermined

Additional Information: SAR No. 1727.

FTS:8-475-9633.

Agency Contact: James M. Gruhlke, Environmental Protection Agency, Air and Radiation, (ANR-460), Washington, DC 20460, 202 475-9633

RIN: 2060-AA04

2713. RESIDUAL RADIOACTIVITY

Significance: Regulatory Program

Legal Authority: 42 USC 2201/AEA 161; 42 USC 2021/AEA 272

EPA—AEA

Proposed Rule Stage

CFR Citation: 40 CFR 194

Legal Deadline: None.

Abstract: The Agency is determining what standards and/or guidance is needed to control radiation exposure levels to the public from residual radioactivity after cleanup of sites and facilities where radionuclides were used and where unrestricted use will be allowed. This action may also control radiation exposure levels to the general public from materials contaminated with radionuclides which will be recycled into general commerce.

Timetable:

Action	Date	FR Cite
ANPRM	06/18/86	51 FR 22264
NPRM	04/00/90	
Final Action	04/00/92	

Small Entity: Undetermined

Additional Information: SAR No. 2073.

FTS: 8-475-9620.

Analysis: Regulatory Impact Analysis

Agency Contact: John L. Russell, Environmental Protection Agency, Air and Radiation, ANR-460, Washington, DC 20460, 202 475-9620

RIN: 2060-AB31

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Atomic Energy Act (AEA)

Final Rule Stage

2714. TRANSURANIUM ELEMENTS

Legal Authority: 42 USC 2021(h) /AEA 274(h) /Reorganization Plan No. 3 of 1970

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: This action provides Interim recommendations to Federal Agencies to establish dose rate limits for people exposed to transuranium elements in the general environment.

Timetable:

Action	Date	FR Cite
NPRM	11/30/77	42 FR 60956
Interim Final Rule	00/00/00	

Small Entity: No

Additional Information: SAR No. 1162.

FTS:8-475-9620.

Agency Contact: Allan Richardson, Environmental Protection Agency, Air and Radiation, (ANR-460), Washington, DC 20460, 202 475-9620

RIN: 2060-AA01

2715. RADIOFREQUENCY RADIATION GUIDANCE

Significance: Regulatory Program

Legal Authority: 42 USC 2021(h) /AEA 274(h) /Reorganization Plan No. 3 of 1970

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: This guidance will serve to limit exposure of the general public to radiofrequency (RF) radiation, which may pose a potential health risk. The Agency is considering four alternative approaches to RF radiation guidance, three of which are regulatory and one nonregulatory. Upon Presidential approval of EPA guidance (to federal agencies in the formulation of radiation exposure standards), the pertinent agencies are responsible for implementation.

Timetable:

Action	Date	FR Cite
ANPRM	12/23/82	47 FR 57338
NPRM	07/30/86	51 FR 27318
Final Action	07/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 1525.

FTS: 8-475-9626.

Background Information Reports: a) Biological Effects of Radiofrequency Radiation, b) the Radiofrequency Radiation Environment, c) Analysis of the Radiofrequency Fields Produced by Broadcast Antennas, and d) Analysis of Economic Impact of Federal Radiation Protection Guidance (to Limit Exposure of the Public to Radiofrequency Radiation).

Agency Contact: David E. Janes, Environmental Protection Agency, Air and Radiation, (ANR-461), Washington, DC 20460, 202 475-9626

RIN: 2060-AA02

2716. GROUNDWATER PROTECTION STANDARDS FOR INACTIVE URANIUM TAILING SITES

Significance: Regulatory Program

Legal Authority: 42 USC 2022(a) /AEA 275(a)

CFR Citation: 40 CFR 192

Legal Deadline: None.

Abstract: The Tenth Circuit Court of Appeals has remanded the ground water standards as 40 CFR 192.20(a)(2) and (3). The new standards will replace these remanded standards.

Timetable:

Action	Date	FR Cite
NPRM	09/24/87	52 FR 36000
Final Action	04/00/89	

Small Entity: No

Additional Information: SAR No. 1166.

FTS:8-475-9620

Agency Contact: Kurt Feldmann, Environmental Protection Agency, Air and Radiation, ANR-460, 202 475-9620

RIN: 2060-AC03

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Safe Drinking Water Act (SDWA)

Proposed Rule Stage

2717. REVISION TO PUBLIC WATER SYSTEM SUPERVISION (PWSS) STATE PRIMACY REQUIREMENTS

Legal Authority: 42 USC 300 /SDWA 1417

CFR Citation: 40 CFR 142

Legal Deadline: None.

Abstract: This action will set requirements, application procedures, and administrative process for submission of State program revisions for EPA review and approval and revise the existing primacy regulations

which currently apply only to the process for initial primacy.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	12/00/88	

Small Entity: No

Additional Information: SAR No. 2489.

FTS:8-382-5522

Agency Contact: Carl Reeverts, Environmental Protection Agency, Water, WH-550-E, Washington, DC 20460, 202 382-5522

RIN: 2040-AB26

2718. REVISIONS TO THE SAFE DRINKING WATER ACT'S, UNDERGROUND INJECTION CONTROL REGULATIONS

Legal Authority: 42 USC 300j-4 /SDWA 1445; 42 USC 300h-1 /SDWA 1422

CFR Citation: 40 CFR 144; 40 CFR 146

Legal Deadline: None.

Abstract: These amendments to the UIC Program clarify the intent of the regulations covering authorization-by-rule requirements at 40 CFR Part 144, Subpart C. These new provisions will clarify how existing injection wells become authorized by rule and when injection is prohibited for failure to comply with authorization- by-rule requirements. EPA will also propose amendments to the noncompliance and program reporting requirements at 40 CFR 144.8; to the mechanical integrity requirements at 40 CFR 144.28(f) and 144.51(p). EPA will also propose definitions for the terms "convert" and "conversion" to help clarify when a well changes status from one well classification to another. Finally, a new regulation will codify SDWA 1445(a)(1) as it applies to the UIC program.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	03/00/89	

Small Entity: No

Additional Information: SAR No. 2426.

FTS:8-382-5530

Agency Contact: Francoise Brasier, Environmental Protection Agency, Water, WH-550-E, Washington, DC 20460, 202 382-5530

RIN: 2040-AB27

2719. NATIONAL PRIMARY DRINKING WATER REGULATIONS: SYNTHETIC ORGANIC CHEMICALS AND INORGANIC CHEMICALS, MONITORING FOR UNREGULATED CONTAMINANTS (PHASE II, 40 CONTAMINANTS)

Significance: Regulatory Program

Legal Authority: 42 USC 300 / SDWA 1412

CFR Citation: 40 CFR 141

Legal Deadline: Statutory, June 19, 1988.

Abstract: EPA is reproposing maximum contaminant level goals (MCLGs) and proposing National Primary Drinking Water Regulations (NPDWRs) for about 40 synthetic organic chemicals and inorganic chemicals. The NPDWRs consist of proposed maximum contaminants level (MCLs), as well as proposed monitoring, reporting, and public notification requirements for these contaminants. This action proposes the best available technology (BAT) upon which the MCLs are based and BAT for the purposes of issuing variances and exemptions to public water systems. In addition to the NPDWRs for the synthetic organic chemicals and inorganic chemicals, the notice proposes monitoring requirements for other synthetic organic chemicals which are not regulated by NPDWRs or proposed for regulation in this notice.

Timetable:

Action	Date	FR Cite
ANPRM	10/05/83	48 FR 45502
NPRM	11/13/85	50 FR 46936
NPRM MCLs	06/00/88	
Final Action	04/00/89	

Small Entity: Yes

Additional Information: SAR No. 1755.

FTS:8-382-7575.

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Joseph Cotruvo, Environmental Protection Agency, Water, (WH-550), Washington, DC 20460, 202 382-7575

RIN: 2040-AA55

2720. NATIONAL PRIMARY DRINKING WATER REGULATION: RADIONUCLIDES

Significance: Regulatory Program

Legal Authority: 42 USC 300 /SDWA 1412

CFR Citation: 40 CFR 141

Legal Deadline: Statutory, June 19, 1989.

Abstract: EPA will propose Maximum Contaminant Levels Goals (MCLGs) and Primary Drinking Water Standards for radionuclides in drinking water. These radionuclides include radium, uranium, radon, gross alpha, and gross beta and photon emitters.

Timetable:

Action	Date	FR Cite
ANPRM	10/05/83	48 FR 45502
ANPRM	09/30/86	51 FR 34836
NPRM	08/00/88	
Final Action	06/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 2281.

FTS: 8-382-7575.

Analysis: Regulatory Impact Analysis

Agency Contact: Joseph Cotruvo, Environmental Protection Agency, Water, (WH-550-D), Washington, DC 20460, 202 382-7575

RIN: 2040-AA94

2721. NATIONAL PRIMARY DRINKING WATER REGULATIONS: DISINFECTION, DISINFECTANTS AND DISINFECTION BY-PRODUCTS (REVISION)

Significance: Regulatory Program

Legal Authority: 42 USC 300 /SDWA 1412

CFR Citation: 40 CFR 141

Legal Deadline: Statutory, June 19, 1989. This deadline applies only to the disinfection requirements.

Abstract: EPA will propose that all public water systems use disinfection treatment processes; variance criteria will be developed. The Agency will propose MCLGs and MCLs for disinfectants and disinfection by-products.

Timetable:

Action	Date	FR Cite
NPRM	01/00/90	
Final Action	01/00/91	

Small Entity: Undetermined

Additional Information: SAR No. 2340.

FTS: 8-382-7575

Analysis: Regulatory Impact Analysis

Agency Contact: Joseph A. Cotruvo, Environmental Protection Agency, Water, WH-550D, 202 382-7575

RIN: 2040-AA97

2722. NATIONAL PRIMARY DRINKING WATER REGULATIONS: INORGANIC AND ORGANIC COMPOUNDS (PHASE V/30 CONTAMINANTS)

Legal Authority: 42 USC 300 /SDWA 1412

CFR Citation: 40 CFR 141

Legal Deadline: Statutory, June 19, 1989.

Abstract: This rule will set MCLGs and NPDWRs for about 30 inorganic and organic chemicals specified in the SDWA.

Timetable:

Action	Date	FR Cite
ANPRM	10/05/83	48 FR 45502
ANPRM Comment Period End	11/13/85	50 FR 16936
MCLs		
NPRM	09/00/88	
Final Action	07/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 2396.

FTS:8-382-7575

Analysis: Regulatory Impact Analysis

Agency Contact: Joseph Cotruvo, Environmental Protection Agency, Water, WH-550-D, Washington, DC 20460, 202 382-7575

RIN: 2040-AB11

2723. ● NATIONAL PRIMARY DRINKING WATER REGULATIONS: LEAD AND COPPER

Significance: Regulatory Program

Legal Authority: 42 USC 300 SDWA 1412

Legal Deadline: Statutory, June 19, 1989.

Abstract: This rule will set MCLGs and MCL/Monitoring requirements for naturally occuring lead and copper as specified in the SDWA. This rule will also establish a treatment technique requirement for corrosion.

Timetable:

Action	Date	FR Cite
ANPRM	10/05/83	48 FR 45502
NPRM MCLG	11/13/85	50 FR 46936
NPRM MCLGs/MCLs & Treatment Technique	06/30/88	
Final Action	12/30/88	

Small Entity: Undetermined

Additional Information: SAR No. 2610

FTS: 8-382-5508

Agency Contact: Jeanne Briskin, Lead Task Force, Environmental Protection Agency, Water, 401 M Street, SW, Washington, DC 20460, 202 382-5508

RIN: 2040-AB51

2724. PUBLIC WATER SUPPLY SUPERVISION PROGRAM AND UNDERGROUND INJECTION CONTROL PROGRAM: ADMINISTRATIVE ENFORCEMENT IMPLEMENTATION PROCEDURES

Legal Authority: 42 USC 300 / SDWA 1414

CFR Citation: 40 CFR 144; 40 CFR 148

Legal Deadline: None.

Abstract: EPA is required to promulgate regulations to describe procedures for the notice and opportunity for public hearing, and conference with primacy States concerning administrative orders under Section 1414(g) of the Safe Drinking Water Act. The Agency will also amend 40 CFR Part 22 to include PWS penalty assessments.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	12/00/88	

Small Entity: No

Additional Information: SAR No. 2381(PWSS); SAR No. 1972(UIC)

FTS:8-382-5558

Agency Contact: Don Olson, Environmental Protection Agency, Water, WH-550, Washington, DC 20460, 202 382-5558

RIN: 2040-AB07

2725. PUBLIC WATER SYSTEM SUPERVISION PROGRAM: BAN ON LEAD IN PLUMBING

Legal Authority: 42 USC 300 /SDWA 1422

CFR Citation: 40 CFR 141; 40 CFR 142

Legal Deadline: Statutory, June 19, 1988.

Abstract: EPA has promulgated new public notification requirements regarding lead contamination of drinking water to implement section 1417(a)(2) of the Safe Drinking Water Act (SDWA). The new public notification requirements for lead require public water systems to identify and provide notice to persons who may be affected by lead contamination in their drinking water, where such contamination results from the use of lead in the construction materials of the distribution system. Section 1417(b) provides that the lead public notification requirements in section 1417(a)(2) shall be enforced in all States as of June 19, 1988. EPA is authorized to withhold up to five percent of a State's section 1443(a) public water system supervision program grant if the Agency determines that the State is not enforcing the prohibition and public notice requirements for lead. The existing grant regulations, specifically 40 CFR Part 135, do not need to be changed to accommodate this withholding. EPA will publish a guidance document that will implement this part of the SDWA as soon as it is available.

Timetable:

Action	Date	FR Cite
Guidance	00/00/00	

Small Entity: No

Additional Information: SAR No. 2378.

FTS:8-382-5526

Agency Contact: John Trax, Environmental Protection Agency, Water, Water, WH-550, 202 382-5526

RIN: 2040-AB05

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Safe Drinking Water Act (SDWA)

Final Rule Stage

2726. INDIAN RULE FOR THE WELLHEAD PROTECTION PROGRAM AND SOLE SOURCE AQUIFER DEMONSTRATION PROGRAM

Significance: Regulatory Program

Legal Authority: 42 USC 300j-11/SDWA 1451

CFR Citation: 40 CFR 35

Legal Deadline: Statutory, December 1987.

Abstract: The Safe Drinking Water Act Amendments of 1986 authorize the EPA Administrator to treat Indian tribes as States, where appropriate. EPA is to issue associated regulations by eighteen months after the date of enactment (signed June 19, 1986). The Indian rule for the Wellhead Protection and Sole Source Aquifer Demonstration Programs will allow eligible Indian tribes to apply for and receive grants under these two programs, in the same manner as States.

Timetable:

Action	Date	FR Cite
NPRM	12/09/87	52 FR 46712
Final Action	06/00/88	

Small Entity: No

Additional Information: SAR No. 2440.

FTS:8-382-7077

Agency Contact: Marian Mlay, Environmental Protection Agency, Water, Office of Ground Water Protection, (WH-550G), Washington, DC 20460, 202 382-7077

RIN: 2040-AB18

2727. UNDERGROUND INJECTION CONTROL PROGRAM: HAZARDOUS WASTE DISPOSAL INJECTION RESTRICTIONS; AMENDMENTS TO TECHNICAL REQUIREMENTS FOR CLASS I HAZARDOUS WASTE INJECTION WELLS

Significance: Regulatory Program

Legal Authority: 42 USC 6924 /RCRA 3004(f) and (g)

CFR Citation: 40 CFR 124; 40 CFR 144; 40 CFR 146; 40 CFR 148

Legal Deadline: Statutory, August 8, 1988.

Abstract: This action proposes to amend the regulations governing the underground injection of hazardous wastes in two major areas. Additions to Part 146 propose to impose stricter standards on the construction and operating requirements applicable to owners and operators of Class I wells. New Part 148 would codify EPA's regulatory framework for implementing the land disposal restrictions for injection wells under sections 3004(f) and (g) of RCRA. Amendments to Parts 124 and 144 modify administrative procedures that are applicable to Class I wells.

Timetable:

Action	Date	FR Cite
NPRM	08/27/87	52 FR 32446
Final Action	05/00/88	

Small Entity: No

Additional Information: SAR No. 2211.

FTS:8-382-5508

Analysis: Regulatory Impact Analysis

Agency Contact: John Atcheson, Environmental Protection Agency, Water, WH-550-A, 202 382-5508

RIN: 2040-AB03

2728. CRITERIA FOR FILTRATION AND DISINFECTION OF SURFACE WATER AND PRIMARY DRINKING WATER REGULATIONS FOR MICROBIOLOGICAL CONTAMINANTS

Significance: Regulatory Program

Legal Authority: 42 USC 300 /SDWA 1412

CFR Citation: 40 CFR 141

Legal Deadline: Statutory, December 19, 1987.

Abstract: EPA plans to establish regulations specifying criteria that States will use to determine which surface water systems will be required to install filtration. The regulations will also address performance criteria for filtration systems. The criteria will include disinfection requirements. The regulations will constitute NPDWRs for Giardia, viruses, and other pathogens. The Agency will also set MCLGs for certain microbiological contaminants.

Timetable:

Action	Date	FR Cite
ANPRM	10/05/83	48 FR 45502
NPRM	11/03/87	52 FR 42178
Final Action	00/00/00	

Small Entity: Yes

Additional Information: SAR No. 2376.

FTS:8-382-7575.

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Joseph Cotruvo, Environmental Protection Agency, Water, WH-550-D, 202 382-7575

RIN: 2040-AB24

2729. UNDERGROUND INJECTION CONTROL PROGRAM ON INDIAN LANDS

Significance: Regulatory Program

Legal Authority: 42 USC 300 /SDWA 1422

CFR Citation: 40 CFR 147

Legal Deadline: Statutory, March 19, 1987.

Abstract: EPA is required to prescribe an Underground Injection Control (UIC) Program in States that do not have an approved UIC program. In addition, all Indian lands not under the jurisdiction of an approved State program must be covered by a Federal program. The program is to take into consideration the unique conditions and the Tribal concerns for each nation.

Timetable:

Action	Date	FR Cite
NPRM	05/11/87	52 FR 17684
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2131.

FTS: 8-382-5558

Agency Contact: Donald M. Olson, Environmental Protection Agency, Water, (WH-550), Washington, DC 20460, 202 382-5558

RIN: 2040-AA76

2730. SDWA INDIAN PRIMACY REGULATIONS

Significance: Regulatory Program

Legal Authority: 42 USC 300h-1/SDWA 1422; 42 USC 300j-11/SDWA 1451

CFR Citation: 40 CFR 35; 40 CFR 141; 40 CFR 142; 40 CFR 143; 40 CFR 144; 40 CFR 145; 40 CFR 146

Legal Deadline: Statutory, December 19, 1987.

Abstract: EPA is required to promulgate final regulations, specifying conditions under which Indian Tribes may be treated as States, be delegated primacy enforcement authorities, and receive grants for both the Underground Injection Control and the Public Water System Supervision programs.

EPA—SDWA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	07/27/87	52 FR 28112
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2383.

FTS:8-382-5555

Agency Contact: Al Havinga, Environmental Protection Agency, Water, Office of Drinking Water, WH-550D, **202 382-5555**

RIN: 2040-AB04

2731. ● CRITERIA FOR IDENTIFYING CRITICAL AQUIFER PROTECTION AREAS

Significance: Regulatory Program

Legal Authority: 42 USC 300h-6 /SDWA 1451

CFR Citation: 40 CFR 149.1

Legal Deadline: Statutory, June 19, 1987.

Abstract: Section 1427 of the SDWA amendments of 1986 requires EPA to develop a rule to establish criteria for identifying Critical Aquifer Protection Areas (CAPA) within designated sole source aquifers. The amendments authorize EPA to establish grant programs to fund demonstration programs by State or local governments to protect groundwater within CAPAs.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/19/87	52 FR 23982
Final Action	06/00/88	

Small Entity: No

Additional Information: SAR No. 2405.

FTS:8-382-7077

Agency Contact: Marian Mlay, Environmental Protection Agency, Water, (WH-550G), Washington, DC 20460, **202 382-7077**

RIN: 2040-AB23

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Safe Drinking Water Act (SDWA)

Completed Actions

2732. NATIONAL PRIMARY DRINKING WATER REGULATION: LIST OF CONTAMINANTS THAT MAY REQUIRE DRINKING WATER REGULATIONS

Significance: Regulatory Program

CFR Citation: 40 CFR 141

Completed:

Reason	Date	FR Cite
Final Action	01/22/88	53 FR 1892

Small Entity: No

Agency Contact: Joseph Cotruvo 202 382-7575

RIN: 2040-AB12

2733. PUBLIC WATER SUPPLY SUPERVISION PROGRAM: GENERAL PUBLIC NOTIFICATION REQUIREMENTS AND NEW LEAD PUBLIC NOTICE

CFR Citation: 40 CFR 141; 40 CFR 142; 40 CFR 143

Completed:

Reason	Date	FR Cite
Final Action	10/28/87	52 FR 41534

Small Entity: No

Agency Contact: Ralph Langemeier 913 236-2815

RIN: 2040-AB08

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Noise Control Act (NCA)

Final Rule Stage

2734. WITHDRAWAL OF PRODUCTS FROM THE AGENCY'S REPORTS IDENTIFYING MAJOR NOISE SOURCES AND WITHDRAWAL OF PROPOSED RULES

Legal Authority: 42 USC 4904(b)(1) / NCA 5(b)(1); 42 USC 4905(a)(1)/ NCA 6(a)(1)

CFR Citation: 40 CFR Not yet determined

Legal Deadline: None.

Abstract: This action withdraws certain products from the Agency's report identifying major noise sources issued under authority of Section 5(b)(1) of the Noise Control Act of 1972. These products are: Truck Transport Refrigeration Units, Power Lawn Mowers, Pavement Breakers, Rock Drills, Wheel and Crawler Tractors and Buses. This action also withdraws proposed noise regulations for Wheel and Crawler Tractors, and Buses, issued under the authority of Section 6(a)(1) of the Act.

Timetable:

Action	Date	FR Cite
NPRM	12/01/82	47 FR 54108
Final Action	12/00/88	

Small Entity: No

Additional Information: SAR No. 2046.

FTS:8-382-4996

No CFR parts pertain. This action withdraws proposals which were not codified.

Agency Contact: K.E. Feith, Environmental Protection Agency, Air and Radiation, (ANR-443), **202 382-4996**

RIN: 2060-AB24

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Resource Conservation and Recovery Act (RCRA)

Prerule Stage

2735. ● MUNICIPAL WASTE COMBUSTOR ASH MANAGEMENT

Significance: Regulatory Program

Legal Authority: 42 USC 6907 /RCRA 1008; 42 USC 6944 /RCRA 4004; 42 USC 6949 /RCRA 4010

CFR Citation: 40 CFR 257; 40 CFR 261; 40 CFR 262

Legal Deadline: None.

Abstract: Based on preliminary data, EPA has determined a need to develop a management scheme for handling and disposing of municipal waste combustor ash. The Agency is considering various options for addressing concerns over fugitive dust emissions and groundwater contamination.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/88	
NPRM	12/00/88	
Final Action	12/00/89	

Small Entity: Yes

Additional Information: SAR No. 2494.

FTS:8-475-7700

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Gerry Dorian, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565E), **202 475-7700**

RIN: 2050-AC24

2736. DETERMINATION ON WASTES FROM THE EXPLORATION, DEVELOPMENT ON PRODUCTION OF CRUDE OIL, NATURAL GAS, AND GEOTHERMAL ENERGY

Significance: Regulatory Program

Legal Authority: 42 USC 6921 /RCRA 3001; 42 USC 6982 /RCRA 8002

CFR Citation: Not yet determined

Legal Deadline: Statutory, June 30, 1988. Consent order 6/30/88

Abstract: EPA has completed studies of drilling fluids, produced waters, and other wastes associated with the exploration, development, and production of oil, natural and gas, and geothermal energy. The studies are in response to section 8002(m) of RCRA and culminated in a Report to Congress in December 1987. EPA will determine whether to regulate these wastes within 6 months of submitting the report, and after public hearings and comment.

Timetable:

Action	Date	FR Cite
Regulatory Determination	06/00/88	

Small Entity: No

Additional Information: SAR No. 2449.

FTS: 8-382-3608

Agency Contact: Dan Derkics, Environmental Protection Agency, Solid Waste and Emergency Response, WH-565, Washington DC 20460, **202 382-3608**

RIN: 2050-AC08

2737. MANAGEMENT OF USED OIL

Significance: Regulatory Program

Legal Authority: 42 USC 6921 /RCRA 3001; 42 USC 6925 /RCRA 3005; 42 USC 6930 /RCRA 3010; 42 USC 6935 /RCRA 3014

CFR Citation: 40 CFR 260; 40 CFR 261; 40 CFR 266; 40 CFR 270; 40 CFR 271

Legal Deadline: Statutory, November 8, 1986.

Abstract: EPA has determined not to list recycled oil as a hazardous waste. Furthermore, the 11/19/86 notice 51 FR 41900 delineates the Agency's intention to pursue different strategies to control used oil that is to be recycled and use oil bound for disposal. Used oil bound for disposal may be regulated either under section 6 of TSCA or under a RCRA disposal listing. The 11/19/86 notice states that although some controls on recycling may be promulgated in the interim, comprehensive recycling management rules including standards applicable to the combustion of used oil, will not be issued until the disposal controls are issued. The Agency does not have a more specific schedule for proposing these recycling regulations.

Timetable:

Regulatory Determination
Notice 12/00/88

Small Entity: Yes

Additional Information: SAR No. 2434.

FTS:8-382-7917

Docket No. 3014

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Robert W. Dellinger, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, **202 382-7917**

RIN: 2050-AC17

2738. ● DETERMINATION ON WASTES FROM COMBUSTION OF COAL BY ELECTRIC UTILITY POWER PLANTS

Legal Authority: 42 USC 6921 /RCRA 3001; 42 USC 6982 /RCRA 3002

CFR Citation: 40 CFR Not yet determined

Legal Deadline: Statutory, October 1982.

Abstract: EPA conducted a study of fly ash waste, bottom ash waste, slag waste, flue gas emission control waste and other wastes generated by the combustion of coal by electric utility power plants. The study was in response to Section 8002(n) of RCRA and culminated in a Report to Congress in February 1988. EPA will determine within six months after they submit the report, hold public hearings, and allow for public comment determine whether to regulate these wastes.

Timetable:

Regulatory Determination
Notice 08/00/88

Small Entity: Undetermined

Additional Information: SAR No. 2572.

FTS:8-382-3608

Agency Contact: Dan Derkics, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), **202 382-3608**

RIN: 2050-AC53

2739. ● DETERMINATION ON SOLID WASTE FROM SELECTED METALLIC ORE PROCESSING OPERATIONS

Legal Authority: 42 USC 6921 /RCRA 3001; 42 USC 6982 /RCRA 8002

CFR Citation: 40 CFR Undetermined

Legal Deadline: Statutory, October 1983.

Abstract: EPA is presently conducting studies of solid waste from the processing (smelting and refining) of metallic ores in the copper, lead, zinc and zinc oxide, bauxite and aluminum industries. These studies are in response to Section 8002(p) of RCRA and will culminate in a Report to Congress in May 1988. As required by RCRA section 3001(b)(3), the Agency will, after public hearings and public comment, determine within six months of submitting the report whether to

EPA—RCRA **Prerule Stage**

regulate any of these wastes under RCRA Subtitle C.

Timetable:

Regulatory Determination
Notice 11/00/88

Small Entity: Undetermined

Additional Information: SAR No. 2571.

FTS:8-382-3608

Agency Contact: Dan Derkics, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), 202 382-3608

RIN: 2050-AC54

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Resource Conservation and Recovery Act (RCRA) — Proposed Rule Stage

2740. MANDATORY INSPECTIONS OF HAZARDOUS WASTE MANAGEMENT FACILITIES

Legal Authority: 42 USC 6925 / RCRA 3007

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: This action establishes requirements for mandatory inspections of treatment, storage, and disposal facilities for hazardous waste. The regulation establishes the manner, frequency, recordkeeping, and reporting of the inspections.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	01/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 2332.

FTS: 8-475-9315

Agency Contact: Susan Hodges, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-527), Washington, D.C. 20460, 202 475-9315

RIN: 2050-AB59

2741. ● NEW REQUIREMENTS FOR STATE HAZARDOUS WASTE PROGRAMS

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912 /RCRA 2002; 42 USC 6926 /RCRA 3006

CFR Citation: 40 CFR 271

Legal Deadline: None.

Abstract: EPA's authority to require capable implementation of a State's hazardous waste management program as a prerequisite to authorization currently is not codified. The current consistency requirements will be revised to provide specific guidance on inconsistent state actions taken without adequate health or environmental rationales.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	10/00/89	

Small Entity: No

Additional Information: SAR No. 2527.

FTS:8-382-2210

Agency Contact: Lillian Bagus, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563-B), 202 382-2210

RIN: 2050-AC51

2742. ● NO-MIGRATION VARIANCE FOR RESTRICTED HAZARDOUS WASTE LAND DISPOSAL

Legal Authority: 42 USC 6905 /RCRA 1006; 42 USC 6912(a) /RCRA 2002(a); 42 USC 6921 /RCRA 3001; 42 USC 6924 /RCRA 3004

CFR Citation: 40 CFR 268

Legal Deadline: None.

Abstract: The Agency will propose a regulation that interprets the statutory requirements for making a "no-migration" demonstration that would allow the land disposal of untreated hazardous waste that has been restricted from land disposal. The regulation will define such terms as "no-migration," "responsible degree of certainty," "hazardous constituent," and "unit."

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
Final Action	07/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 2524.

FTS:8-475-8859

Agency Contact: Laurie Davies, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565E), 202 475-8859

RIN: 2050-AC56

2743. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTES - WOOD PRESERVING AND SURFACE PROTECTION WASTE

Significance: Agency Priority

Legal Authority: 42 USC 6905/RCRA 1006:; 42 USC 6912(a)/RCRA 2002(a); 42 USC 6921/RCRA 3001; 42 USC 6922/RCRA 3002

CFR Citation: 40 CFR 261

Legal Deadline: Statutory. November 8, 1985 for those wastes containing dioxins.

Abstract: These actions announce EPA's decision whether or not to list a waste as hazardous under RCRA. If a waste is listed as hazardous it will be subject to those requirements contained in 40 CFR Parts 262-266 and Parts 270, 271 and 124.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
Final Action	05/00/90	

Small Entity: No

Additional Information: SAR NO. 2174 For further information contact the RCRA/Superfund Hotline (800-424-9346); in the Metropolitan Area (202-382-3000)

Agency Contact: RCRA Hotline, Environmental Protection Agency, Solid Waste and Emergency Response, Environmental Protection Agency, Solid Waste and Emergency Response, Washington, DC 20460, 800 424-9346

RIN: 2050-AC59

2744. SOLID WASTE DISPOSAL FACILITY CRITERIA

Legal Authority: 42 USC 6907a / RCRA 1008a; 42 USC 6944 / RCRA 4004; 42 USC 6949 / RCRA 4010

CFR Citation: 40 CFR 257

Legal Deadline: Statutory, March 31, 1988.

Abstract: The Hazardous and Solid Waste Amendments of 1984 (HSWA) require EPA, by March 31, 1987, to revise the subtitle D criteria for facilities that may receive hazardous household wastes or hazardous wastes from small quantity generators. In response to this statutory mandate, EPA is revising the subtitle D criteria for municipal landfills. At a minimum these criteria must include ground-water monitoring requirements, location standards, and corrective action requirements.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2224.

FTS-382-4489

Analysis: Regulatory Impact Analysis

Agency Contact: Michael Flynn, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565E), Washington, DC, **202 382-4489**

RIN: 2050-AB21

2745. TEST METHODS FOR EVALUATING SOLID WASTE (MANUAL SW846) INCORPORATION BY REFERENCE AND MANDATORY GOOD LABORATORY PRACTICES

Legal Authority: 42 USC 6912 /RCRA 2002

CFR Citation: 40 CFR 261

Legal Deadline: None.

Abstract: This action proposes to update testing methods in the RCRA testing regulations to: a) permit persons to use the latest (3rd) edition of Test Methods for Evaluating Solid Waste (SW-846); and b) require that all testing conducted in support of the RCRA regulatory program follow minimum good laboratory practices and quality assurance procedures.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	10/00/88	

Small Entity: No

Additional Information: SAR No. 2507.

FTS:8-382-7458

Agency Contact: Denise Zabinski, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, **202 382-7458**

RIN: 2050-AC32

2746. ● GUIDELINE FOR FEDERAL PROCUREMENT FOR RETREAD TIRES

Legal Authority: 42 USC 6912(a) /RCRA 2002(a); 42 USC 6962 /RCRA 6002

CFR Citation: 40 CFR 253

Legal Deadline: None.

Abstract: This action implements Section 6002(e) of RCRA, as amended, which requires EPA (1) to designate items which can be produced with recovered materials and (2) to prepare guidelines to assist procuring agencies in complying with the requirements of Section 6002. Once EPA has designated a procurement item, Section 6002 requires that any procuring agency using appropriated Federal funds to procure that item must purchase such items containing the highest percentage of recovered materials practicable.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	03/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 2510.

FTS:8-382-4502

Agency Contact: William Sanjour, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), **202 382-4502**

RIN: 2050-AC52

2747. IDENTIFICATION OF HAZARDOUS WASTES BY TOXICITY CHARACTERISTIC AND LISTING OF ADDITIONAL ORGANIC TOXICANTS

Significance: Regulatory Program

Legal Authority: 42 USC 6921 / RCRA 3001

CFR Citation: 40 CFR 261

Legal Deadline: Statutory, March 8, 1987. Statutory, November 8, 1986 for adding additional characteristics; March 8, 1987 for revising the extraction procedure.

Abstract: The EPA is proposing to amend its hazardous waste identification regulations by introducing a new extraction procedure to be used in the Toxicity Characteristic and by expanding the Toxicity Characteristic to include approximately 38 additional organic toxicants. EPA originally proposed this rule on June 13, 1986 (51 FR 21648); the Agency will repropose the rule.

Timetable:

Action	Date	FR Cite
Final Action (Reproposal) NPRM 04/00/88	12/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2062.

FTS-8-382-8551.

Analysis: RIA and RFA

Agency Contact: Debra Dobkowski, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, **202 382-8551**

RIN: 2050-AA78

2748. SAMPLING AND ANALYSIS METHODS FOR WASTE TESTING

Legal Authority: 42 USC 6921 to 6925 / RCRA 3001 to 3005; 42 USC 6912 / RCRA 2002

CFR Citation: 40 CFR 261

Legal Deadline: None.

Abstract: This action deals with annual updates to the RCRA manual of approved test methods (Test Methods for Evaluating Solid Waste, SW-846). It adds additional approved methods and modifies the existing methods to reflect the latest available performance data.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	12/00/88	

Small Entity: No

Additional Information: SAR No. 2068.

FTS-8-382-7458.

Agency Contact: Denise Zabinski, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, **202 382-7458**

RIN: 2050-AA82

EPA—RCRA

Proposed Rule Stage

2749. ● AIR TOXICITY CHARACTERISTIC FOR HAZARDOUS WASTE

Significance: Regulatory Program

Legal Authority: 42 USC 6921 /RCRA 3001

CFR Citation: 40 CFR 261

Legal Deadline: None.

Abstract: EPA will develop procedures to predict the release of volatile organic compounds from wastes. These procedures will be coupled with specific threshold concentrations that are derived from considerations of human health effects as well as persistence in the environment and the ability of compounds to be transported from the disposal site. The Agency will develop a self-implementing test that establishes specific standards which, if exceeded, render a waste a hazardous waste. All wastes exhibiting the hazardous properties above a specified level will be considered hazardous. Evaluations may be performed by the generator, treater, etc.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
Final Action	12/00/89	

Small Entity: Yes

Additional Information: SAR No.

FTS:8-475-8551

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Debra Dobknowski, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562-B), 202 475-8551

RIN: 2050-AC23

2750. CONCENTRATION-BASED RELISTING OF WASTES FROM CHLORINATED ALIPHATICS

Legal Authority: 42 USC 6921 /RCRA 3001

CFR Citation: 40 CFR 261

Legal Deadline: None.

Abstract: This action exempts from regulation any currently listed wastes that are not hazardous because the hazardous constituents are present at levels lower than the concentration levels established by this rule.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	01/00/89	

Small Entity: No

Additional Information: SAR No. 2482.

FTS:8-475-6679

Agency Contact: Yvonne M. Garbe, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 475-6679

RIN: 2050-AC30

2751. CONCENTRATION-BASED RELISTING OF WASTES FROM EXPLOSIVES, INORGANIC CHEMICALS, AND IRON AND STEEL INDUSTRIES

Significance: Regulatory Program

Legal Authority: 42 USC 6921 /RCRA 3001

CFR Citation: 40 CFR 261

Legal Deadline: None.

Abstract: This action exempts from regulation any currently listed wastes that are not hazardous because the hazardous constituents are present at levels lower than the concentration levels established by this rule.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	
Final Action	07/00/89	

Small Entity: No

Additional Information: SAR No. 2483.

FTS:8-475-8551

Agency Contact: Denny Cruz, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), Washington, DC 20460, 202 475-8551

RIN: 2050-AC31

2752. LINERS AND LEAK DETECTION FOR HAZARDOUS WASTE LAND DISPOSAL UNITS

Significance: Regulatory Program

Legal Authority: 42 USC 6924 / RCRA 3004; 42 USC 6925 / RCRA 3005

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 260; 40 CFR 270; 40 CFR 271

Legal Deadline: Statutory, May 8, 1987.

Abstract: EPA has proposed these regulations under the authority of section 3004(a) and 3004(o)(4) of the Resource Conservation and Recovery Act. The regulations will require: 1) new landfills, surface impoundments, waste piles, and land treatment units for the treatment, storage, or disposal of hazardous wastes to utilize an approved leak detection system; 2) double liners and leachate collection systems for waste piles, and certain landfills and surface impoundments; and 3) development of a construction quality assurance program for certain landfills and surface impoundments, as well as final covers at land treatment units. EPA originally proposed this rule on May 29, 1987 (52 FR 20218); the Agency will repropose the rule.

Timetable:

Action	Date	FR Cite
NPRM	05/29/87	52 FR 20218
Final Action	02/00/89	
(Reproposal)		
NPRM	04/00/88	

Small Entity: No

Additional Information: SAR No. 2060.

FTS-8-382-4682.

Includes previous RINs 2050-AA21, 2050-AA50, and 2050-AA52.

Analysis: Regulatory Impact Analysis

Agency Contact: Paul Cassidy, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565E), Washington, DC 20460, 202 382-4682

RIN: 2050-AA76

2753. GROUNDWATER MONITORING AT HAZARDOUS WASTE FACILITIES

Legal Authority: 42 USC 6924 /RCRA 3004

CFR Citation: 40 CFR 264

Legal Deadline: None.

Abstract: This action will change the subpart F ground rules monitoring regulation. The following is a summary of the major changes:

o allow site-specific data for groundwater monitoring variances;

o allow flexibility in well installation requirements when access to waste management boundary is difficult;

o clarify definition of waste management area;

o allow a return to detection or compliance monitoring as appropriate;

o allow flexibility in schedules for submittal of information upon approval of Regional Administrator;

o require flow rate and direction determination upon change in ground water gradient;

o clarify monitoring authority of the uppermost aquifer; and

o clarify R.A.'s authority to allow monitoring of a subset of Appendix IX constituents.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	08/00/88	

Small Entity: No

Additional Information: SAR No. 2277.

FTS-382-7371

Agency Contact: Joe Abe, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565E), Washington, DC 20460, 202 475-7371

RIN: 2050-AB20

2754. LOCATION STANDARDS FOR HAZARDOUS WASTE FACILITIES

Significance: Regulatory Program

Legal Authority: 42 USC 6924 /RCRA 3004

CFR Citation: 40 CFR 264; 40 CFR 270

Legal Deadline: None.

Abstract: Section 3004(o)(7) of RCRA requires EPA to promulgate standards for the location of hazardous waste treatment, storage, and disposal facilities. Two location standards (floodplain and seismic restrictions) already exist at 40 CFR Part 264.18 and 265.18. Additional standards will specify other criteria for the acceptable location of new, laterally expanding and existing treatment, storage and disposal facilities.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	04/00/89	

Small Entity: Yes

Additional Information: SAR No. 2303.

FTS:8-382-4658.

Agency Contact: Glen R. Galen, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565E), Washington, DC 20460, 202 382-4658

RIN: 2050-AB67

2755. DELAY IN THE CLOSURE PERIOD FOR HAZARDOUS WASTE MANAGEMENT FACILITIES

Legal Authority: 42 USC 6924 /RCRA 3004; 42 USC 6925 /RCRA 3005

CFR Citation: 40 CFR 264; 40 CFR 265

Legal Deadline: None.

Abstract: The current regulations require that closure of a hazardous waste unit begin after the final receipt of hazardous wastes. The proposed rule will identify the circumstances under which a unit that ceases to receive hazardous wastes may continue to accept non-hazardous wastes. Amendments will identify conditions for the subsequent use of a unit for non-hazardous waste management and coordination with other closure activities of a hazardous waste management facility. Portions of the closure requirements (Subpart G) will be amended in both parts 264 and 265. These changes will increase the flexibility in the current regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	09/00/88	

Small Entity: No

Additional Information: SAR No. 2487.

FTS: 8-475-6725

Agency Contact: Sharon Frey, Environmental Protection Agency, Solid Waste and Emergency Response, WH-563, Washington, DC 20460, 202 475-6725

RIN: 2050-AB71

2756. CORRECTIVE ACTION FOR SOLID WASTE MANAGEMENT UNITS (SWMUS) AT HAZARDOUS WASTE MANAGEMENT FACILITIES

Significance: Regulatory Program

Legal Authority: 42 USC 6924 / RCRA 3004(u), 3004(v)

CFR Citation: 40 CFR 264; 40 CFR 270

Legal Deadline: None.

Abstract: These regulations set forth the technical and procedural requirements for conducting corrective action to clean up significant releases to air, surface water, ground water and soil at solid waste management units (SWMUs) at operating, closed, or closing RCRA facilities. The regulations will be used to define the structure of the program, and the requirements for implementing remedial action, remedy selection and corrective measures. Currently, the permitting agencies must make case-by-case decisions on action.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	01/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 2390.

FTS:8-382-4497

Agency Contact: David Fagan, Environmental Protection Agency, Solid Waste and Emergency Response, WH-563, 202 382-4497

RIN: 2050-AB80

2757. LANDFILL, SURFACE IMPOUNDMENT, AND WASTE PILE CLOSURES FOR HAZARDOUS WASTE MANAGEMENT FACILITIES

Significance: Regulatory Program

Legal Authority: 42 USC 6924 /RCRA 3004

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 270

Legal Deadline: None.

Abstract: These regulations will provide alternate closure options for EPA and authorized states to establish closure and post-closure requirements on a site-specific basis. The regulations address waste and site characteristics, potential pathways of hazardous constituent migration, and health effects. These rules allow for cover systems to be designed base on unique site and waste characteristics. EPA originally proposed this rule on March 19, 1987 (52 FR 8712); the Agency will repropose the rule.

Timetable:

Action	Date	FR Cite
NPRM (Reproposal)	09/00/88	
Final Action	07/00/89	

Small Entity: No

Additional Information: SAR No. 2391.

FTS:8-475-8859

Agency Contact: Lauris Davies, Environmental Protection Agency, Solid Waste and Emergency Response, WH-565E, **202 475-8859**

RIN: 2050-AB81

2758. EMISSION CONTROLS FOR HAZARDOUS WASTE INCINERATORS

Significance: Regulatory Program

Legal Authority: 42 USC 6924 / RCRA 3004; 42 USC 6925/RCRA 9005

CFR Citation: 40 CFR 264

Legal Deadline: None.

Abstract: The incinerator standards of Subpart O of Part 264 will be strengthened by proposed additional controls on emissions of metals and residual organic compounds.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	12/00/88	

Small Entity: No

Additional Information: SAR No. 2453.

FTS:8-382-7935

Analysis: Regulatory Impact Analysis

Agency Contact: Mary Cunningham, Environmental Protection Agency, Solid Waste and Emergency Response, WH-565A, Washington DC 20460, **202 382-7935**

RIN: 2050-AB90

2759. LAND DISPOSAL RESTRICTIONS FOR SOIL AND DEBRIS CONTAINING HAZARDOUS WASTES

Legal Authority: 42 USC 6924 /RCRA 3004

CFR Citation: 40 CFR 268

Legal Deadline: Statutory, January 15, 1988.

Abstract: The Agency is investigating the need to set separate treatment standards for soil and debris containing hazardous wastes. By statute, these wastes do not become subject to the Land Disposal Restrictions Rule (51 FR 40572 and 52 FR 25760) for Solvents and Dioxins (RCRA 3004(e)) and the California List (RCRA 3004(d)) until 11/8/88. If necessary, the Agency will further subcategorize the waste streams to provide separate treatment standards applicable to such wastes.

Timetable:

Action	Date	FR Cite
NPRM	12/00/90	
Final Action	10/00/91	

Small Entity: Undetermined

Additional Information: SAR No. 2461.

FTS:8-382-4770

Analysis: Regulatory Impact Analysis

Agency Contact: Stephen Weil, Environmental Protection Agency, Solid Waste and Emergency Response, WH-562B, Washington, DC 20460, **202 382-4770**

RIN: 2050-AC03

2760. PERMITTING EXPERIMENTAL FACILITIES CONDUCTING HAZARDOUS WASTE RESEARCH

Legal Authority: 42 USC 6924 / RCRA 3004; 42 USC 6925 / RCRA 3005

CFR Citation: 40 CFR 264; 40 CFR 270

Legal Deadline: None.

Abstract: This proposal will establish special permitting procedures for experimental facilities conducting research and development on the storage, treatment, or disposal of hazardous waste. The regulations would allow experimental facilities considerable flexibility in operating according to an approved research plan, without requiring frequent permit modifications as details of the research changed.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
Final Action	09/00/89	

Small Entity: No

Additional Information: SAR No. 2439.

FTS:8-382-7729

Agency Contact: Barbara Foster, Environmental Protection Agency, Solid Waste and Emergency Response, WH-563, **202 382-7729**

RIN: 2050-AC04

2761. LAND DISPOSAL RESTRICTIONS FOR FIRST THIRD OF SCHEDULED WASTES

Significance: Regulatory Program

Legal Authority: 42 USC 6924 / RCRA 3004

CFR Citation: 40 CFR 268

Legal Deadline: Statutory, August 8, 1988.

Abstract: This rule establishes land disposal restrictions for the first group of wastes identified by the schedule submitted to the Congress and published May 28, 1986 (51 FR 19300). See related action in the final section.

Timetable:

Action	Date	FR Cite
NPRM	04/08/88	53 FR 11742
Final Action	08/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2452.

FTS:8-382-4770

Analysis: Regulatory Impact Analysis

Agency Contact: Stephen Weil, Environmental Protection Agency, Solid Waste and Emergency Response, WH-562B, Washington DC 20460, **202 382-4770**

RIN: 2050-AC13

2762. CORRECTIVE ACTION FOR RELEASES TO GROUNDWATER FROM REGULATED HAZARDOUS WASTE UNITS

Legal Authority: 42 USC 6924 /RCRA 3004

CFR Citation: 40 CFR 264

Legal Deadline: None.

Abstract: These regulations will amend the technical and procedural requirements for conducting corrective action to clean up significant releases to groundwater from regulated hazardous waste units at operating, closed, or closing RCRA facilities. The regulations will be used to amend the structure of the program and the requirements for implementing remedial action, remedy selection and corrective measures. The requirements for regulated units will be amended to conform to the corrective action requirements for solid waste management units.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	01/00/89	

Small Entity: No

Additional Information: SAR No. 2503.

FTS:8-382-6785

Analysis: Regulatory Impact Analysis

Agency Contact: Joanne Bahura, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565-E), Washington, DC 20460, 202 475-6785

RIN: 2050-AC28

2763. ● LAND DISPOSAL RESTRICTION FOR SECOND THIRD OF SCHEDULED WASTES

Legal Authority: 42 USC 6924(g) /RCRA 3004(g); 42 USC 6924(h) /RCRA 3004(h); 42 USC 6924(j) /RCRA 3004(j); 42 USC 6924(k) /RCRA 3004(k); 42 USC 6924(m) /RCRA 3004(m)

CFR Citation: 40 CFR 268

Legal Deadline: Statutory, June 8, 1989.

Abstract: This rule will establish land disposal restrictions for the second third of scheduled hazardous wastes and promulgate treatment standards for these waste streams as required by sections 3004(g) and 3004(m) of RCRA. The schedule was published on May 28, 1986 (51 FR 19300).

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	06/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 2522.

FTS:8-382-4770

Agency Contact: Stephen Weil, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562B), 202 382-4770

RIN: 2050-AC55

2764. LIST (PHASE 2) OF HAZARDOUS CONSTITUENTS FOR GROUNDWATER MONITORING

Legal Authority: 42 USC 3251 / RCRA 3004

CFR Citation: 40 CFR 264; 40 CFR 270

Legal Deadline: None.

Abstract: The Appendix IX of 40 CFR Part 264 is a list of hazardous constituents presently referenced in 40 CFR Part 264 for use in groundwater monitoring. This proposed amendment would revise the Appendix IX list for the purposes of this use. This amendment would also create a new list for the first part (Detection Monitoring) of the ground water monitoring program. See the related action RIN 2050-AB27.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	12/00/88	

Small Entity: No

Additional Information: SAR No. 2435.

FTS: 382-4495

Agency Contact: Jerry Garman, Environmental Protection Agency, Solid Waste and Emergency Response, WH-565E, Washington DC 20460, 202 382-4495

RIN: 2050-AC05

2765. COMPLIANCE MONITORING AND ENFORCEMENT REQUIREMENTS FOR STATE HAZARDOUS WASTE MANAGEMENT PROGRAMS

Legal Authority: 49 USC 6926 / RCRA 3006

CFR Citation: 40 CFR 271.15; 40 CFR 271.16

Legal Deadline: None.

Abstract: Regulations governing State Authorization requirements for compliance monitoring and enforcement actions will be revised to reflect the Hazardous and Solid Waste Amendments of 1984. EPA will consider other changes such as requirement for states to have administrative penalty authority.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	12/00/88	

Small Entity: No

Additional Information: SAR No. 2158.

FTS: 8-475-9325.

Agency Contact: David Levenstein, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-527), Washington, DC 20460, 202 475-9325

RIN: 2050-AB01

2766. ● TRIAL BURNS FOR EXISTING HAZARDOUS WASTE INCINERATORS

Significance: Regulatory Program

Legal Authority: 42 USC 6905 /RCRA 3006; 42 USC 6912 /RCRA 3002; 42 USC 6927 /RCRA 3007; 42 USC 6974 /RCRA 7004

CFR Citation: 40 CFR 270.62(d)

Legal Deadline: None.

Abstract: This rule will clarify the requirements of 40 CFR 270.62(d) which describes procedures for permitting existing hazardous waste incinerator facilities under RCRA. EPA will require submission of trial burn data prior to permit issuance.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	09/00/88	

Small Entity: No

Additional Information: SAR No. 2544.

FTS:8-382-4775

Agency Contact: David Dellarco, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), 202 382-4775

RIN: 2050-AC50

2767. MINING WASTE MANAGEMENT UNDER RCRA SUBTITLE D

Significance: Regulatory Program

Legal Authority: 42 USC 6941 to 6949 /RCRA 4001-4009

CFR Citation: 40 CFR 261

Legal Deadline: None.

Abstract: Based on the first mining waste Report to Congress submitted 12/31/85, comments on the report, and other available information, EPA has determined that regulation of wastes from the extraction and benefication of ores and minerals under Subtitle C of the Resource Conservation and Recovery Act (RCRA) is not warranted at this time (51 FR 24496). Instead, EPA plans to develop a program for mining waste under Subtitle D of RCRA, working with the States to determine the specific nature of their current mining waste activities and their future plans to administer such programs. EPA will propose a set of criteria for the proper disposal of mining wastes under RCRA Subtitle D authority. EPA will also work with other Federal agencies (e.g., DOI, USGS) to avoid duplication in regulatory efforts.

EPA—RCRA

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
Final Action	04/00/90	

Small Entity: Undetermined

Additional Information: SAR No. 2389.

FTS: 8-382-3608

Agency Contact: Dan Derkics, Environmental Protection Agency, Solid Waste and Emergency Response, WH-565, **202 382-3608**

RIN: 2050-AB77

2768. UNDERGROUND STORAGE TANKS CONTAINING HAZARDOUS SUBSTANCES- FINANCIAL RESPONSIBILITY REQUIREMENTS

Significance: Regulatory Program

Legal Authority: 42 USC 6991 /RCRA 9003

CFR Citation: 40 CFR 280

Legal Deadline: Statutory, August 8, 1988.

Abstract: This regulation will establish, under Subtitle I of RCRA (as amended by SARA), requirements for demonstrating financial responsibility for taking corrective action and compensating third parties for bodily injury and property damage caused by releases from underground storage tanks (USTs) containing hazardous substances. An ANPRM is being developed to help gather data (e.g., frequency of releases from such USTs, costs of corrective action and third-party damages, and the regulated community's financial condition and use of financial assurance mechanisms) needed for the development of a proposed rule.

Timetable:

Action	Date	FR Cite
ANPRM	02/19/88	53 FR 3818
NPRM	12/00/88	
Final Action	10/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 2465.

FTS:8-382-7903

Agency Contact: Sammy K. Ng, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562A), Washington, DC 20460, **202 382-7903**

RIN: 2050-AC15

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Resource Conservation and Recovery Act (RCRA)

Final Rule Stage

2769. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTES - PETROLEUM REFINERY PRIMARY TREATMENT SLUDGE

Significance: Agency Priority

Legal Authority: 42 USC 6905/RCRA 1006; 42 USC 6912(a)/RCRA 2002(a); 42 USC 6921/RCRA 3001; 42 USC 6922/RCRA 3002

CFR Citation: 40 CFR 261

Legal Deadline: Statutory, February 28, 1986.

Abstract: These actions announce EPA's decision whether or not to list a waste as hazardous under RCRA. If a waste is listed as hazardous it will be subject to those requirements contained in 40 CFR Parts 262-266 and Parts 270, 271 and 124.

Timetable:

Action	Date	FR Cite
NPRM	11/12/80	45 FR 74893
Final Action	11/00/88	

Small Entity: No

Additional Information: SAR No. 2226.

RCRA/Superfund Hotline (800-424-9346); in Metropolitan Area (382-3000)

Agency Contact: RCRA/Superfund Hotline, Environmental Protection Agency, Solid Waste and Emergency Response, Washington, DC 20460, **800 424-9346**

RIN: 2050-AB70

2770. ● IDENTIFICATION AND LISTING OF HAZARDOUS WASTE - METHYL BROMIDE

Significance: Agency Priority

Legal Authority: 42 USC 6905/RCRA 1006; 42 USC 6912(a)/RCRA 2002(a); 42 USC 6921/RCRA 3001; 42 USC 6922/RCRA 3002

CFR Citation: 40 CFR 261

Legal Deadline: Statutory, February 28, 1986.

Abstract: These actions announce EPA's decision whether or not to list a waste as hazardous under RCRA. If a waste is listed as hazardous it will be subject to those requirements contained in 40 CFR Parts 262-266 and Parts 270, 271 and 124.

Timetable:

Action	Date	FR Cite
NPRM	04/25/85	50 FR 16432
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2157 For further information contact the RCRA/Superfund Hotline (800-424-9346); in the Metropolitan Area (202-382-3000)

Agency Contact: RCRA/Superfund Hotline, Environmental Protection Agency, Solid Waste and Emergency Response, Washington, DC 20460, **800 424-9346**

RIN: 2050-AC60

2771. CHANGES TO INTERIM STATUS AND PERMITTED FACILITIES FOR HAZARDOUS WASTE MANAGEMENT; PROCEDURES FOR POST-CLOSURE PERMITTING

Legal Authority: 42 USC 6912(a) /RCRA 2002(a); 42 USC 6924 /RCRA 3004; 42 USC 6925 /RCRA 3005; 42 USC 6926 /RCRA 3006

CFR Citation: 40 CFR 265; 40 CFR 270; 40 CFR 271

Legal Deadline: None.

Abstract: These regulations will: (1) facilitate modifications at interim status facilities that are necessary to respond to RCRA requirements, and (2) allow the Agency to deny permits for the active life of a facility while a permit decision with respect to the post-closure period remains pending. The portion of the proposed rule dealing with permit modifications is addressed in the permit modifications rulemaking (see RIN 2050-AC22).

EPA—RCRA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	08/14/87	52 FR 30570
Final Action	07/00/88	

Small Entity: No

Additional Information: SAR No. 2398.

FTS:8-382-4751

Agency Contact: Barbara Foster, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), Washington, DC 20460, **202 382-4751**

RIN: 2050-AC29

2772. BURNING OF HAZARDOUS WASTE IN BOILERS AND INDUSTRIAL FURNACES

Significance: Regulatory Program

Legal Authority: 42 USC 6924 / RCRA 3004; 42 USC 6925/RCRA 3005

CFR Citation: 40 CFR 266

Legal Deadline: Statutory, November 8, 1986.

Abstract: Burning of hazardous waste in boilers for the purpose of heat recovery is currently exempt from regulation under RCRA. The Hazardous and Solid Waste Amendments of l984 require the Agency to develop technical standards for the burning of hazardous waste fuels. This regulation will establish standards for controlling emissions of organic compounds, metals, and hydrogen chloride from boilers and industrial furnaces that burn hazardous waste for any purpose, including energy recovery, material recovery, or destruction.

Timetable:

Action	Date	FR Cite
NPRM	05/06/87	52 FR 16982
Final Action	12/00/88	
Supplement		
NPRM 03/00/88		

Small Entity: No

Additional Information: SAR No. 2078.

FTS-8-382-7917.

Contains previous RIN 2050-AA29.

Analysis: Regulatory Impact Analysis

Agency Contact: Dwight Hlustick, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565A), Washington, DC 20460, **202 382-7917**

RIN: 2050-AA72

2773. DISPOSAL OF CONTAINERIZED LIQUIDS IN HAZARDOUS WASTE LANDFILLS

Significance: Regulatory Program

Legal Authority: 42 USC 6924(c) / RCRA 3004(c)

CFR Citation: 40 CFR 260; 40 CFR 264; 40 CFR 265; 40 CFR 271

Legal Deadline: Statutory, February 8, 1986.

Abstract: The Agency has proposed these regulations under the Hazardous and Solid Waste Amendment of 1984. The regulation will 1) minimize the placement of containers holding liquid hazardous waste and free liquids in hazardous waste landfills, 2) minimize the presence of free liquids in containers holding hazardous waste to be disposed of in landfills and 3) prohibit the use of absorbents that biodegrade or release liquids when compressed.

Timetable:

Action	Date	FR Cite
NPRM	12/24/86	51 FR 46824
Final Action	06/00/88	
Notice of Availability of Supplemental Information		
Notice 06/24/87 (52 FR 23695)		

Small Entity: No

Additional Information: SAR No. 2207.

FTS:8-382-4682

Agency Contact: Paul Cassidy, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565E), Washington, DC 20460, **202 382-4682**

RIN: 2050-AB12

2774. DOUBLE LINER AND LEACHATE COLLECTION SYSTEMS FOR HAZARDOUS WASTE LAND DISPOSAL UNITS

Significance: Regulatory Program

Legal Authority: 42 USC 6924(o) /RCRA 3004(o)

CFR Citation: 40 CFR 264; 40 CFR 265; 40 CFR 260; 40 CFR 270; 40 CFR 144

Legal Deadline: Statutory, November 8, 1986.

Abstract: This rule establishes minimum technology requirements (e.g., double liners and leachate collection systems) for new hazardous waste landfills and surface impoundments, as well as lateral expansions and replacements to existing landfills and surface impoundments. This rule will establish standards for these systems enabling unit owners and operators to design and construct systems that will protect human health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	03/28/86	51 FR 10706
Notice of Availability of Information	04/17/87	52 FR 12566
Final Action	08/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2388.

FTS: 8-382-4654

Agency Contact: Ken Skahn, Environmental Protection Agency, Solid Waste and Emergency Response, WH-565E, **202 382-4654**

RIN: 2050-AB76

2775. STATISTICAL METHODS FOR EVALUATING GROUNDWATER MONITORING DATA FROM HAZARDOUS WASTE FACILITIES

Significance: Regulatory Program

Legal Authority: 42 USC 6924 / RCRA 3004

CFR Citation: 40 CFR 264

Legal Deadline: None.

Abstract: EPA previously promulgated regulations for detecting contamination of groundwater at hazardous waste disposal facilities under the Resource Conservation and Recovery Act of 1976 (RCRA). The statistical methods for evaluating the groundwater data have been criticized by industry for a number of reasons. EPA is proposing revisions to the regulations. (See related action in this Agenda section.)

Timetable:

Action	Date	FR Cite
ANPRM	08/20/86	51 FR 29812
NPRM	08/24/87	52 FR 31948
Final Action	06/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2436.

FTS:8-475-7240

Agency Contact: Jim Brown, Environmental Protection Agency, Solid Waste and Emergency Response, WH-565E, Washinton DC 20460, **202 475-7240**

RIN: 2050-AB92

2776. LIABILITY REQUIREMENTS FOR HAZARDOUS WASTE FACILITIES - OTHER INSTRUMENTS

Legal Authority: 42 USC 6901 /RCRA 3004

CFR Citation: 40 CFR 264; 40 CFR 265

Legal Deadline: None.

Abstract: The Agency is considering further revisions to the financial responsibility requirements for liability coverage for third- party bodily injury and property damage resulting from accidental occurrences at hazardous waste treatment, storage, and disposal facilities. The revisions under development are intended to allow greater flexibility in the types of financial instruments that can be used by hazardous waste facility owners and operators who may have encountered difficulties in obtaining insurance or the limited number of other possible instruments to meet liability coverage requirements. Other instruments, such as a non-parent corporate guarantees and letters of credit, are being analyzed for inclusion of this rulemaking.

Timetable:

Action	Date	FR Cite
NPRM	08/25/85	50 FR 33902
Final Action	06/00/88	

Small Entity: No

Additional Information: SAR No. 2460.

FTS:8-382-4780

Agency Contact: Carlos Lago, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), Washington, DC 20460, **202 382-4780**

RIN: 2050-AC19

2777. PERMIT MODIFICATIONS FOR HAZARDOUS WASTE MANAGEMENT FACILITIES

Significance: Regulatory Program

Legal Authority: 42 USC 6925 /RCRA 3004 and 3005

CFR Citation: 40 CFR 270

Legal Deadline: None.

Abstract: This regulation will amend RCRA procedures (codified at 40 CFR 270.41 and 270.42) for modifying hazardous waste management permits. The rulemaking provides EPA, authorized states, and permittees more flexibility in modifying permits, particularly where modifications will increase public and environmental protection or facilitate compliance with new regulations. At the same time, the regulation will provide for improved public participation in the permit modifications. The proposed rule was developed through regulatory negotiation with representatives of EPA, the states, industry, and public interest groups. RIN 2050-AA37 has been combined with this action.

Timetable:

Action	Date	FR Cite
NPRM	09/23/87	52 FR 35838
Final Action	08/00/88	

Small Entity: No

Additional Information: SAR No. 1805.

FTS 8-382-2223

Agency Contact: Frank McAlister, Section Chief, Permits Policy Section, Permits Branch, Office of Solid Waste, Environmental Protection Agency, Solid Waste and Emergency Response, WH-563, Washington, DC 20460, **202 382-2223**

RIN: 2050-AC22

2778. PERMITTING MOBILE HAZARDOUS WASTE TREATMENT UNITS AND DELISTING HAZARDOUS WASTES

Significance: Regulatory Program

Legal Authority: 42 USC 6905 /RCRA 3005

CFR Citation: 40 CFR 260; 40 CFR 265; 40 CFR 270

Legal Deadline: None.

Abstract: This action responds to a petition submitted to EPA by the Hazardous Waste Treatment Council (HWTC). It will establish state-wide permitting procedures for mobile hazardous waste treatment units and will modify hazardous waste delisting procedures, so that hazardous waste treatment residues could be delisted as part of the permitting process. In addition, the petition response solicited comment on HWTC's request that EPA exempt certain treatment technologies from the requirements for hazardous waste management.

Timetable:

Action	Date	FR Cite
NPRM	06/03/87	52 FR 20914
Final Action	06/00/88	

Small Entity: No

Additional Information: SAR No. 2397.

FTS:8-382-2223

Agency Contact: Frank McAlister, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-563), Washington, DC 20460, **202 382-2223**

RIN: 2050-AC20

2779. GUIDELINES FOR CONTENT IN RE-REFINED OIL PROCURED BY THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 3251 / RCRA 6002

CFR Citation: 40 CFR Not yet determined

Legal Deadline: None.

Abstract: This action establishes the guidelines for the Federal procurement of re-refined waste lubricating oils and hydraulic fluids. This action will encourage the recovery of waste oil and reduce the environmental threat waste oil represents.

Timetable:

Action	Date	FR Cite
NPRM	10/19/87	52 FR 38838
Final Action	10/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2257.

FTS-382-4502

Agency Contact: William Sanjour, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565), Washington, DC 20460, **202 382-4502**

RIN: 2050-AB53

2780. MINIMUM RECOVERED MATERIALS CONTENT IN PAPER AND PAPER PRODUCTS PROCURED BY THE FEDERAL GOVERNMENT

Legal Authority: 42 USC 6962 /RCRA 6002

CFR Citation: 40 CFR 250

Legal Deadline: None.

Abstract: This action establishes recommended minimum levels of

recovered materials in paper and paper products procured by the Federal government. The purpose of this action is to encourage the recovery of post-consumer recovered materials and reduce the volume of solid waste.

Timetable:

Action	Date	FR Cite
NPRM	10/06/87	52 FR 37335
Final Action	12/00/88	

Small Entity: No

Additional Information: SAR No. 2433.

FTS:8-382-4502

Agency Contact: William Sanjour, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-565A), Washington, DC 20460, 202 382-4502

RIN: 2050-AC18

2781. UNDERGROUND STORAGE TANKS - TECHNICAL REQUIREMENTS

Significance: Regulatory Program

Legal Authority: 42 USC 6991(b) /RCRA 9003

CFR Citation: 40 CFR 280

Legal Deadline: Statutory. New and Existing Petroleum Tanks (02/08/87), New Chemical Tanks (08/08/87), Existing Chemical Tanks (08/08/88)

Abstract: This regulation will establish, under Subtitle I of RCRA, requirements for release detection, prevention, and corrective action for all underground storage tanks holding petroleum and other regulated substances. Because of the large size of the regulated community, this rule could impact a significant number of small business entities and a Regulatory Flexibility Analysis will be conducted by EPA. Promulgation of this rule, will, for the first time, establish national requirements for storing regulated substances, including petroleum products in underground tanks. It will not apply to underground tanks storing hazardous wastes, which are currently regulated under Subtitle C of RCRA. These regulations will include: performance standards for new tanks; address leak detection and upgrading of existing tanks; and specify response actions to releases.

Timetable:

Action	Date	FR Cite
NPRM	04/17/87	52 FR 12662
Final Action	05/00/88	

Small Entity: Yes

Additional Information: SAR No. 2202, 2221, and 2256.

FTS 8-382-7641

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: David O'Brien, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562A), Washington, DC20460, 202 382-7641

RIN: 2050-AB19

2782. UNDERGROUND STORAGE TANKS CONTAINING PETROLEUM - FINANCIAL RESPONSIBILITY REQUIREMENTS

Significance: Regulatory Program

Legal Authority: 42 USC 6991(b) /RCRA 9003

CFR Citation: 40 CFR 280

Legal Deadline: Statutory, February 8, 1987.

Abstract: This regulation will establish, under Subtitle I of RCRA, requirements for owners and operators to demonstrate financial responsibility for taking corrective action and compensating third parties for bodily injury and property damage caused by sudden and nonsudden accidental releases arising from operating an underground storage tank containing petroleum. These requirements are applicable to all owners and operators, excluding Federal and State entities. The Agency has proposed aggregate levels of coverage for multiple tanks and will allow a variety of mechanisms to provide evidence of financial responsibility.

Timetable:

Action	Date	FR Cite
NPRM	04/17/87	52 FR 12786
Final Action	05/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2255.

FTS:8-382-7903

Analysis: Regulatory Impact Analysis

Agency Contact: Sammy Ng, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562A), Washington, DC 20460, 202 382-7903

RIN: 2050-AB89

2783. UNDERGROUND STORAGE TANKS - STATE PROGRAM APPROVAL

Legal Authority: 42 USC 6991(c) /RCRA 9004

CFR Citation: 40 CFR 281

Legal Deadline: None.

Abstract: The Hazardous and Solid Waste Amendments of 1984 (HSWA) allow EPA to approve State underground storage tank programs to operate in lieu of the Federal program. This rule will establish the requirements for States to apply for the EPA approval of such State programs.

Timetable:

Action	Date	FR Cite
NPRM	04/17/87	52 FR 12853
Final Action	05/00/88	

Small Entity: No

Additional Information: SAR No. 2234.

FTS: 382-9724

Agency Contact: Gwen Gebhard, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-562A), Washington, DC 20460, 202 475-9724

RIN: 2050-AB31

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Resource Conservation and Recovery Act (RCRA)

Completed Actions

2784. IDENTIFICATION AND LISTING OF HAZARDOUS WASTES

CFR Citation: 40 CFR 261

Completed:

Reason	Date	FR Cite
All action suspended	02/26/88	

Small Entity: No

Agency Contact: RCRA Hotline 800 424-9346

RIN: 2050-AB46

2785. HAZARDOUS WASTE MISCELLANEOUS UNITS

CFR Citation: 40 CFR 264; 40 CFR 260; 40 CFR 270

Completed:

Reason	Date	FR Cite
Final Action	12/10/87	52 FR 46946

Small Entity: No

Agency Contact: Kent Anderson 202 382-4654

RIN: 2050-AA23

2786. LIABILITY REQUIREMENTS FOR HAZARDOUS WASTE FACILITIES - CORPORATE GUARANTEE

CFR Citation: 40 CFR 264; 40 CFR 265

Completed:

Reason	Date	FR Cite
Final Action	11/18/87	52 FR 44314

Small Entity: No

Agency Contact: Carlos Lago 202 382-4780

RIN: 2050-AB47

2787. CODIFICATION RULE FOR THE 1984 RCRA AMENDMENTS

CFR Citation: 40 CFR 260 to 271; 40 CFR 122 to 124

Completed:

Reason	Date	FR Cite
Final Action	12/01/87	52 FR 45788

Small Entity: No

Agency Contact: David Fagan 202 382-4497

RIN: 2050-AB58

2788. GUIDELINE FOR RECOVERED MATERIALS CONTENT IN PAPER PRODUCTS PROCURED BY THE FEDERAL GOVERNMENT

CFR Citation: 40 CFR 250

Completed:

Reason	Date	FR Cite
Final Action	10/06/87	52 FR 37293

Small Entity: No

Agency Contact: William Sanjour 202 382-4502

RIN: 2050-AA68

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Clean Air Act (CAA)

Prerule Stage

2789. REVIEW OF NAAQS FOR NITROGEN DIOXIDE

Significance: Regulatory Program

Legal Authority: 42 USC 7408 / CAA 108; 42 USC 7409 / CAA 109

CFR Citation: 40 CFR 50.11

Legal Deadline: Statutory. Statutory, Review by December 31, 1980 and at 5-year intervals thereafter.

Abstract: EPA is reviewing the health and welfare information that has become available since the last review of the NO2 NAAQS was completed in June 1985. The Agency will revise the standard if needed to protect the public health and welfare.

Timetable:

Action	Date	FR Cite
Complete review of criteria doc. and staff paper	06/00/90	

Small Entity: No

Additional Information: SAR No. 1004.

FTS: 8-629-5656

Analysis: Regulatory Impact Analysis

Agency Contact: Bruce C. Jordan, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, N.C. 27711, 919 541-5656

RIN: 2060-AC06

2790. REVIEW OF NAAQS FOR CARBON MONOXIDE

Significance: Regulatory Program

Legal Authority: 42 USC 7408 / CAA 108; 42 USC 7409 / CAA 109

CFR Citation: 40 CFR 50.8

Legal Deadline: Statutory. Statutory, Review by December 31, 1980 and at 5-year intervals thereafter.

Abstract: EPA is reviewing the health and welfare information that has become available since the last review of the CO NAAQS was completed in September 1985. The Agency will revise the standard if needed to protect the public health and welfare.

Timetable:

Action	Date	FR Cite
Complete review of criteria document and staff paper	09/00/90	

Small Entity: No

Additional Information: SAR No. 1001.

FTS: 8-629-5656

Analysis: Regulatory Impact Analysis

Agency Contact: Bruce C. Jordan, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711, 919 541-5656

RIN: 2060-AC07

2791. NSPS: COAL PREPARATION PLANTS

Legal Authority: 42 USC 7411 /CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: Statutory. Review every four years.

Abstract: EPA is reviewing the standard to determine if revisions are warranted. The review will assess performance and costs of emission

control systems at coal preparations plants as well as the experience of the industry and control agencies in implementing the standard. EPA will issue a notice in the Federal Register announcing the results of its review.

Timetable:

Action	Date	FR Cite
Begin Review	02/11/85	
End Review	05/00/88	

Small Entity: No

Additional Information: SAR No. 2387.

FTS: 8-629-5602.

Agency Contact: Al Vervaert, Environmental Protection Agency, Air and Radiation, MD-13, **919 541-5602**

RIN: 2060-AB84

2792. NSPS: ASPHALT PROCESSING AND ASPHALT ROOFING MANUFACTURING PLANTS(REVIEW)

Legal Authority: 42 USC 7411/CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: Statutory, August 1986.

Abstract: EPA is reviewing this NSPS to determine whether revisions are warranted. The review will assess performance and costs of asphalt processing an asphalt roofing manufacturing plant control systems as well as the experience of the industry and control agencies in implementing the standard. EPA will announce the results of its review in the Federal Register.

Timetable:

Action	Date	FR Cite
Begin Review	08/00/86	
End Review	06/00/88	

Small Entity: No

Additional Information: SAR No. 2430.

FTS:8-629-5425.

Agency Contact: Kenneth Durkee, Chief, Standards Documentation Section, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5425**

RIN: 2060-AC21

2793. NSPS: ASPHALT PROCESSING AND ASPHALT ROOFING MANUFACTURING PLANTS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: Statutory, August 1986.

Abstract: EPA is reviewing this NSPS to determine whether revisions are warranted. The review will assess performance and costs of asphalt processing and asphalt roofing manufacturing plant control systems as well as the experience of the industry and control agencies in implementing the standard. EPA will announce the results of its review in the Federal Register.

Timetable:

Action	Date	FR Cite
Begin Review	08/00/86	
End Review	01/00/89	

Small Entity: No

Additional Information: SAR No. 2430.

FTS:8:629-5425

Agency Contact: Kenneth Durkee, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC, **919 541-5595**

RIN: 2060-AC23

2794. DECISIONS ON REGULATING VARIOUS AIR POLLUTANTS

Significance: Regulatory Program

Legal Authority: 42 USC 7411/CAA 112

CFR Citation: 40 CFR Not yet determined

Legal Deadline: None.

Abstract: The Agency is reviewing the health effects, sources, emissions to the ambient air, and the public exposure of these pollutants. The Agency will publish decisions regarding whether these pollutants should be controlled as specified air pollutants under the Clean Air Act or under other regulatory mechanisms in order to protect the public health.

Timetable:

Acetaldehyde
- Decision on Regulation 06/00/88
- Decision on Regulation 06/00/88

Ammonia
- Decision on Regulation 04/00/88
- Decision on Regulation 04/00/88

Ethyl Chloride
- Decision on Regulation 07/00/88
- Decision on Regulation 07/00/88

Naphthalene
- Decision on Regulation 04/00/88

Propylene
- Decision on Regulation 08/00/88
- Decision on Regulation 08/00/88

Propylene Oxide
- Decision on Regulation 04/00/88
- Decision on Regulation 04/00/88

Zinc and Zinc Oxide
- Decision on Regulation 08/28/87 (52 FR 32597)

Small Entity: Undetermined

Additional Information: SAR No. 2181.

FTS:8-629-5646

Agency Contact: Robert G. Kellam, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5646**

RIN: 2060-AB56

2795. NESHAPS: CADMIUM

Significance: Regulatory Program

Legal Authority: 42 USC 7412 /CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: None.

Abstract: EPA issued a notice of intent to list cadmium under Section 112 (50 FR 42000). We are investigating emissions of cadmium and techniques that are available to control the emissions from identified source categories. If EPA decides that emission standards are warranted, cadmium will be listed under section 112, and EPA will develop proposed standards.

Timetable:

Action	Date	FR Cite
Decision on whether to regulate	11/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 1869.

FTS:8-629-5602

Agency Contact: Al Vervaert, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5602**

RIN: 2060-AB92

2796. ● "GUIDELINES ON AIR QUALITY MODELS" (REVISION)

Legal Authority: 42 USC 2475(e)/CAA 165(e)

CFR Citation: 40 CFR 51.24(l); 40 CFR 52.21(m)

Legal Deadline: None.

Abstract: In response to Section 320 of the Clean Air Act, EPA plan to hold the Fourth Conference on Air Quality Modeling in September 1988. Based on

EPA—CAA **Prerule Stage**

input provided to the Agency at or closely following this Conference, the need for additional revisions to EPA's Guideline on Air Quality Models will be evaluated. If required, an Advance Notice of Proposed Rulemaking (ANPRM) will be developed.

Timetable:

Action	Date	FR Cite
ANPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2557.

FTS:8-629-5561

Government Levels Affected: State

Agency Contact: Joseph Tikvart, Environmental Protection Agency, Air and Radiation, Air and Radiation, (MD-14), Research Triangle Park, NC 27711, 919 541-5561

RIN: 2060-AC43

2797. FUEL AND FUEL ADDITIVES: GASOLINE LEAD CONTENT (REVISION)

Significance: Regulatory Program

Legal Authority: 42 USC 7545 /CAA 211; 42 USC 7601(a) /CAA 301(a)

CFR Citation: 40 CFR 80

Legal Deadline: None.

Abstract: EPA is examining information relevant to a ban on the use of lead in gasoline. The Agency is considering a set of alternatives ranging from no regulatory action to a ban. The Agency recently completed a cooperative study with the U.S. Department of Agriculture to assess the effects of a lead ban on farm equipment. A report to Congress is being prepared.

Timetable:

Action	Date	FR Cite
NPRM	03/07/85	50 FR 9386
Announcement of findings and recommendations NOTICE	05/00/88	

Small Entity: Yes

Additional Information: SAR No. 2214.

FTS: 8-382-2633.

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Richard Kozlowski, Environmental Protection Agency, Air and Radiation, (EN-397F), Washington, DC 20460, 202 382-2633

RIN: 2060-AB60

2798. FUEL AND FUEL ADDITIVE HEALTH EMISSIONS EFFECTS TESTING

Legal Authority: 42 USC 7545(e) / CAA 211(e)

CFR Citation: 40 CFR 79; 40 CFR 80

Legal Deadline: Statutory, August 7, 1978.

Abstract: The CAA requires that testing protocols be developed to address at a minimum, the possible carcinogenic, mutagenic, and teratogenic effects of fuels and fuel additives as well as their effect on emissions and emission control devices. This action would implement protocols for such testing, which would have to be performed prior to: 1) fuel or additive registration, and 2) introduction of the fuel or additive into the marketplace. Fuels and additives already registered or on sale would also have to undergo testing, as provided for by the CAA.

Timetable:

Action	Date	FR Cite
ANPRM	02/00/89	

Small Entity: Yes

Additional Information: SAR No. 2365.

FTS:8-374-8408

Analysis: Regulatory Flexibility Analysis

Agency Contact: Glenn Passavant, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, 313 668-8408

RIN: 2060-AC10

2799. DIESEL FUEL QUALITY STANDARDS

Significance: Regulatory Program

Legal Authority: 42 USC 7545 / CAA 211

CFR Citation: 40 CFR 79; 40 CFR 80

Legal Deadline: None.

Abstract: Trap oxidizers, the use of which may be required to meet 1991 and later model-year heavy duty diesel particulate standards, may require the use of low sulfur diesel fuels. In promulgating the particulate standard, EPA promised to examine the need for low-sulfur fuel. In addition, fuel sulfur and aromatics content have been shown to have a direct effect on particulate emissions. This action will determine the costs and benefits of improving diesel fuel quality.

Timetable:

Action	Date	FR Cite
Publish Study	04/00/88	
Workshop	05/00/88	
NPRM	08/00/88	

Small Entity: Yes

Additional Information: SAR No. 2366.

FTS:8-374-8339

Analysis: Regulatory Flexibility Analysis

Agency Contact: Richard Rykowski, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, 313 668-4339

RIN: 2060-AC11

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Clean Air Act (CAA)

Proposed Rule Stage

2800. NAAQS FOR SULFUR OXIDES (REVISION)

Significance: Regulatory Program

Legal Authority: 42 USC 7409 /CAA 109

CFR Citation: 40 CFR 50.4; 40 CFR 50.5

Legal Deadline: Statutory, December 31, 1980. Statutory, Reviews due by December 31, 1980 and at 5-year intervals thereafter.

Abstract: EPA has reviewed the scientific criteria used as a basis for establishing ambient air quality standards for sulfur oxides. The Agency will revise the standards if and as appropriate to protect public health and welfare.

Timetable:

Action	Date	FR Cite
ANPRM	10/02/79	44 FR 56730
NPRM	04/00/88	
Final Action	04/00/89	

Small Entity: No

Additional Information: SAR No. 1002.

Docket No. OAQPS-79-7.

FTS:8-629-5656.

Analysis: Regulatory Impact Analysis

Agency Contact: Bruce Jordan, Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711, **919 541-5656**

RIN: 2060-AA61

2801. NAAQS: LEAD

Significance: Regulatory Program

Legal Authority: 42 USC 7408 / CAA 108; 42 USC 7409 / CAA 109

CFR Citation: 40 CFR 50.12

Legal Deadline: Statutory, December 1980. Statutory, Reviews due by December 1980 and at 5-year intervals thereafter.

Abstract: EPA is reassessing the health and welfare information that has become available since the promulgation of the standard. A staff paper is in preparation for review by the Clean Air Scientific Advisory Committee (CASAC).

Timetable:

Action	Date	FR Cite
CASAC Review	06/00/88	
NPRM	11/00/89	

Small Entity: No

Additional Information: SAR No. 1919.

FTS: 8-629-5656.

Analysis: Regulatory Impact Analysis

Agency Contact: Bruce Jordan, Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711, **919 541-5656**

RIN: 2060-AA95

2802. NAAQS: OZONE

Significance: Regulatory Program

Legal Authority: 42 USC 7408 / CAA 108; 42 USC 7409 / CAA 109

CFR Citation: 40 CFR 50.9

Legal Deadline: Statutory, December 31, 1980. Statutory, Reviews due by December 31, 1980 and at 5-year intervals thereafter.

Abstract: EPA is reassessing health and welfare information which has become available since the last revision of the standard. In order to retain a unified regulatory review package in light of the emerging data base on health and welfare effects associated with longer-term averaging times, EPA is considering a continuation of the standard review until such information is published and reviewed in the criteria document. The major issue is whether the new information will indicate that new standards with longer-term averaging times are required to protect public health and welfare.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 1920.

FTS: 8-629-5656.

REVIEW AUTHORITY: CAA 109.

Analysis: Regulatory Impact Analysis

Agency Contact: Bruce Jordan, Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711, **919 541-5656**

RIN: 2060-AA96

2803. SECONDARY NAAQS FOR PARTICULATE MATTER (FINE PARTICLES)

Significance: Regulatory Program

Legal Authority: 42 USC 7408 /CAA 108; 42 USC 7409 /CAA 109

CFR Citation: 40 CFR 50.7

Legal Deadline: None.

Abstract: On July 1, 1987, EPA issued an ANPRM soliciting public comment on the development of a new secondary (welfare-based) NAAQS for fine particles (those particles less than 2.5 micrometers in aerodynamic diameter). This action represents a continuation of the review process for the secondary standards for particulate matter discussed by the Agency on March 20, 1984 (49 FR 10408). The principal welfare effect to be addressed by such a standard is impairment of visibility. Once a decision on whether and how to proceed is reached, a schedule for further action will be developed.

Timetable:

Action	Date	FR Cite
ANPRM	07/01/87	52 FR 24670
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2577.

FTS:8-629-5656

Analysis: Regulatory Impact Analysis

Agency Contact: Bruce C. Jordan, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711, **919 541-5656**

RIN: 2060-AC32

2804. ● FEDERAL PROMULGATION OF STATE IMPLEMENTATION PLAN TO PROTECT VISIBILITY

Significance: Regulatory Program

Legal Authority: 42 USC 7410 /CAA 110; 42 USC 7491 /CAA 169A

CFR Citation: 40 CFR 52

Legal Deadline: Judicial, August 31, 1988.

Abstract: Section 169A of the CAA requires that State Implementation Plans (SIPs) contain provisions to remedy existing and prevent future visibility impairment in certain national parks and wilderness areas. In 1980, EPA promulgated guideline regulations for States to follow in developing their SIP revisions (40 CFR 51.300-307). Many States failed to submit adequate visibility SIPs and EPA was sued to force the Agency to promulgate SIPs for such States. EPA entered into a consent decree under which a promulgated SIP implementing most of the requirements of the visibility regulations in States that have not submitted adequate SIPs and, under the consent decree, EPA has until August 31, 1988 to propose regulations to deal with existing visibility impairment in four States.

Timetable:

Action	Date	FR Cite
NPRM	03/12/87	52 FR 7802
Final Action	11/24/87	52 FR 45132
NPRM Remedying Existing Impairment	08/00/88	
Final Action Remedying Existing Impairment	04/00/89	

Small Entity: No

Additional Information: SAR No. 2428.

FTS:8-629-5634

Agency Contact: Thompson G. Pace, Environmental Protection Agency, Air and Radiation, (MD-15), Research Triangle Park, NC 27711, **919 541-5634**

RIN: 2060-AB82

EPA—CAA

Proposed Rule Stage

2805. NSPS: PERCHLOROETHYLENE DRY CLEANING

Legal Authority: 42 USC 7411 /CAA 111

CFR Citation: 40 CFR 60, Subpart OO

Legal Deadline: Statutory, August 1982.

Abstract: Some new issues have arisen, and EPA is deciding whether to go forward with this rule. Some small perchloroethylene facilities may be affected by this standard.

Timetable:

Action	Date	FR Cite
NPRM	11/25/80	45 FR 78174
Decision on need for standard expected by	10/00/88	

Small Entity: Yes

Additional Information: SAR No. 1119.

Docket No. A-79-30.

FTS:8-629-5568.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5568

RIN: 2060-AA14

2806. NSPS: SOLVENT DEGREASING (111D)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: This action will require States to control organic solvent cleaners to reduce emissions of specific organic solvents designated under a separate NSPS action (SAR 1010). This action may impact any manufacturing operations that employ organic solvent cleaners to remove grease and oils from parts prior to assembly. Some new issues have arisen and EPA is deciding whether to go forward with this rule.

Timetable:

Action	Date	FR Cite
Decision on whether to regulate NPRM	10/00/88	

Small Entity: Yes

Additional Information: SAR No. 1695.

FTS:8-629-5624.

Analysis: RFA

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5624

RIN: 2060-AA33

2807. NSPS: SOCMI REACTOR PROCESSES

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: The scope of the Synthetic Organic Chemical Manufacturing Industry (SOCMI) reactor processes includes all reactor processes (other than air oxidation reactor processes) used to manufacture 173 synthetic organic chemicals produced in quantities of at least 100 million 1b/yr. These large-volume chemicals account for about 90 percent of the total domestic chemical production from the SOCMI. The Agency is still considering whether to go forward with this rule.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2164.

FTS:8-629-5568.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, 919 541-5568

RIN: 2060-AB55

2808. NSPS: SMALL BOILERS

Legal Authority: 42 USC 7411 /CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: Judicial. Judicial - NPRM, June 1, 1989, Final September 1, 1990

Abstract: The purpose of this action is to develop new source performance standards for small industrial-commercial-institutional boilers with heat input capacities of 100 millions Btu/hr or less.

Timetable:

Action	Date	FR Cite
NPRM	06/00/89	
Final Action	09/00/90	

Small Entity: Yes

Additional Information: SAR No. 2239.

FTS:8-629-5595

Analysis: Regulatory Flexibility Analysis

Agency Contact: Kenneth Durkee, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5595

RIN: 2060-AB95

2809. NSPS: MUNICIPAL WASTE COMBUSTORS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: The EPA has completed a preliminary assessment of air emissions from municipal waste combustors (MWC). Based on this assessment, EPA has concluded that MWC emissions may reasonably be anticipated to contribute to the endangerment of public health and welfare. As a result, EPA issued a notice in the Federal Register (52 FR 25399) that announces its intent to regulate emissions from new and modified MWC under Section 111(b). Pollutants to be regulated will include one or more designated pollutants (pollutants not regulated under Sections 108-110 or 112) thus invoking Section 111(d) which will require States to develop additional emissions standards for existing MWC based on EPA guidelines.

Timetable:

Action	Date	FR Cite
ANPRM	07/07/87	52 FR 21399
ANPRM Comment Period End	10/06/87	52 FR 37335
NPRM	11/00/89	
NPRM Comment Period End	01/00/90	
Final Action	12/00/90	

Small Entity: No

Additional Information: SAR No. 2424.

FTS:8:629-5602

Agency Contact: Alfred E. Vervaert, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 2771, 919 541-5602

RIN: 2060-AC26

2810. ● NSPS: MUNICIPAL LANDFILLS

Significance: Agency Priority

Legal Authority: 42 USC 7411/CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: This rule will regulate emissions from new and modified municipal landfills under Section 111(b). Pollutants to be regulated will include one or more designated pollutants (pollutants not regulated under Section 108 - 110 or 112 of the Act) thus invoking Section 111(d). Section 111(d) will require States to develop emission standards for existing landfills based on EPA guidelines.

Timetable:

Action	Date	FR Cite
NPRM	11/00/89	
Final Action	12/00/90	

Small Entity: Undetermined

Additional Information: SAR No. 2535.

FTS:8-629-5672

Agency Contact: James F. Durham, Environmental Protection Agency, Air and Radiation, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5672

RIN: 2060-AC42

2811. NESHAPS: BENZENE IN COKE OVEN BY-PRODUCT PLANTS

Significance: Regulatory Program

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: Statutory, December 1984. Statutory - Promulgation due 12/00/84

Abstract: This regulation will control benzene emissions generated by the processing of gaseous and liquid streams at coke by-product plants. The emission sources to be controlled include process equipment, storage vessels, and fugitive emissions. The standards may consist of equipment specifications, work practices, design specifications, and emission limits. A supplemental proposal will be published to reevaluate the standard consistent with the court decision in vinyl chloride.

Timetable:

Action	Date	FR Cite
NPRM	06/06/84	49 FR 23528
Final Action	12/00/88	
(Supplemental)		
NPRM 06/00/88		

Small Entity: No

Additional Information: SAR No. 1685.

FTS:8-629-5625.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5625

RIN: 2060-AA42

2812. NESHAPS: COKE OVEN EMISSIONS FROM COKE OVEN CHARGING, DOOR LEAKS, AND TOPSIDE LEAKS ON WET-COAL-CHARGED BATTERIES

Significance: Regulatory Program

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61 G

Legal Deadline: Statutory, March 1985. Statutory - Proposal due 3/00/85

Abstract: This regulation will control emissions of coke oven emissions, which have been designated as hazardous under section 112. It will require improved maintenance and operation to limit visible emissions from wet-coal-charged coke oven batteries. The standards may apply to charging and leaks from doors, lids, or offtakes for all existing or new sources. A supplemental proposal will be published to reevaluate the standard consistent with the court decision on vinyl chloride.

Timetable:

Action	Date	FR Cite
NPRM	04/23/87	52 FR 13586
Final Action	10/00/89	
(Supplemental)		
NPRM 09/00/88		

Small Entity: No

Additional Information: SAR No. 1686.

Docket No. A-79-15.

FTS:8-629-5568.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5568

RIN: 2060-AA48

2813. NESHAP: ASBESTOS (REVISION)

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61, Subpart M

Legal Deadline: None.

Abstract: The Agency is considering revising the asbestos NESHAP standard to require the addition of monitoring requirements for asbestos mills, asbestos manufacturing operations and asbestos waste disposal operations. EPA is also considering revising the demolition and renovation standard to require specific recordkeeping and reporting requirements designed to help improve compliance of these sources, which is currently believed to be low.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
Final Action	12/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 1714.

FTS 8-629-5625.

Agency Contact: Gilbert Wood, Chief, Standards Support Section, Environmental Protection Agency, Air and Radiation, MD-13, RTP, North Carolina, 919 541-5625

RIN: 2060-AB51

2814. NESHAPS: CHROMIUM

Legal Authority: 42 USC 7412 /CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: None.

Abstract: EPA issued a notice of intent to list total chromium or hexavalent chromium under Section 112 (50 FR 24317). We are further assessing the public health risks of chromium compounds. Also, we are investigating emissions of chromium and techniques that are available to control the emissions from 11 identified source categories. If EPA decides that emission standards are warranted, chromium or hexavalent chromium will be listed under Section 112, and EPA will develop proposed standards. Agency actions on industrial comfort cooling towers and chromium electroplating are described separately in the agenda.

Timetable:

Decision on whether to regulate	
NPRM 11/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2181.

FTS: 8-629-5596

Agency Contact: James Crowder, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, 919 541-5596

RIN: 2060-AB83

2815. NESHAP: CHROMIUM--INDUSTRIAL COOLING TOWERS

Significance: Regulatory Program

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: None.

Abstract: EPA issued a notice of intent to list total chromium or hexavalent chromium under Section 112 (50 FR 24137). We are further assessing the public health risks of chromium compounds. Preliminary assessment performed by EPA has identified industrial process cooling towers as a source category which the proposal of national emission standards may be warranted. We are presently investigating in detail alternative feasible control options, and the economic, energy, and environmental impacts, and the effect on public health risks that would result from their application. If EPA decides, based on these investigations, that emissions standards are warranted, chromium or hexavalent chromium will be listed under Section 112 and EPA will develop standards.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	
Final Action	03/00/90	

Small Entity: Undetermined

Additional Information: SAR No. 2386.

FTS-8-629-5602

Agency Contact: Al Vervaert, Environmental Protection Agency, Air and Radiation, MD-13, **919 541-5602**

RIN: 2060-AC12

2816. NESHAP: CHROMIUM--ELECTROPLATING

Significance: Regulatory Program

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: None.

Abstract: EPA issued a notice of intent to list chromium or hexavalent chromium under Section 112 (50 FR 24317). We are further assessing the public health risks of chromium compounds. A preliminary assessment performed by EPA has identified chromium electroplating as a source category which emits significant quantities of chromium to the atmosphere and for which the proposal of national emission standards may be warranted. We are presently investigating in detail alternative feasible control options, and the economic, energy, and environmental impacts, and the effect on public health risks that would result from their application. If EPA decides, based on these investigations, that emission standards are warranted, chromium or hexavalent chromium will be listed under Section 112, and standards will be proposed.

Timetable:

Action	Date	FR Cite
NPRM	01/00/89	
Final Action	03/00/90	

Small Entity: Undetermined

Additional Information: SAR No. 2386.

FTS-8-629-5602.

Agency Contact: Al Vervaert, Environmental Protection Agency, Air and Radiation, MD-13, **919 541-5602**

RIN: 2060-AC14

2817. HAZARDOUS ORGANIC NESHAP

Significance: Regulatory Program

Legal Authority: 42 USC 7412/CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: None.

Abstract: This potential regulation would control emissions of 1,3-butadiene, ethylene oxide, ethylene dichloride, chloroform, carbon tetrachloride, perchloroethylene, trichloroethylene, and methylene chloride, as hazardous pollutants under Section 112. The potential regulation would cover the production categories and some use categories for these eight pollutants. It would require installation of combustion devices to control process vents and an inspection and monitoring program to control leaks from pumps and valves.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	
Final Action	03/00/90	

Small Entity: Undetermined

Additional Information: SAR No. 2363.

FTS:8-629-5578

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5578**

RIN: 2060-AC19

2818. NESHAP: PERCHLOROETHYLENE DRY CLEANING

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: None.

Abstract: EPA has issued a notice of intent to list perchloroethylene under Section 112 of the Clean Air Act. The Agency is evaluating the need for regulation of perchloroethylene, and is studying the possibility of requiring carbon absorbers or refrigerated condensers on all dry cleaning machines to effectively reduce perchloroethylene emissions. The standard could apply to all types of machines and may also address auxiliary equipment and safe workplace practices.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	11/00/89	

Small Entity: Undetermined

Additional Information: SAR No. 2360.

FTS:8-629-5608

Agency Contact: Robert E. Rosensteel, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5608**

RIN: 2060-AC27

2819. NESHAP: ETHYLENE OXIDE FROM COMMERCIAL STERILIZATION

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: None.

Abstract: This potential standard would control ethylene oxide emissions from sterilization chambers. The emission reduction being considered would require add-on controls for sterilizers.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	11/00/89	

Small Entity: Undetermined

Additional Information: SAR NO. 2484

FTS:8-629-5608

Agency Contact: Robert E. Rosensteel, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5608**

RIN: 2060-AC28

2820. NESHAP: ORGANIC SOLVENT CLEANING

Legal Authority: 42 USC 7412 / CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: None.

Abstract: These potential regulations would apply to organic solvent cleaners (degreasers) and will control emissions of perchloroethylene, methylene chloride, and trichloroethylene from new and existing sources. The emission reduction techniques being considered are combinations of add-on control hardware and improved operating practices.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	02/00/90	

Small Entity: Undetermined

Additional Information: SAR No. 1695.

FTS:8-629-5608

Agency Contact: Robert E. Rosensteel, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5608**

RIN: 2060-AC31

2821. ● NESHAP: BENZENE RECONSIDERATION

Significance: Regulatory Program

Legal Authority: 42 USC 7412/CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: Judicial, December 2, 1988. The Agency accepted a voluntary remand to publish a NPRM by June 1988 and final action by December 1988.

Abstract: In June 1984, the Agency promulgated a NESHAP for benzene equipment leaks and withdrew proposed NESHAPS for benzene emissions from maleic anhydride plants, ethylbenzene/styrene plants, and benzene storage tanks (49 FR 23478). This action will reevaluate the three withdrawn proposals and the benzene fugitive NESHAP, along with coke oven by-product emission, consistent with the recent court decision on the vinyl chloride NESHAP.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2558.

FTS:8-629-5625

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5625**

RIN: 2060-AC41

2822. ● NESHAP: RADIONUCLIDES

Significance: Regulatory Program

Legal Authority: 42 USC 7401/CAA 112

CFR Citation: 40 CFR 61

Legal Deadline: Judicial, December 2, 1988. U.S. Court of Appeals has granted EPA's motion to remand radionuclide NESHAPS and decisions not to regulate. EPA is ordered to propose action within 180 days (June 7, 1988), and promulgate final rules within 360 days (December 2, 1988).

Abstract: EPA is addressing the risks to individuals and to populations due to radionuclide emissions to air. This action is taken under the authority of Section 112 of the Clean Air Act. Rulemakings will be performed for the following source categories: Department of Energy facilities, Facilities licensed by the Nuclear Regulatory Commission, Elemental Phosphorous plants, Radon-222 emissions from licensed uranium mill tailings, Coal-fired boilers, uranium fuel cycle facilities, inactive uranium mill tailings, high level radioactive waste, and phosphogypsum piles. Alternatives being considered are either the promulgation of emission standards or work practices or the decision not to regulate. These actions will control the risks due to radionuclide emitted to air from all significant sources.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	12/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2547.

FTS:8-475-9610

Agency Contact: Terrence A. McLaughlin, Chief, Env. Stds. Branch, Environmental Protection Agency, Air and Radiation, Environmental Protection Agency, (ANR-460), Washington, DC 20460, **202 475-9610**

RIN: 2060-AC47

2823. PSD INCREMENTS FOR PM10

Significance: Regulatory Program

Legal Authority: 42 USC 7476/CAA 166

CFR Citation: 40 CFR 52.21; 40 CFR 51.166

Legal Deadline: Statutory, July 1, 1989.

Abstract: The purpose of this action is to prevent significant deterioration of air quality as measured by the new indicator for particulate matter, PM10. The existing PSD program has particulate matter increments based on the original TSP indicator. The EPA has now promulgated a PM10 NAAQS to replace the original TSP-based particulate matter NAAQS. Therefore, EPA is preparing to revise the PSD program by promulgating PM10 increments in accordance with section 166 of the Clean Air Act.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	09/00/89	

Small Entity: No

Additional Information: SAR No. 2491.

FTS:8:629-5593

Agency Contact: Daniel DeRoeck, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711, **919 541-5593**

RIN: 2060-AC33

2824. HYDROCARBON STANDARDS FOR LIGHT-DUTY TRUCKS (REVISION)

Significance: Regulatory Program

Legal Authority: 42 USC 7521 / CAA 202

CFR Citation: 40 CFR 86

Legal Deadline: None.

Abstract: Through this action, EPA will consider the establishment of more stringent hydrocarbon emission standards for light-duty trucks based upon the belief that very cost-effective hydrocarbon control is available from these vehicles. The new standards for lighter light-duty trucks would be no

more stringent than the existing passenger car standard and an equivalently stringent standard for heavier light-duty trucks.

Timetable:

Action	Date	FR Cite
ANPRM	09/08/86	51 FR 32032
NPRM	09/00/88	

Small Entity: No

Additional Information: SAR No. 2287.

FTS: 8-374-8496.

Agency Contact: J. Anderson, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4496**

RIN: 2060-AB85

2825. DECISION ON AIR POLLUTION REGULATORY STRATEGIES FOR THE GASOLINE MARKETING INDUSTRY

Significance: Regulatory Program

Legal Authority: 42 USC 7521 / CAA 202; 42 USC 7525 / CAA 206

CFR Citation: 40 CFR 86

Legal Deadline: None.

Abstract: Evaporative hydrocarbons emitted during vehicle refueling contribute to the failure of many urban areas to attain the National Ambient Air Quality Standard for ozone. Through this action, if deemed feasible and desirable, EPA will control emissions at the time of refueling.

Timetable:

Action	Date	FR Cite
NPRM	08/19/87	52 FR 31162
Supplemental NPRM	10/00/88	
Final Action	10/00/89	

Small Entity: No

Additional Information: SAR No. 2384.

FTS:8-374-8270

Analysis: Regulatory Impact Analysis

Agency Contact: Phil Carlson, Environmental Protection Agency, Air and Radiation, Environmental Protection Agency, 2565 Plymouth Rd., Ann Arbor, MI 48105, **313 668-4270**

RIN: 2060-AC04

2826. TRADING AND BANKING OF HEAVY-DUTY ENGINE NOX AND PM EMISSION CREDITS

Significance: Regulatory Program

Legal Authority: 42 USC 7521 / CAA 202

CFR Citation: 40 CFR 86

Legal Deadline: None.

Abstract: In March 1985 the EPA promulgated NOx and PM emission standards for heavy-duty vehicles and engines. The rulemaking included a provision for emissions averaging for the final stages of standard implementation in order to mitigate the economic impact of the stringent standards. EPA realized that the averaging mechanism could provide more benefits to manufacturers with a broader product line. In order to address this issue, EPA included in the final package a provision to study the potential for mitigating this uneven distribution of benefits through an emissions credit trading program. The study was expanded to include the concept of 'banking' emissions credit. The study has been completed and made available to the public and a technical workshop was held in January 1987. EPA is analyzing the comments received from the public and from the workshop.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Additional Information: SAR No. 1315.

FTS: 8-374-8408

Agency Contact: Glenn Passavant, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4408**

RIN: 2060-AC05

2827. TEST PROCEDURES FOR TRAP-EQUIPPED DIESEL VEHICLES AND ENGINES

Legal Authority: 42 USC 7525 / CAA 206

CFR Citation: 40 CFR 86

Legal Deadline: None.

Abstract: The particulate standards for 1991 and later model year Heavy-duty Diesel Engines may require the use of trap-oxidizers for some vehicles and engines. The existing test procedures do not expressly describe how to deal with emissions and fuel economy effects during trap regeneration. If it turns out that trap oxidizers are necessary to comply with the 1991 particulate standards, the agency will develop an appropriate test procedure.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2373.

FTS: 8-374-8496

Agency Contact: John Anderson, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4496**

RIN: 2060-AC08

2828. NONCONFORMANCE PENALTIES FOR 1991 THROUGH 1994 MODEL YEAR EMISSION STANDARDS FOR HEAVY-DUTY VEHICLES AND ENGINES

Legal Authority: 42 USC 7524 /CAA 206

CFR Citation: 40 CFR 86

Legal Deadline: None.

Abstract: This action will address the availability of nonconformance penalties (NCPs) and specific upper limits and penalty rates for 1991 through 1994 model year emission standards for heavy-duty vehicles and engines. The availability of NCPs will allow a manufacturer, whose vehicles or engines fail to conform with certain applicable emission standards, but which do not exceed a designated upper limit, to be issued a certificate of conformity upon payment of a monetary penalty. This rule is the third phase of NCP rulemaking. The first, published August 30, 1985 established generic aspects of NCPs. The second, published December 31, 1985, addressed NCPs applicable to 1987 through 1990 model years.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Additional Information: SAR No. 2431.

FTS:8-382-2535.

Agency Contact: Richard Babst, Environmental Protection Agency, Air and Radiation, (EN-340-F), Washington, DC 20460, **202 382-2535**

RIN: 2060-AC39

EPA—CAA

Proposed Rule Stage

2829. EMISSION PERFORMANCE WARRANTY REGULATIONS (REVISION)

Legal Authority: 42 USC 7541(b) / CAA 207(b)

CFR Citation: 40 CFR 85

Legal Deadline: None.

Abstract: This rulemaking will address the issue of establishing: (1) test procedures and standards for heavy-duty gasoline vehicles, (2) new standards for light-duty vehicles and light-duty trucks, and (3) alternative dynamometer loadings for the loaded short tests. These amendments are appropriate so that owners of heavy-duty vehicles will have emissions warranty protection and additional owners of light-duty vehicles and trucks will be entitled to warranty protection.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2136.

FTS: 8-374-8416.

Agency Contact: James McCargar, Environmental Protection Agency, Air and Radiation, 2625 Plymouth Road, Ann Arbor, MI 48105, **313 668-4416**

RIN: 2060-AB53

2830. FUEL AND FUEL ADDITIVES: PREVENTATIVE ACTION PROGRAM TO PREVENT SELF-SERVE FUEL SWITCHING

Legal Authority: 42 USC 7545 /CAA 211; 42 USC 7601(a) /CAA 301(a)

CFR Citation: 40 CFR 80.22; 40 CFR 80.23

Legal Deadline: None.

Abstract: This action will develop a voluntary "Preventative Action Program" to be used by gasoline retailers to help prevent self-serve fuel switching. Retailers will be afforded an affirmative defense to allegations of "allowing" fuel switching if they have effectively implemented this program. This action would also change the language of the fuel switching regulation to prohibit fuel switching in all vehicles designed to use unleaded gasoline, and not just those that still have an "unleaded only" label or fuel inlet restrictor.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 2215.

FTS: 8-382-2633

Agency Contact: Richard Kozlowski, Environmental Protection Agency, Air and Radiation, (EN-397F), Washington, DC 20460, **202 382-2633**

RIN: 2060-AB59

2831. TREATMENT, STORAGE, AND DISPOSAL FACILITY AREA SOURCE AIR EMISSIONS - RCRA STANDARDS

Significance: Regulatory Program

Legal Authority: 42 USC 6924/RCRA 3004, 3007

CFR Citation: 40 CFR 264, Subparts I to N

Legal Deadline: Statutory, May 1987.

Abstract: The purpose of this action is to investigate the magnitude of the area non-combustion source air emissions from hazardous waste treatment, storage, and disposal facilities and to develop standards for monitoring and control as needed. Area sources include surface impoundments, landfills, waste piles, land treatment operations and waste water treatment facilities. Pollutants to be considered by such standards would include volatile organic compounds, particulate matter, specific toxic substances, or a combination of these. The mandate for standards development under RCRA is to protect human health and the environment.

Timetable:

Action	Date	FR Cite
NPRM	01/00/89	
Final Action	03/00/90	

Small Entity: Undetermined

Additional Information: SAR No. 2240.

FTS:8-629-5672.

Agency Contact: James F. Durham, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5672**

RIN: 2060-AB94

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Clean Air Act (CAA)

Final Rule Stage

2832. ● PSD REGULATIONS FOR NOX

Significance: Regulatory Program

Legal Authority: 42 USC 1857 /CAA 211

CFR Citation: 40 CFR 51; 40 CFR 52

Legal Deadline: Judicial, October 9, 1989.

Abstract: In March 1986, the Sierra Club, et al., filed suit against EPA for not promulgating regulations pursuant to section 166 of the Clean Air Act for nitrogen oxides (NOx). The court decision issued by the District Court for the Northern District of California on April 1, 1987, requires the EPA to propose regulations by February 9, 1988, and promulgate regulations by October 9, 1988. Work started in November on the development of PSD increment and/or NOx system that would be equally effective as the congressionally set increments for PM and SO2 in order to comply with this court action.

Timetable:

Action	Date	FR Cite
NPRM	02/08/88	53 FR 3698
Final Action	10/00/88	

Small Entity: No

Additional Information: SAR No. 2421.

FTS:8-541-5592

Agency Contact: Gary McCutchen, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711, **919 541-5592**

RIN: 2060-AC24

2833. FUGITIVE EMISSIONS/SURFACE COAL MINES FOR AIR QUALITY NEW SOURCE REVIEW

Significance: Regulatory Program

Legal Authority: 42 USC 7410/CAA 110

CFR Citation: 40 CFR 51; 40 CFR 52

Legal Deadline: None.

Abstract: This action would revise EPA's new source requirements for new major stationary sources in PSD and Nonattainment areas. EPA is taking this action to implement a settlement agreement with Chemical Manufacturer's Association and other parties who challenged the regulation amendments promulgated on August 7, 1980. The schedule below covers the issues included in Exhibit A of the Agreement; the Agency is developing a schedule for Exhibit B issues.

Timetable:

Final Action
New Source Review 06/00/88
Surface Coal Mines 10/00/88
NPRM
New Source Review 08/25/83 (49 FR 38742)
Surface Coal Mines 10/24/84 (48 FR 43211)

Small Entity: No

Additional Information: SAR No. 1845.

FTS:8:629-5375.

Agency Contact: David Solomon, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711, **919 541-5375**

RIN: 2060-AA68

2834. NSPS: SOLVENT DEGREASING

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart JJ

Legal Deadline: Statutory, August 1982.

Abstract: Some new issues have arisen, and EPA is deciding whether to go forward with this rule. A Federal Register notice requesting public participation in information gathering for Organic Solvent Cleaning was published August 10, 1987 (52 FR 29548).

Timetable:

Action	Date	FR Cite
NPRM	06/11/80	45 FR 39766
Decision on whether to regulate		
Final Action	10/00/88	

Small Entity: Yes

Additional Information: SAR No. 1010.

Docket No. OAQPS 78-12.

FTS:8-629-5568.

Analysis: Regulatory Flexibility Analysis

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5568**

RIN: 2060-AA12

2835. NSPS: SYNTHETIC ORGANIC CHEMICAL INDUSTRY: AIR OXIDATION PROCESS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60, Subpart III

Legal Deadline: None.

Abstract: This regulation will control emissions of volatile organic compounds from the manufacture of synthetic organic chemicals via air oxidation processes. The Agency is still considering whether to go forward with this rule.

Timetable:

Action	Date	FR Cite
NPRM	10/21/83	48 FR 48932
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1618.

FTS:8-629-5578.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5568**

RIN: 2060-AA30

2836. NSPS: DISTILLATION OPERATIONS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: This regulation will control emissions of volatile organic compounds from new, modified, and reconstructed distillation facilities at petroleum refineries and synthetic organic chemical plants. New issues have arisen and the Agency is deciding whether to go forward with this rule.

Timetable:

Action	Date	FR Cite
NPRM	12/30/83	48 FR 57538
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 1733.

FTS:8-629-5568.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5568**

RIN: 2060-AA35

2837. NSPS: PETROLEUM REFINERY, FCC REGENERATORS

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: This standard will require control of sulfur dioxide from fluidized catalytic cracking units.

Timetable:

Action	Date	FR Cite
NPRM	11/08/85	50 FR 46464
Final Action	06/00/88	

Small Entity: No

Additional Information: SAR No. 1736.

FTS:8-629-5625.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5625**

RIN: 2060-AA36

2838. NSPS: POLYMER AND RESIN MANUFACTURE

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: Statutory, August 1982. Statutory - Promulgation due 8/00/82

Abstract: This rule will control volatile organic compound (VOC) emissions in exhaust streams from polymerization processes in the manufacture of organic polymers and resins.

Timetable:

Action	Date	FR Cite
NPRM	09/30/87	52 FR 36678
Final Action	01/00/89	

Small Entity: No

Additional Information: SAR No. 1691.

Docket No. A-82-19.

FTS:8-629-5578.

Affected Sectors: Multiple

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5578**

RIN: 2060-AA37

2839. NSPS: SEWAGE TREATMENT PLANTS (REVISION)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: EPA has reviewed this standard and determined that revisions to the monitoring, recordkeeping and reporting requirements are warranted. The review assessed the performance and cost of control systems as well as experience in implementing the existing standard. EPA has issued a notice in the Federal Register announcing the results of its review and proposing revisions to the monitoring, recordkeeping and reporting requirements (51 FR 13424).

Timetable:

Action	Date	FR Cite
NPRM	04/18/86	51 FR 43424
Final Action	06/00/88	

Small Entity: No

Additional Information: SAR No. 2028.

FTS: 8-629-5602.

Agency Contact: Al Vervaert, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5602**

RIN: 2060-AB05

2840. NSPS: AUTOMOBILE AND LIGHT-DUTY TRUCK COATING OPERATIONS (REVISION)

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: EPA is revising the NSPS for automobile and light-duty truck coating operations which was promulgated in December 1980 to reflect additional operational data of the best demonstrated prime coat system. This revision of the standard does not reflect a change in the basis of the prime coat standard, but a better understanding of the performance of the prime coat system upon which the standard was originally based.

Timetable:

Action	Date	FR Cite
NPRM	07/29/82	47 FR 32743
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 2044.

FTS: 8-629-5625.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5625**

RIN: 2060-AB22

2841. NSPS: FOSSIL FUEL-FIRED STEAM GENERATORS (REVISION)

Legal Authority: 42 USC 7411 / CAA 111; 42 USC 7601(a)

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: These revisions to the existing NSPS for large fossil fuel-fired steam generators would establish sulfur dioxide compliance, emission monitoring, and reporting requirements on a 30-day rolling average basis.

Timetable:

Action	Date	FR Cite
NPRM	10/21/83	48 FR 48960
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 2083.

FTS: 8-629-5251.

Analysis: Regulatory Impact Analysis

Agency Contact: Fred Porter, Environmental Protection Agency, Air and Radiation, MD-13, Research Triangle Park, NC 27711, **919 541-5251**

RIN: 2060-AB29

2842. NSPS: CEMENT PLANTS (REVISION)

Legal Authority: 42 USC 7411 /CAA 111; 42 USC 7414 /CAA 114

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: EPA has completed a four-year review of this NSPS. As a result, the Agency intends to revise the monitoring requirements associated with the standard to require installation of continuous opacity monitors on all kilns and clinker coolers subject to the standards after.

Timetable:

Action	Date	FR Cite
NPRM	09/10/85	50 FR 36956
Final Action	06/00/88	

Small Entity: No

Additional Information: SAR No. 2186.

FTS: 8-629-5568

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5568**

RIN: 2060-AB38

2843. NSPS: POLYMERIC COATING OF SUPPORTING SUBSTRATES

Legal Authority: 42 USC 7411 /CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: This regulation would limit volatile organic compounds emissions from new, modified, and reconstructed plants that coat polymeric compounds onto supporting substrates.

Timetable:

Action	Date	FR Cite
ANPRM	08/17/84	49 FR 32868
NPRM	04/30/87	52 FR 15906
Final Action	07/00/88	

Small Entity: No

Additional Information: SAR No. 2237.

FTS:8-629-5568.

Agency Contact: Doug Bell, Environmental Protection Agency, Air and Radiation, (MD-13), Environmental Protection Agency, Research Triangle Park, NC 27711, **919 541-5568**

RIN: 2060-AB67

2844. NSPS: VOC EMISSIONS FROM PETROLEUM REFINERY WASTEWATER SYSTEMS

Legal Authority: 42 USC 7411 /CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: This regulation is intended to limit emissions of volatile compounds from new, modified, and reconstructed refinery wastewater systems.

Timetable:

Action	Date	FR Cite
NPRM	05/04/87	52 FR 16334
Final Action	10/00/88	

Small Entity: No

Additional Information: SAR No. 1696.

FTS: 8-629-5625.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air

and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5625**

RIN: 2060-AB81

2845. NSPS: MAGNETIC TAPE MANUFACTURING

Legal Authority: 42 USC 7411 / CAA 111

CFR Citation: 40 CFR 60

Legal Deadline: None.

Abstract: This regulation is intended to limit emissions of volatile organic compounds from new, modified, and reconstructed magnetic tape manufacturing lines.

Timetable:

Action	Date	FR Cite
NPRM	01/22/86	51 FR 2996
Final Action	05/00/88	

Small Entity: No

Additional Information: SAR No. 1928.

FTS: 8-629-5625.

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, (MD-13), Research Triangle Park, NC 27711, **919 541-5625**

RIN: 2060-AB88

2846. ● STATE IMPLEMENTATION PLANS: APPROVAL OF POST -1987 OZONE AND CARBON MONOXIDE PLAN REVISIONS FOR AREAS NOT ATTAINING THE NATIONAL AMBIENT AIR QUALITY STANDARDS NAAQS

Significance: Regulatory Program

Legal Authority: 42 USC 7401 et seq/CAA

CFR Citation: 40 CFR Not yet determined

Legal Deadline: None.

Abstract: The EPA is developing a program to address the likelihood that many areas in the country will not attain the national ambient air quality standards (NAAQS) for ozone and carbon monoxide (CO) by December 31, 1987, the latest date for attainment expressly identified in the Clean Air Act. This notice describes EPA's views about how EPA should interpret the Act so as to bring those areas into attainment, the reasons for that interpretation, and the concrete steps EPA intends to take to implement that interpretation soon and in the long term. The final policy will be an advance notice of how EPA intends, in subsequent rulemakings, to judge the adequacy of State efforts to plan for attainment of the ozone and CO standards.

Timetable:

Action	Date	FR Cite
NPRM	11/24/87	52 FR 45044
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: SAR No. 2559.

FTS:8-699-5517

Agency Contact: Brock Nicholson, Environmental Protection Agency, Air and Radiation, MD-15, Research Triangle Park, NC 27711, **919 541-5517**

RIN: 2060-AB96

2847. NESHAP: CHROMIUM--COMFORT COOLING TOWERS

Significance: Regulatory Program

Legal Authority: 15 USC 2605; 15 USC 2607

CFR Citation: 40 CFR 749

Legal Deadline: None.

Abstract: EPA issued a notice of intent to list total chromium or hexavalent chromium under Section 112 (50 FR 24317). We are further assessing the public health risks of chromium compounds and investigating emissions of chromium and techniques that are available to control the emissions from identified source categories. Because emissions from cooling towers using chromium chemicals in the recirculating water are predominantly hexavalent, a detailed investigation of the technical feasibility of using chromium substitutes or high efficiency drift eliminators is being conducted. EPA has decided that emissions standards are warranted, and standards will be proposed under Section 6 of TSCA.

Timetable:

Action	Date	FR Cite
Notice of Solicitation	09/15/86	51 FR 32668
NPRM	03/29/88	53 FR 10205
Final Action	04/00/89	

Small Entity: No

Additional Information: SAR No. 2386.

FTS-8-629-5625

Agency Contact: Gilbert Wood, Environmental Protection Agency, Air and Radiation, MD-13, **919 541-5625**

RIN: 2060-AC13

2848. ● PROPOSED POLICY STATEMENT: ALTERNATIVE RURAL FUGITIVE DUST POLICY FOR PM10

Significance: Regulatory Program

Legal Authority: 42 USC 7401/CAA

CFR Citation: 40 CFR 50; 40 CFR 52

Legal Deadline: None.

Abstract: Since 1977, EPA has allowed States with rural fugitive dust areas (RFDAs) to discount fugitive dust in developing and enforcing a State Implementation Plan(SIP) for attainment and maintenance of the NAAQS for particulate matter (PM). On July 1, 1987, EPA promulgated revisions to its particulate matter National Ambient Air Quality Standards (NAAQS), 52 FR 24634. In this notice, EPA also solicited comments on alternatives for SIP requirements for RFDAs and on the adequacy of the definitions which are used in identifying RFDAs, and the importance of protecting annual versus 24-hour NAAQS (52 FR 24716). The EPA will issue its decision after considering public comments on the alternatives. The EPA will continue its existing fugitive policy and apply it to implementation of the revised particulate standard until a decision is made.

Timetable:

Action	Date	FR Cite
NPRM	07/01/87	52 FR 24716
Final Action	00/00/00	

Small Entity: Not Applicable

Additional Information: SAR No. 2543.

FTS:8-629-5634

Agency Contact: Thompson G. Pace, Environmental Protection Agency, Air and Radiation, Research Triangle Park, NC 27711, **919 541-5634**

RIN: 2060-AC44

2849. STRATOSPHERIC OZONE PROTECTION STRATEGY

Significance: Regulatory Program

Legal Authority: 42 USC 4547 / CAA 157(6)

CFR Citation: 40 CFR Not yet determined

EPA—CAA

Final Rule Stage

Legal Deadline: Judicial, November 1987. Revised proposal by December 1987 and Final action by August 1988

Abstract: This action initiates a comprehensive research effort by EPA to assess issues related protection of the stratosphere, as directed by Part B, Section 157 of the CAA. The plan proposed that EPA enhance its research and analysis, participate in a series of domestic and international workshops related to stratospheric ozone, and arrive at a decision by November, 1987 whether additional regulation, either domestic or international, of stratospheric perturbants, is necessary. The plan also served as a basis for a settlement agreement between EPA and NRDC in a suit brought before the DC Circuit Court.

Timetable:

Action	Date	FR Cite
ANPRM	10/07/80	45 FR 66726
NPRM	12/14/87	52 FR 47486
Final Action	08/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2372.

FTS: 8-382-4036

Agency Contact: Eileen Claussen, Environmental Protection Agency, Air and Radiation, ANR-445, 202 382-7407

RIN: 2060-AC09

2850. EMISSION STANDARDS AND TEST PROCEDURES FOR METHANOL-FUELED NEW MOTOR VEHICLES

Significance: Regulatory Program

Legal Authority: 42 USC 7521 / CAA 202

CFR Citation: 40 CFR 86

Legal Deadline: None.

Abstract: This rule will develop emission standards and test procedures applicable to methanol-fueled light-duty vehicles, light-duty trucks, heavy-duty engines, and motorcycles. Current regulations apply only to gasoline-fueled and diesel-powered vehicles. The lack of regulations is a hindrance to the development of methanol-fueled vehicles.

Timetable:

Action	Date	FR Cite
ANPRM	04/10/84	49 FR 14244
NPRM	08/29/86	51 FR 30984
Final Action	07/00/88	

Small Entity: Undetermined

Additional Information: SAR No. 2112.

FTS: 8-374-8227.

Agency Contact: Mike Gold, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, MI 48105, 313 668-4227

RIN: 2060-AB28

2851. CONTROL OF EXCESS EVAPORATIVE EMISSIONS/FUEL VOLATILITY

Significance: Regulatory Program

Legal Authority: 42 USC 7521 /CAA 202; 42 USC 7525 /CAA 206; 42 USC 7545 /CAA 211; 42 USC 7601 /CAA 301(a)

CFR Citation: 40 CFR 86

Legal Deadline: None.

Abstract: In-use motor vehicle evaporative hydrocarbon emissions greatly exceed their applicable EPA emissions standards. A major reason is that the volatility of commercial gasoline is substantially greater than that of the certification test fuel specified by EPA. This rule will consider options to deal with this problem including control of commercial fuel volatility and a change to certification test fuel volatility.

Timetable:

Action	Date	FR Cite
NPRM	08/19/87	52 FR 31274
Final Action	10/00/89	

Small Entity: No

Additional Information: SAR No. 2318.

FTS:8-374-8339

Analysis: Regulatory Impact Analysis

Agency Contact: Richard A. Rykowski, Environmental Protection Agency, Air and Radiation, 2565 Plymouth Road, Ann Arbor, Michigan 48105, 313 668-4339

RIN: 2060-AB89

2852. PARTICULATE EMISSION STANDARDS FOR CERTAIN 1987 AND LATER MODEL YEAR LIGHT-DUTY DIESEL TRUCKS (REVISION)

Legal Authority: 42 USC 7521/CAA 202; 42 USC 7525/CAA 206; 42 USC 7601/CAA 301

CFR Citation: 40 CFR 86

Legal Deadline: None.

Abstract: EPA is considering revising the particulate emission standards for light-duty diesel trucks with a loaded vehicle weight equal to or greater than 3751 pounds. The standard would be relaxed for the 1987-1990 model years, allowing manufacturers to devote their resources to developing particulate trap oxidizer technology. Then in 1991, the standard would be tightened to 0.13 grams per mile which is twice as stringent as the current applicable standard.

Timetable:

Action	Date	FR Cite
NPRM	06/14/87	52 FR 21075
Final Action	05/00/88	

Small Entity: No

Additional Information: SAR No. 2416.

FTS:8-382-2485

Agency Contact: Carol Bengle, Environmental Protection Agency, Air and Radiation, (EN-340F), Washington, DC 20460, 202 382-2485

RIN: 2060-AC18

2853. SMALL-VOLUME MANUFACTURERS CERTIFICATION PROCEDURE (REVISION)

Legal Authority: 42 USC 7525 / CAA 206

CFR Citation: 40 CFR 86

Legal Deadline: None.

Abstract: This action will result in amended rules to provide for certification of emissions compliance by small-volume manufacturers, including commercial importers importing vehicles into the United States. By a separate action, EPA has revised its rules for nonconforming vehicle importation. This action is appropriate to improve the certification regulations and assure compliance with the exhaust emission standards. Current rules for small-volume manufacturers were not specifically intended to apply to conversion of previously manufactured but uncertified configurations. However, increasingly large numbers of manufacturers who import vehicles for resale have applied for EPA certification as an alternative to individual vehicle importation. This will primarily impact businesses involved in importing motor vehicles. The likely impact of these changes will be increased costs to these businesses.

EPA—CAA — **Final Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	03/09/88	53 FR 7676
Final Action	03/00/89	

Small Entity: No

Additional Information: SAR No. 2143.

FTS: 8-374-8444.

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Charlie Cole, Environmental Protection Agency, Air and Radiation, 2625 Plymouth Road, Ann Arbor, MI 48105, **313 668-4444**

RIN: 2060-AB54

2854. AMENDMENTS TO SELECTIVE ENFORCEMENT AUDITING REGULATIONS

Legal Authority: 42 USC 7525(b)/CAA 206; 42 USC 7542(a)/CAA 211; 42 USC 7601(a)/CAA 301

CFR Citation: 40 CFR 86

Legal Deadline: None.

Abstract: These amendments would delete the mandatory reporting of manufacturers' internal quality assurance emission test data. Prior to promulgation of this requirement in 1980, many manufacturers voluntarily submitted their internal quality assurance data. The deletion of this requirement is not expected to affect the SEA program, especially since many manufacturers will continue to provide the data voluntarily.

Timetable:

Action	Date	FR Cite
NPRM	09/03/87	52 FR 33560
Final Action	07/00/88	

Small Entity: No

Additional Information:

FTS: 8-382-4104

Agency Contact: Stephen Sinkez, Environmental Protection Agency, Air and Radiation, EN-340-F, 401 M St., SW, Washington, DC 20460, **202 382-4104**

RIN: 2060-AC34

2855. VOLUNTARY AFTERMARKET PARTS CERTIFICATION REGULATIONS (REVISION)

Legal Authority: 42 USC 7541(b) /CAA 207(b)

CFR Citation: 40 CFR 85

Legal Deadline: None.

Abstract: The U.S. Court of Appeals for the D.C. Circuit has directed EPA to amend the aftermarket parts certification regulations. There were four specific areas which the Court directed EPA to revisit. EPA was directed to develop better procedures for determining adequate grounds for manufacturer denial of a warranty claim; reconsider inclusion of specialty parts into the certification system; improve the procedure for resolution of warranty cost claims by vehicle manufacturers' against certified parts manufacturers; and labeling for certified parts. Under the proposed regulation, effective with the 1990 model year, emissions testing for EPA's programs involving Certification, Selective Enforcement Audits, and Recalls and for service accumulation for the Certification program for all gasoline-fueled motor vehicles will be performed only with unleaded gasoline test fuel.

Timetable:

Action	Date	FR Cite
NPRM	01/09/87	52 FR 924
Final Action	06/00/88	

Small Entity: Yes

Additional Information: SAR No. 2145.

FTS: 8-374-8316

Analysis: Regulatory Flexibility Analysis

Agency Contact: Mike Sabourin, Environmental Protection Agency, Air and Radiation, Environmental Protection Agency, 2565 Plymouth Road, Ann Arbor, MI 48105, **313 668-4316**

RIN: 2060-AB58

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Clean Air Act (CAA)

Completed Actions

2856. FEDERAL PROMULGATION OF STATE IMPLEMENTATION PLANS TO PROTECT VISIBILITY

Significance: Regulatory Program

CFR Citation: 40 CFR 52

Completed:

Reason	Date	FR Cite
RIN CHANGE See same action listed as RIN 2060-AB82	03/01/88	

Small Entity: No

Agency Contact: Thompson G. Pace 919 541-5634

RIN: 2060-AC20

2857. NSPS: RUBBER PRODUCTS INDUSTRY-TIRE MANUFACTURING

CFR Citation: 40 CFR 60, Subpart BBB

Completed:

Reason	Date	FR Cite
Final Action	09/15/87	52 FR 34868

Small Entity: No

Agency Contact: Gilbert Wood 919 541-5625

RIN: 2060-AA24

2858. NSPS: INDUSTRIAL BOILERS, S02

Significance: Regulatory Program

CFR Citation: 40 CFR 60

Completed:

Reason	Date	FR Cite
Final Action	12/16/87	52 FR 47826

Small Entity: No

Agency Contact: Fred Porter 919 541-5251

RIN: 2060-AB33

2859. NSPS: SURFACE COATING OF PLASTIC PARTS FOR BUSINESS MACHINES

CFR Citation: 40 CFR 60

Completed:

Reason	Date	FR Cite
Final Action	01/29/88	53 FR 2672

Small Entity: Undetermined

EPA—CAA

Completed Actions

Agency Contact: Doug Bell 919 541-5568

RIN: 2060-AB66

2860. NSPS: NEW RESIDENTIAL WOOD HEATERS

Significance: Regulatory Program

CFR Citation: 40 CFR 60

Completed:

Reason	Date	FR Cite
Final Action	02/26/88	53 FR 5860

Small Entity: Yes

Agency Contact: Rick Colyer 919 541-5578

RIN: 2060-AB68

2861. REQUIREMENTS FOR PREPARATION, ADOPTION, AND SUBMITTAL OF IMPLEMENTATION PLANS; APPROVAL AND PROMULGATION OF IMPLEMENTATION PLANS; SURFACE COAL MINES

Significance: Regulatory Program

CFR Citation: 40 CFR 52.21; 40 CFR 51.166; 40 CFR 52.24; 40 CFR 51, Appendix S

Completed:

Reason	Date	FR Cite
RIN CHANGE See same action listed as RIN 2060-AA68	03/01/88	

Small Entity: Undetermined

Agency Contact: David Solomon 919 541-5375

RIN: 2060-AC40

2862. "GUIDELINE ON AIR QUALITY MODELS" (REVISION)

CFR Citation: 40 CFR 51.24(l); 40 CFR 52.21(m)

Completed:

Reason	Date	FR Cite
Final Action	01/06/88	53 FR 342

Small Entity: No

Agency Contact: Joseph Tikvart 919 541-5561

RIN: 2060-AB13

2863. IMPORTATION OF MOTOR VEHICLES AND MOTOR VEHICLE ENGINES (REVISION)

CFR Citation: 40 CFR 85

Completed:

Reason	Date	FR Cite
Final Action	09/25/87	52 FR 36136

Small Entity: Yes

Agency Contact: Zachary Fraser 202 382-2500

RIN: 2060-AA54

2864. REMOVAL OF LEAD FROM EPA CERTIFICATION AND TEST FUELS (REVISION)

CFR Citation: 40 CFR 86

Completed:

Reason	Date	FR Cite
Final Action	01/07/88	53 FR 470

Small Entity: No

Agency Contact: Peter Hutchins 313 668-4340

RIN: 2060-AB87

2865. PSD REGULATIONS FOR NOX

Significance: Regulatory Program

CFR Citation: 40 CFR 52.21; 40 CFR 51.166

Completed:

Reason	Date	FR Cite
RIN CHANGE See same action listed as RIN 2060-AC29	03/01/88	

Small Entity: No

Agency Contact: Eric Noble 919 541-5362

RIN: 2060-AC29

2866. FUEL ECONOMY TEST PROCEDURES; ADJUSTMENT TO TEST RESULTS TO ACCOUNT FOR TEST PROCEDURE CHANGES (LIGHT-DUTY TRUCKS)

CFR Citation: 40 CFR 600

Completed:

Reason	Date	FR Cite
Withdrawn	11/24/87	52 FR 44996

Small Entity: No

Agency Contact: Robert Larson 313 668-4479

RIN: 2060-AB86

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Superfund (CERCLA)

Proposed Rule Stage

2867. DESIGNATION OF THE EXTREMELY HAZARDOUS SUBSTANCES LIST AS HAZARDOUS SUBSTANCES

Significance: Regulatory Program

Legal Authority: 42 USC 9602 /CERCLA 102

CFR Citation: 40 CFR 302

Legal Deadline: None.

Abstract: This rule will propose to designate extremely hazardous substances, as defined in Section 302 of SARA, as hazardous substances pursuant to Section 102 of CERCLA.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	09/00/88	

Small Entity: No

Additional Information: SAR No. 2336.

RCRA/Superfund Hotline (800-424-9346); in Metropolitan Area (202-382-3000)

Agency Contact: Gerain H. Perry, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548B), Washington, D.C. 20460, 202 382-5650

RIN: 2050-AB62

2868. REPORTABLE QUANTITIES (RQS) FOR RELEASES SUBSTANCES ON THE EXTREMELY HAZARDOUS SUBSTANCES LIST

Significance: Regulatory Program

Legal Authority: 42 USC 11002 / SARA 302; 42 USC 9602 /CERCLA 102

CFR Citation: 40 CFR 302

Legal Deadline: None.

Abstract: This action will adjust the reportable quantities (RQs) for substances on the Extremely Hazardous Substances List, which EPA has proposed for designation as CERCLA hazardous substances.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
Final Action	09/00/89	

Small Entity: No

Additional Information: SAR No. 2429.

FTS:8-382-5650

Agency Contact: Gerain H. Perry, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548B), Washington, DC 20460, 202 382-5650

RIN: 2050-AC14

2869. REPORTING CONTINUOUS RELEASES OF HAZARDOUS SUBSTANCES

Significance: Agency Priority

Legal Authority: 42 USC 9602 / CERCLA 102

CFR Citation: 40 CFR 302; 40 CFR 355

Legal Deadline: None.

Abstract: The purpose of this action is to clarify the reduced reporting requirements pursuant to Section 103(f)(2) of CERCLA for facilities that have continuous and stable releases of hazardous substances in amounts at or above their reportable quantities.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	02/00/89	

Small Entity: No

Additional Information: SAR No. 2411.

For further information contact the RCRA/Superfund Hotline (800-424-9346); in Metropolitan Area (202-382-3000)

Agency Contact: Hubert Watters, Environmental Protection Agency, Solid Waste and Emergency Response, WH 548B, Washington, DC 20460, 202 382-2463

RIN: 2050-AA46

2870. REPORTING EXEMPTIONS FOR FEDERALLY PERMITTED RELEASES OF HAZARDOUS SUBSTANCES

Significance: Regulatory Program

Legal Authority: 42 USC 9602 /CERCLA 102

CFR Citation: 40 CFR 117; 40 CFR 302; 40 CFR 355

Legal Deadline: None.

Abstract: In the May 25, 1983 NPRM (48 FR 23552) that proposed to adjust certain reportable quantities (RQs) for releases of hazardous substances, EPA explained the Agency's interpretation of each of the types of releases exempted by the definition of "federally permitted release" in Section 101(10) of CERCLA. Because of the amount of time that has passed and additional analysis undertaken since that NPRM, this action reproposes regulations to clarify the statutory language in Section 101(10) of CERCLA.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	02/00/89	

Small Entity: No

Additional Information: SAR No. 2394.

RCRA/Superfund Hotline 800-424-9346, in Washington DC 202-382-3000

Agency Contact: Hubert Watters, Environmental Protection Agency, Solid Waste and Emergency Response, WH-548B, 202 382-2463

RIN: 2050-AB82

2871. ● PLANNING AND IMPLEMENTING SUPERFUND OFF-SITE RESPONSE ACTIONS

Significance: Regulatory Program

Legal Authority: 42 USC 9604(c)/CERCLA 104(c); 42 USC 9621(d)(3)/CERCLA 121(d)(3); 33 USC 1321(c)(2)/CWA 311(c)(2)

CFR Citation: 40 CFR 300

Legal Deadline: None.

Abstract: This rule interprets and codifies (1) the requirements of Section 121(d)(3) of the Comprehensive Emergency Response, Compensation, and Liability Act (CERCLA) as amended by the Superfund Amendments and Reauthorization Act of 1986 (SARA) and (2) the revised off-site policy directive (November 13, 1987). Section 121(d)(3) and the directive describe procedures that must be observed when a response action under CERCLA involves off-site transfer of CERCLA wastes resulting from CERCLA decision documents signed after the enactment of SARA. Section 121(d)(3) of SARA specifies that wastes from removal or remedial actions under CERCLA: 1) only be transferred to facilities that are in compliance with Sections 3004 and 3005 of the Resource Conservation and Recovery Act (RCRA), other applicable Federal laws and State laws, and 2) only be transferred to units at hazardous waste land disposal facilities that are not leaking and where releases from other (non-receiving) units at the facility are under a corrective action program.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	07/00/88	

Small Entity: No

Additional Information: SAR No. 2538.

FTS:8-382-4808

Analysis: Regulatory Impact Analysis

Agency Contact: Elaine Stanley, Director, RCRA Enforcement Division, Environmental Protection Agency, Solid Waste and Emergency Response, 401 M Street, SW, Washington, DC 20460, 202 382-4808

RIN: 2050-AC35

2872. NATIONAL OIL AND HAZARDOUS SUBSTANCES POLLUTION CONTINGENCY PLAN (NCP)

Significance: Regulatory Program

Legal Authority: 33 USC 1321 / CWA 311; 42 USC 9605 / CERCLA 105

CFR Citation: 40 CFR 300

Legal Deadline: Statutory, April 17, 1988.

Abstract: The National Contingency Plan (NCP) is the primary regulation directing government and responsible party response to and cleanup of discharges of oil, and releases of hazardous substances, pollutants and contaminants. The Superfund Amendments and Reauthorization Act

of 1986 mandated that the NCP be revised within 18 months of the date of enactment to incorporate statutory changes.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	11/00/89	

Small Entity: No

Additional Information: SAR No. 2400.

FTS-8-382-2182.

Agency Contact: Arthur Weissman, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548D), Washington, DC 20460, 202 382-2182

RIN: 2050-AA75

2873. HAZARD RANKING SYSTEM FOR UNCONTROLLED HAZARDOUS SUBSTANCE RELEASES

Significance: Regulatory Program

Legal Authority: 42 USC 9605(a)(8)(A) / CERCLA 105(a)(8)(A); 42 USC 9605(c) / CERCLA 105(C); 42 USC 9618/CERCLA 118; 42 USC 9625/CERCLA 125

CFR Citation: 40 CFR 300, Appendix A

Legal Deadline: Statutory, April 17, 1988.

Abstract: This action revises the Hazard Ranking System (HRS) which is Appendix A of the National Contingency Plan. The HRS is a system for determining the relative severity of risks among releases of hazardous substances. The HRS is the primary mechanism for establishing the National Priorities List under CERCLA. SARA requires that the HRS be amended to assure, to the extent feasible, that it accurately assesses relative risk to public health and the environment. SARA specifically requires that the HRS take into consideration natural resource damages that may affect the human food chain as well as potential air contamination. The HRS must also appropriately assess human health risks associated with contamination of surface waters for drinking or recreation.

Timetable:

Action	Date	FR Cite
ANPRM	04/09/87	52 FR 11513
NPRM	05/00/88	
Final Action	10/00/88	

Small Entity: No

Additional Information: SAR No. 2566.

FTS: 8-382-4604

Agency Contact: Steve Caldwell, Environmental Protection Agency, Solid Waste and Emergency Response, 202 382-4604

RIN: 2050-AB73

2874. NATIONAL PRIORITIES LIST FOR UNCONTROLLED HAZARDOUS WASTE SITES - UPDATE 7

Significance: Regulatory Program

Legal Authority: 42 USC 9605 /CERCLA 105; 42 USC 9620 /CERCLA 120

CFR Citation: 40 CFR 300.66

Legal Deadline: Statutory. Annual Update.

Abstract: This action revises the National Priorities List (NPL) for uncontrolled hazardous waste sites in the National Contingency Plan (NCP). CERCLA requires that the NPL be revised at least annually. Periodic revisions will allow EPA to include sites on the NPL with known or threatened hazardous substances releases and to delete sites that have been cleaned up. EPA uses the Hazard Ranking System (HRS) to evaluate the sites. The Agency will propose Update 7. See the related actions in the proposed and final rule sections of this Agenda.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	10/00/88	

Small Entity: No

Additional Information: SAR No. 5358.

FTS:8-382-3412

Agency Contact: Sandra J. Crystall, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548A), Washington, DC 20460, 202 382-3412

RIN: 2050-AC16

2875. ● NATIONAL PRIORITIES LIST FOR UNCONTROLLED HAZARDOUS WASTE SITES - RCRA SITES

Significance: Regulatory Program

Legal Authority: 42 USC 9605/CERCLA 105; 42 USC 9620/CERCLA 120

CFR Citation: 40 CFR 300.66

Legal Deadline: Statutory. Annual Update

Abstract: This action revises the National Priorities List (NPL) for uncontrolled hazardous waste sites in the National Contingency Plan (NCP). CERCLA requires that the NPL be revised at least annually. Periodic revisions will allow EPA to include sites on the NPL with known or threatened hazardous substances releases an and to delete sites that have been cleaned up. EPA uses the Hazard Ranking System (HRS) to evaluate the sites. The Agency will propose RCRA sites. See the related actions in the proposed and final rules sections of this Agenda.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	10/00/88	

Small Entity: No

Additional Information: SAR No. 5357.

FTS:8-382-3412

Agency Contact: Sandra J. Crystall, Environmental Protection Agency, Solid Waste and Emergency Response, Environmental Protection Agency, Solid Waste and Emergency Response (WH-548A), Washington, DC 20460, 202 382-3412

RIN: 2050-AC48

2876. ● NATIONAL PRIORITIES LIST FOR UNCONTROLLED HAZARDOUS WASTE SITES - FEDERAL FACILITY SITES

Significance: Regulatory Program

Legal Authority: 42 USC 9605/CERCLA 105; 42 USC 9620/CERCLA 120

CFR Citation: 40 CFR 300.66

Legal Deadline: Statutory. Annual Update.

Abstract: This action revises the National Priorities List (NPL) for uncontrolled hazardous waste sites in the National Contingency Plan (NCP). CERCLA requires that the NPL be revised at least annually. Periodic revisions will allow EPA to include sites on the NPL with known or threatened hazardous substances releases and to delete sites that have been cleaned up. EPA uses the Hazard Ranking System (HRS) to evaluate the sites. The Agency will propose Federal facility sites. See the related actions in the proposed and final rule sections of this Agenda.

EPA—CERCLA **Proposed Rule Stage**

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	10/00/88	

Small Entity: No

Additional Information: SAR No. 5432.

FTS:8-382-3412

Agency Contact: Sandra J. Crystall, Environmental Protection Agency, Solid Waste and Emergency Response, Environmental Protection Agency, Solid Waste and Emergency Response (WH-548A), Washington, DC 20460, 202 382-3412

RIN: 2050-AC57

2877. ● ARBITRATION PROCEDURES FOR SMALL SUPERFUND COST RECOVERY CLAIMS

Legal Authority: 42 USC 9607(a)/CERCLA 107(a); 42 USC 9622(h)/SARA 122(h)

CFR Citation: 40 CFR 304

Legal Deadline: None.

Abstract: This regulation will establish and govern the procedures for arbitration of small CERCLA 107(a) cost recovery claims pursuant to the authority granted EPA by SARA 122(h)(2). The regulation will provide a voluntary procedure by which EPA and PRPs at a site may agree to submit a cost recovery claim for resolution by arbitration. Arbitration may be used only when the total response costs for the facility concerned do not exceed $500,000, excluding interest. Arbitration is an alternative dispute resolution technique that should provide a quicker and less costly method of case resolution than traditional litigation and negotiations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	03/00/89	

Small Entity: No

Additional Information: SAR No. 2455.

FTS:8-382-3077

Agency Contact: Janice Linett, Attorney/Advisor, Environmental Protection Agency, Solid Waste and Emergency Response, Environmental Protection Agency, Office of Enforcement and Compliance, Monitoring LE-134S, Wash. DC 20460, 202 382-3077

RIN: 2050-AC36

2878. ADMINISTRATIVE HEARING PROCEDURE FOR SUPERFUND CLAIMS

Legal Authority: 42 USC 9612(b) /CERCLA 112(b)

CFR Citation: 40 CFR 305

Legal Deadline: None.

Abstract: Section 112(b)(2) of CERCLA as amended, provides that a person who has made a claim against the Superfund and is dissatisfied with the award by EPA may request an administrative hearing. Such hearings shall be before an administrative law judge. The purpose of this rule would be to establish procedures for conducting administrative hearings. The procedures of this rule would replace the Arbitration procedures, formerly codified at 40 CFR Part 305, revoked as a result of the amendments to section 112.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	11/00/88	

Small Entity: No

Additional Information: SAR No. 2498.

FTS:8-382-4645

Agency Contact: William D. Ross, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548E), Washington, DC 20460, 202 382-4645

RIN: 2050-AC26

2879. WORKER PROTECTION STANDARDS FOR HAZARDOUS WASTE OPERATIONS AND EMERGENCY RESPONSE

Legal Authority: 42 USC 9626(f) /SARA Sec 126(f)

CFR Citation: 40 CFR Undetermined

Legal Deadline: Statutory. 90 days after the Department of Labor promulgates standards.

Abstract: The Superfund Amendments and Reauthorization Act of 1986 (SARA) required the Secretary of Labor, within one year of the date of enactment, to promulgate standards for the health and safety protection of employees engaged in hazardous waste operations. SARA requires the Administrator of EPA to promulgate identical standards applicable to employees of State and Local governments in each State (currently 30) that does not have in effect an approved State Plan under Section 18 of the Occupational Safety and Health Act of 1970.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	09/00/88	

Small Entity: No

Additional Information: SAR No. 2427.

FTS:8-382-6741

Agency Contact: Rodney Turpin, Environmental Protection Agency, Solid Waste and Emergency Response, 201 321-6741

RIN: 2050-AC12

2880. ● EMERGENCY AND HAZARDOUS CHEMICAL INVENTORY FORMS AND COMMUNITY RIGHT-TO-KNOW REPORTING REQUIREMENTS

Significance: Regulatory Program

Legal Authority: 42 USC 11011(b)/SARA 311(b); 42 USC 11012(b)/SARA 312(b)

CFR Citation: 40 CFR 370

Legal Deadline: None.

Abstract: Under Title III of SARA, EPA has authority to establish thresholds below which facilities do not have to report. In the rule published on October 15, 1987, EPA set reporting thresholds for the first two years of reporting. At the same time, the Agency made a commitment to further evaluate the appropriate level for a permanent threshold.

Timetable:

Action	Date	FR Cite
NPRM	01/00/89	
Final Action	09/00/89	

Small Entity: Undetermined

Analysis: Regulatory Impact Analysis; Regulatory Flexibility Analysis

Agency Contact: Kathleen Brody, Program Analyst, Environmental Protection Agency, Solid Waste and Emergency Response, 401 M Street SW, Washington, DC 20460, 202 472-8353

RIN: 2050-AC34

EPA—CERCLA

Proposed Rule Stage

2881. ● ADMINISTRATIVE HEARING PROCEDURES FOR CLASS I CIVIL PENALTIES UNDER CERCLA AND THE EMERGENCY PLANNING COMMUNITY RIGHT TO KNOW ACT

Legal Authority: 42 USC 9609/SARA 325

CFR Citation: 40 CFR undetermined

Legal Deadline: None.

Abstract: The purpose of the rulemaking is to propose regulations which will govern the conduct of administrative hearings for (1) Class I penalties to be assessed under SARA Section 325(b), and (2) other similar penalties assessed under SARA Section 325(d). The action is expected to have negligible economic impact on consumers industries, or governmental agencies, but will provide the benefit of uniform procedures for assessing penalties.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	08/00/88	

Small Entity: No

Additional Information: SAR No. 2511.

FTS:8-475-9437

Agency Contact: Frances McChesney, Attorney, Environmental Protection Agency, Solid Waste and Emergency Response, Environmental Protection Agency, 401 M Street, SW, Washginton, DC 20460, **202 475-9437**

RIN: 2050-AC37

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Superfund (CERCLA)

Final Rule Stage

2882. REPORTABLE QUANTITIES (RQS) FOR RELEASES OF POTENTIAL CARCINOGENS AND OTHER HAZARDOUS SUBSTANCES

Significance: Regulatory Program

Legal Authority: 42 USC 9602 / CERCLA 102; 33 USC 1321 / CWA 311; 33 USC 1361/CWA 501(a); E.O. No. 11735

CFR Citation: 40 CFR 117; 40 CFR 302

Legal Deadline: Statutory. Legislation imposed a 12/31/86 deadline for proposal and a 4/30/88 deadline for the final rule.

Abstract: In March 1987 the Agency proposed adjusting, where appropriate, the statutory reportable quantities (RQs) for 273 of the hazardous substances identified in Section 101(14) of CERCLA, as amended. Most (269) of these substances have been evaluated for potential carcinogenicity. SARA 202 amends CERCLA 306 to require the Department of Transportation (DOT) to list and regulate as hazardous materials all CERCLA hazardous substances. These regulations require that when these materials are shipped in quantities equal to or greater than their RQs, they be identified as hazardous substances on shipping papers and package markings. DOT promulgated this rule with an effective date of July 1, 1987. The DOT has received several inquiries concerning six frequently transported CERCLA hazardous substances that had their RQs proposed to be upward adjusted in the March 16, 1987 rule. EPA has decided to expedite the final RQ adjustments for these six substances to relieve the regulatory burden on industry.

Timetable:

Action	Date	FR Cite
NPRM	03/16/87	52 FR 8140
for six substances		
Final Action	04/00/88	
for 267 substances		
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2104.

For further information contact the RCRA/Superfund Hotline (800-424-9346); in Metropolitan D.C. (382-3000).

Agency Contact: Ivette O. Vega, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548B), Washington, DC 20460, **202 475-7369**

RIN: 2050-AA80

2883. REPORTABLE QUANTITIES (RQS) FOR RELEASES OF RADIONUCLIDES

Significance: Regulatory Program

Legal Authority: 42 USC 9602 /CERCLA 102; 33 USC 1321/CWA 311; 33 USC 1361/CWA 501(a)

CFR Citation: 40 CFR 302

Legal Deadline: Statutory. Legislation imposes a 12/31/86 deadline for proposal and a 4/30/88 deadline for the final rule.

Abstract: EPA is adjusting the statutory one-pound reportable quantity (RQ) for radionuclides pursuant to Section 102 of CERCLA. Radionuclides consist of approximately 1,500 radioactive isotopes whose release represents differing degrees of potential harm to human health and the environment. The Agency has proposed individual adjusted RQs for 757 radionuclides, and an RQ of one curie for all of the remaining radionuclides.

Timetable:

Action	Date	FR Cite
NPRM	03/16/87	52 FR 8172
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2335.

For further information contact the RCRA/Superfund Hotline (800-424-9346); in Metropolitan Area (202-382-3000)

Agency Contact: Pamela Harris, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548B), Washington, D.C. 20460, **202 475-9814**

RIN: 2050-AB60

2884. REPORTABLE QUANTITIES (RQS) FOR RELEASES OF METHYL ISOCYANATE (MIC) AND LEAD; DELISTING OF AMMONIUM THIOSULFATE

Significance: Regulatory Program

Legal Authority: 42 USC 9602 /CERCLA 102; 33 USC 1321/CWA 311; 33 USC 1361/CWA 501(a)

CFR Citation: 40 CFR 117; 40 CFR 302; 40 CFR 116

Legal Deadline: Statutory. April 30, 1988

Abstract: The proposed reportable quantity (RQ) adjustments for methyl isocyanate (MIC) and lead were withdrawn by the Agency on April 4, 1985 (50 FR 13472) and September 29, 1986 (51 FR 34534), respectively. The

Agency decided to retain the statutory one-pound RQs for these substances pending further technical analysis. The purpose of this action is to propose and promulgate final RQ adjustments for lead and four lead compounds. The statutory RQ for MIC will be retained until analysis of human data from Bhopal, India is completed. The Agency is proposing to delist ammonium thiosulfate as a CERCLA hazardous substance and to replace the registered trade mark "kelthane" with the generic term, dicofolo.

Timetable:

Action	Date	FR Cite
NPRM	03/02/88	53 FR 6762
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2459.

RCRA/Superfund Hotline 800-424-9346; in Metropolitan Area 382-3000.

Agency Contact: Gerain H. Perry, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548B), Washington, DC 20460, **202 382-5650**

RIN: 2050-AC21

2885. ● NATIONAL PRIORITIES LIST (NPL) FOR UNCONTROLLED HAZARDOUS WASTES SITES - UPDATE 5

Significance: Regulatory Program

Legal Authority: 42 USC 9605(a)(8)(B)/CERCLA 105(a)(8)(B); 42 USC 9620(d)(2)/CERCLA 120(d)(2)

CFR Citation: 40 CFR 300.66

Legal Deadline: Statutory. Annual Update.

Abstract: This action revises the National Priorities List (NPL) for uncontrolled hazardous waste sites in the National Contingency Plan (NCP). CERCLA requires that the NPL be revised at least annually. Periodic revisions will allow EPA to include sites on the NPL with known or threatened hazardous substances releases and to delete sites that have been cleaned up. EPA uses the Hazard Ranking System (HRS) to evaluate the sites. The Agency will promulgate Update 5. See the related actions in the proposed and final sections of the Agenda.

Timetable:

Update 5

NPRM 06/10/86 (51 FR 21099)
Final Action 06/00/88

Small Entity: No

Additional Information: SAR No. 5433.

FTS:8-382-3412

Agency Contact: Sandra J. Crystall, Environmental Protection Agency, Solid Waste and Emergency Response, Environmental Protection Agency, Solid Waste and Emergency Response (WH-548A), Washington, DC 20460, **202 382-3412**

RIN: 2050-AC45

2886. ● NATIONAL PRIORITIES LIST (NPL) FOR UNCONTROLLED HAZARDOUS WASTES SITES - UPDATE 6

Significance: Regulatory Program

Legal Authority: 42 USC 9605(a)(8)(B)/CERCLA 105(a)(8)(B); 42 USC 9620(d)(2)/CERCLA 120(d)(2)

CFR Citation: 40 CFR 300.66

Legal Deadline: Statutory. Annual Update

Abstract: This action revises the National Priorities List (NPL) for uncontrolled hazardous waste sites in the National Contingency Plan (NCP). CERCLA requires that the NPL be revised at least annually. Periodic revisions will allow EPA to include sites on the NPL with known or threatened hazardous substances releases and to delete sites that have been cleaned up. EPA uses the Hazard Ranking System (HRS) to evaluate the sites. The Agency will promulgate Update 6. See the related actions in the proposed and final rule sections of the Agenda.

Timetable:

Action	Date	FR Cite
NPRM	01/22/87	52 FR 2492
Final Action	10/00/88	

Small Entity: No

Additional Information: SAR No. 5434.

FTS:8-382-3412

Agency Contact: Sandra J. Crystall, Environmental Protection Agency, Solid Waste and Emergency Response, Environmental Protection Agency, Solid Waste and Emergency Response (WH-548A), Washington, DC 20460, 202 382-3412

RIN: 2050-AC47

2887. ● CITIZEN AWARDS FOR INFORMATION ON CRIMINAL VIOLATIONS UNDER SUPERFUND

Legal Authority: 42 USC 6909(d)/CERCLA 109(d)

CFR Citation: 40 CFR 303

Legal Deadline: None.

Abstract: This regulation is being promulgated in response to the requirements established by Section 109(c) of the Superfund Amendments and Reauthorization Act (SARA), codified as CERCLA Section 109(d). This statutory provision authorizes the President to pay an award of up to $10,000 to any individual for information leading to the successful prosecution of any person for a criminal violation of the Comprehensive Environmental Response, Compensation, and Liability Act (CERCLA), as amended. Section 109(d) also requires the President to prescribe by regulation criteria for such an award. On January 23, 1987 by Executive Order No. 12580, the President delegated to the Administrator of EPA the authority to promulgate the within regulation, and thereafter to carry out the Section 109(d) award program. This regulation is being promulgated on an interim-final basis in order to permit the more expeditious protection of the public health and the environment, as directed by Congress for this provision of SARA.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	
Final Action	10/00/88	

Small Entity: No

Additional Information: SAR No. 2495.

FTS:8-475-9666

Agency Contact: Keith Onsdorff, Senior Attorney - Advisor, Environmental Protection Agency, Solid Waste and Emergency Response, Environmental Protection Agency, 401 M Street SW LE-134, Washington, DC 20460, **202 475-9666**

RIN: 2050-AC38

EPA—CERCLA

Final Rule Stage

2888. RESPONSE CLAIMS PROCEDURES FOR THE HAZARDOUS SUBSTANCES SUPERFUND

Legal Authority: 42 USC 9612 / CERCLA 112

CFR Citation: 40 CFR 307

Legal Deadline: None.

Abstract: This action prescribes the forms and procedures for persons other than the Government to recover response costs incurred in carrying out the National Contingency Plan.

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
Final Action	09/00/88	

Small Entity: No

Additional Information: SAR No. 2564.

FTS: 8-382-4645.

Analysis: Regulatory Impact Analysis

Agency Contact: William Ross, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-548E), Washington, DC 20460, 202 382-4645

RIN: 2050-AA90

2889. TECHNICAL ASSISTANCE GRANTS TO GROUPS AT NATIONAL PRIORITY LIST (NPL) SITES

Legal Authority: 42 USC 9617 / SARA 117

CFR Citation: 40 CFR 35

Legal Deadline: None.

Abstract: Superfund Amendments and Reauthorization Act 1986 requires that EPA develop grant regulations for technical assistance for citizen groups. Under Section 117(e) groups of individuals may apply for the technical assistance grants only at NPL sites. The grants are limited to $50,000 per site. This limit may be waived.

Timetable:

Action	Date	FR Cite
ANPRM	06/10/87	52 FR 22244
Interim Final Rule	03/24/88	53 FR 9736
Final Action	08/00/88	

Small Entity: No

Additional Information: SAR No. 2401.

FTS:8-382-2460

Agency Contact: Daphne Gemmill, Environmental Protection Agency, Solid Waste and Emergency Response, WH-548A, Washington DC 20460, 202 382-2460

RIN: 2050-AC10

2890. REPORTING HAZARDOUS SUBSTANCES ACTIVITY WHEN TRANSFERRING FEDERAL REAL PROPERTY

Legal Authority: 42 USC 9601/SARA 120

CFR Citation: 40 CFR 373

Legal Deadline: Statutory, April 17, 1988.

Abstract: Section 120(h) of SARA requires that EPA, in consultation with the General Services Administration, promulgate rules which will require the disclosure of the type and quantity of any hazardous substances that have been stored, released or disposed of on federally owned land when such land is sold or otherwise transferred from the federal domain. This section of SARA also requires that: (1) the agencies holding such land provide, at the time of transfer, a covenant warranting that all remedial actions necessary for protection of human health and the environment have been taken; and (2) any additional action found to be necessary after the transfer will be undertaken by the U.S. EPA is not required to develop rules concerning these latter requirements.

Timetable:

Action	Date	FR Cite
NPRM	01/13/88	53 FR 850
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2464.

FTS:8-382-5647

Agency Contact: Richard Dailey, Environmental Protection Agency, Solid Waste and Emergency Response, (WH-527), Washington, DC 20460, 202 382-5647

RIN: 2050-AC00

2891. REIMBURSEMENT OF LOCAL GOVERNMENTS FOR EMERGENCY RESPONSE TO HAZARDOUS SUBSTANCE RELEASES

Legal Authority: 42 USC 9623 / SARA 123

CFR Citation: 40 CFR 310

Legal Deadline: Statutory, October 17, 1987.

Abstract: This provision authorizes reimbursement of local governments for costs incurred in providing temporary emergency measures in response to releases of hazardous substances. Reimbursement is limited to $25,000 per incident and is not intended to supplant local funds normally provided for response.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/21/87	52 FR 39386
Final Action	10/00/89	

Small Entity: No

Additional Information: SAR No. 2409

FTS:8-382-3382

Agency Contact: Karen Z. Burgan, Environmental Protection Agency, Solid Waste and Emergency Response, WH-545B, Washington DC 20460, 202 382-3382

RIN: 2050-AC11

2892. TRADE SECRET CLAIMS FOR EMERGENCY PLANNING AND COMMUNITY RIGHT-TO-KNOW INFORMATION; TRADE SECRET DISCLOSURES TO HEALTH PROFESSIONALS

Legal Authority: 42 USC 11042 /SARA 322; 42 USC 11043 /SARA 323

CFR Citation: 40 CFR 350

Legal Deadline: None.

Abstract: The regulations under Section 322 provide that information submitted under Sections 303, 311, 312 and 313 of Title III the Superfund Amendments and Reauthorization Act of 1986 may be claimed trade secret. Included here will be the methods for making claims of trade secrecy with the Agency, as well as Agency procedures for handling petitions from the public requesting disclosure of information claimed trade secret. The regulations under Section 323 provide that health professionals may under certain circumstances request trade secret information directly from the person making the trade secret claim. Included here will be the procedures for making such a request, and the standards for documents (a statement of need and a confidentiality agreement) which must accompany the request.

EPA—CERCLA

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/15/87	52 FR 38312
Final Action	06/00/88	

Small Entity: No

Additional Information: SAR NO. 2419

FTS:8-382-5460

Analysis: Regulatory Impact Analysis

Agency Contact: Beverly Horn, Environmental Protection Agency, Solid Waste and Emergency Response, (LE-132G), Washington, DC 20460, **202 382-5460**

RIN: 2050-AC27

2893. ● ADMINISTRATIVE HEARING PROCEDURES FOR CLASS II PENALTIES UNDER CERCLA AND EMERGENCY PLANNING AND COMMUNITY RIGHT TO KNOW ACT

Legal Authority: 42 USC 9609/SARA 325

CFR Citation: 40 CFR 22

Legal Deadline: None.

Abstract: This rule will govern the conduct of administrative hearings for (1) Class II penalties to be assessed under SARA Section 325(b) and (2) other similar penalties assessed under SARA Section 325(c). The rule provides the procedures for these penalty assessments. The action is expected to have negligible economic impact on consumers, industries, or governmental agencies, but will provide the benefit of uniform procedures for assessing penalties.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/00/88	
Final Action	09/00/88	

Small Entity: No

Additional Information: SAR NO. 2512

FTS:8-475-9437

Agency Contact: Frances McChesney, Attorney, Environmental Protection Agency, Solid Waste and Emergency Response, Environmental Protection Agency, 402 M Street SW, Washington, DC 20460, **202 475-9437**

RIN: 2050-AC39

ENVIRONMENTAL PROTECTION AGENCY (EPA) —Superfund (CERCLA)

Completed Actions

2894. WITHDRAWAL OF ARBITRATION PROCEDURES AND NATURAL RESOURCE CLAIMS PROCEDURES FOR THE HAZARDOUS SUBSTANCE SUPERFUND

CFR Citation: 40 CFR 305; 40 CFR 306

Completed:

Reason	Date	FR Cite
Final Action	09/08/87	52 FR 33812

Small Entity: No

Agency Contact: William Ross 202 382-4645

RIN: 2050-AC06

2895. NATIONAL PRIORITIES LIST (NPL) FOR UNCONTROLLED HAZARDOUS WASTES SITES - UPDATES 3 AND 4

Significance: Regulatory Program

CFR Citation: 40 CFR 300.66

Completed:

Reason	Date	FR Cite
Final Action	07/22/87	52 FR 2492

Small Entity: No

Agency Contact: Sandra J. Crystall 202 382-3412

RIN: 2050-AA79

2896. EMERGENCY AND HAZARDOUS CHEMICAL INVENTORY FORMS AND COMMUNITY RIGHT TO KNOW REPORTING REQUIREMENTS

Significance: Regulatory Program

CFR Citation: 40 CFR 370

Completed:

Reason	Date	FR Cite
Final Action	10/15/87	52 FR 38344

Small Entity: No

Agency Contact: Kathleen Brody 202 475-8353

RIN: 2050-AB88

ENVIRONMENTAL PROTECTION AGENCY (EPA) —General

Proposed Rule Stage

2897. ● ENVIRONMENTAL PROTECTION AGENCY ACQUISITION REGULATION (EPAAR); SUBMISSION OF GENERAL FINANCIAL AND ORGANIZATIONAL INFORMATION, AND PURCHASING SYSTEM INFORMATION BY OFFERORS

CFR Citation: 48 CFR 1515; 48 CFR 1552

Legal Deadline: None.

Abstract: General financial and organizational information is only required from offerors in the competitive range. This information does not include information on the offerors purchasing systems. The proposed rule will require that all offerors provide general financial and organizational information, which includes purchasing system information.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: SAR No. 2551.

FTS:8:382-5028

PL 98-577 Sec. 302

Agency Contact: Edward N. Chambers, Environmental Protection Agency, Administration and Resource Management, PM-214F, **202 382-5028**

RIN: 2030-AA06

EPA—GENERAL

Proposed Rule Stage

2898. ● CONTRACTING FOR EXPERT SERVICES UNDER THE SUPERFUND AMENDMENT AND REAUTHORIZATION ACT (SARA) OF 1986

CFR Citation: 48 CFR 1505; 48 CFR 1506

Legal Deadline: None.

Abstract: The SARA of 1986 authorizes the use of other than competitive procedures when contracting for expert services. These services will be used in preparing or prosecuting a civil or criminal action under the Act. The rule will amend the EPA Acquisition to provide procedures for implementing the provisions of the Act.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 2553.

FTS:8-475-7024

Agency Contact: Ed Murphy, Contract Analyst, Environmental Protection Agency, Administration and Resource Management, Procurement and Contracts Mgt. Division, (PM-214-F), Washington, DC 20460, 202 382-5034

RIN: 2030-AA07

2899. ● AMENDING EPA ACQUISITION REGULATION RULES REGARDING DISCLOSURE AND USE OF INFORMATION IN PROPOSALS

CFR Citation: 48 CFR 1515

Legal Deadline: None.

Abstract: The Federal Acquisition Regulation (FAR) gives federal agencies, including EPA, the authority to use alternate procedures to release proposals outside the Government for evaluation. The authority, however, must appear in agency acquisition regulations implementing the FAR. The effect of this action is to amend the EPA Acquisition Regulation to permit the use of alternate procedures appearing at FAR 15.413-2.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	00/00/00	

Small Entity: No

Additional Information: SAR No. 2552.

FTS:8-475-7204

Agency Contact: Ed Murphy, Contract Analyst, Environmental Protection Agency, Administration and Resource Management, Procurement and Contracts Mgt. Division, (PM-214-F), Washington, DC 20460, 202 382-5034

RIN: 2030-AA08

2900. DENIAL OR RESTRICTION OF DISPOSAL SITES (REVISION)

Significance: Regulatory Program

Legal Authority: 33 USC 1344 /CWA 404(c)

CFR Citation: 40 CFR 231

Legal Deadline: None.

Abstract: This action will revise EPA's existing 404(c) regulations, in effect since October 9, 1979. It will amend the procedures to be used when EPA is considering the use of Section 404(c) of the CWA to prevent the discharge of dredged or fill material into a defined area of the waters of the United States. Section 404(c) gives the Administrator authority to prohibit or withdraw the specification of a site as a disposal site or to deny or restrict use of a disposal site. The revisions will reflect our experiences to date under Section 404(c), and more clearly address use of 404(c) in advance of a specific proposed discharge.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Additional Information: SAR No. 2196.

FTS: 8-475-7799

Agency Contact: Suzanne Schwartz, Environmental Protection Agency, Water, Office of Wetlands Protection, (A-104F), Washington, DC 20460, 202 475-7799

RIN: 2040-AB20

2901. CONFIDENTIALITY REGULATIONS: SPECIAL RULES GOVERNING CERTAIN INFORMATION UNDER FIFRA (REVISION)

Legal Authority: 5 USC 552 / Freedom of Information Act ; 7 USC 136h / FIFRA 10

CFR Citation: 40 CFR 2.307

Legal Deadline: None.

Abstract: This action would make changes in EPA's procedures for handling business information under FIFRA to reflect amendments to Section 10 of the Act. It would also clarify existing regulations on the treatment of confidential business information under FIFRA.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	04/00/89	

Small Entity: No

Additional Information: SAR No. 2195.

FTS: 8-382-5460

Agency Contact: Jane Roemer, Environmental Protection Agency, General Counsel and Enforcement Counsel, (LE-132G), Washington, DC 20460, 202 382-5460

RIN: 2020-AA06

ENVIRONMENTAL PROTECTION AGENCY (EPA) —General

Final Rule Stage

2902. PROGRAM FRAUD CIVIL REMEDIES

Legal Authority: 31 USC 3809

CFR Citation: 40 CFR 27

Legal Deadline: Statutory, April 21, 1987.

Abstract: These regulations will implement the Program Fraud Civil Remedies Act of 1986, Pub. L. No 99-509. They (1) establish administrative procedures for imposing civil penalties and assessments against persons who make, submit, or present, or cause to be made, submitted, or presented, false, fictitious, or fraudulent claims or written statements to the Environmental Protection Agency, and (2) specify the hearing and appeal rights of persons subject to allegations of liability for such penalties and assessments.

EPA—GENERAL

Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	11/16/87	52 FR 43030
Final Action	04/00/88	

Small Entity: No

Additional Information: SAR No. 2410.

FTS:8-475-6660

Agency Contact: Marla Diamond, Environmental Protection Agency, General Counsel and Enforcement Counsel, (LE-132I), Washington, DC 20460, **202 475-6660**

RIN: 2020-AA11

2903. REGULATIONS FOR THE FEDERAL CLAIMS COLLECTION ACT

Legal Authority: 31 USC 3711 et seq.

CFR Citation: 40 CFR 13

Legal Deadline: None.

Abstract: These regulations will set standards for EPA's debt collection actions under the Federal Claims Collection Act.

Timetable:

Action	Date	FR Cite
NPRM	08/25/87	52 FR 32098
Interim Final Rule	04/00/88	

Small Entity: No

Additional Information: SAR No. 1825.

FTS: 8-382-4548.

Agency Contact: Ray Spears, Environmental Protection Agency, General Counsel and Enforcement Counsel, (LE-132G), Washington, DC 20460, **202 382-4548**

RIN: 2020-AA01

2904. NONDISCRIMINATION ON THE BASIS OF AGE IN PROGRAMS RECEIVING FINANCIAL ASSISTANT FROM THE EPA (REVISION)

Legal Authority: 42 USC 6101 /Age Discrimination Act of 1979

CFR Citation: 40 CFR 7

Legal Deadline: None.

Abstract: This action is necessary to add age as a basis for nondiscrimination to EPA's Federally-Assisted Nondiscrimination Regulation.

Timetable:

Action	Date	FR Cite
NPRM	01/01/81	46 FR 2306
Final Action	09/00/88	

Small Entity: No

Additional Information: SAR No. 2218.

FTS: 8-382-4567

Agency Contact: Nereid Maxey, Environmental Protection Agency, Office of the Administrator, Office of Civil Rights, (A-105), Washington, DC 20460, **202 382-4567**

RIN: 2090-AA09

2905. ● SUPERFUND ASSISTANCE PROGRAM

Legal Authority: 42 USC 9601 /CERCLA 104(c)

CFR Citation: 40 CFR 304

Legal Deadline: None.

Abstract: Under the Comprehensive Environmental Response Compensation and Liability Act (CERCLA), as amended, there are provisions for recovering clean-up costs from responsible parties. In order for the cost recovery provisions to be effective, recipients of Superfund Assistance Agreements must adhere to strict management practices in all aspects of administering the Agreement. Therefore, EPA will issue this regulation to set forth all administrative requirements for Superfund Assistance Agreements.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/00/88	

Small Entity: No

Additional Information: SAR No. 2476.

FTS:8-382-5268

Agency Contact: Sharon Saile, Grants Policy Specialist, Environmental Protection Agency, Policy Planning and Evaluation, (PM-216), Washington, DC 20460, **202 382-5268**

RIN: 2010-AA11

2906. NOTICE REQUIREMENTS FOR CITIZEN SUITS UNDER THE SDWA

Legal Authority: 42 USC 300j-8 /SDWA 1449

CFR Citation: 40 CFR 135

Legal Deadline: None.

Abstract: These regulations will specify on whom the notice of intent to file suit should be served, the manner of service, the addresses of such persons, and the contents of the notice. These regulations are similar to those implementing the notice provisions of the Clean Water Act (CWA) and the Resource Conservation and Recovery Act (RCRA).

Timetable:

Action	Date	FR Cite
NPRM	08/15/86	51 FR 29426
Final Action	05/00/88	

Small Entity: Not Applicable

Additional Information: SAR No. 2307.

FTS:8-382-7706

Agency Contact: Margaret Silver, Environmental Protection Agency, General Counsel and Enforcement Counsel, (LE-132W), Washington, D.C. 20460, **202 382-7706**

RIN: 2020-AA10

ENVIRONMENTAL PROTECTION AGENCY (EPA) —General

Completed Actions

2907. AMENDING REGULATIONS IMPLEMENTING THE FREEDOM OF INFORMATION REFORM ACT OF 1986

CFR Citation: 40 CFR 2

Completed:

Reason	Date	FR Cite
Final Action	01/05/88	53 FR 214
Final Action Effective	02/04/88	

Small Entity: No

Agency Contact: Mary K. Adler 202 382-5460

RIN: 2020-AA12

EPA—GENERAL

Completed Actions

2908. AMENDING REGULATIONS IMPLEMENTING THE FREEDOM OF INFORMATION REFORM ACT OF 1986

CFR Citation: 40 CFR 2

Completed:

Reason	Date	FR Cite
Final Action	01/05/88	53 FR 214

Small Entity: No

Agency Contact: Mary K. Adler 202 382-5460

RIN: 2040-AB37

[FR Doc. 88-6847 Filed 04-22-88; 8:45 am]

BILLING CODE 6560-50-T

federal register

Monday
April 25, 1988

Part XXI

Equal Employment Opportunity Commission

Semiannual Regulatory Agenda

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

29 CFR Ch. XIV

Semiannual Regulatory Agenda

AGENCY: Equal Employment Opportunity Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: The Equal Employment Opportunity Commission is publishing its semiannual regulatory agenda pursuant to Executive Order No. 12291, 3 CFR Part 127 (1981 Compilation) and the Regulatory Flexibility Act, 5 U.S.C. Chapter 6. The agenda contains all regulations which are scheduled for review or development during the next twelve months.

FOR FURTHER INFORMATION CONTACT: Irene L. Hill, Assistant Legal Counsel for Coordination, Office of the Legal Counsel, Equal Employment Opportunity Commission, 2401 "E" Street, NW., Washington, DC 20507; telephone (202) 634-7581.

SUPPLEMENTARY INFORMATION: The Commission identified fourteen current and projected rulemakings for inclusion in the agenda. Nine are currently under development or review by Commission staff. One is currently in effect as an interim regulation. One of the listings has been published as an NPRM. Three listings have been issued as final regulations.

Signed in Washington, DC, this 26th day of February, 1988.

For the Commission.

Clarence Thomas,

Chairman, Equal Employment Opportunity Commission.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2909	Equal Employment in the Federal Government; Processing of Complaints Filed under the Equal Pay Act	3046-AA16

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2910	Uniform Guidelines on Employee Selection Procedures	3046-AA00
2911	Equal Employment Opportunity in the Federal Government; Individual and Class EEO Complaints Processing	3046-AA11
2912	Procedures for Administrative Exemptions under Section 9 of the Age Discrimination in Employment Act	3046-AA22
2913	Equal Employment Opportunity in the Federal Government: Handicap	3046-AA23
2914	Uniform Guidelines on Employee Selection Procedures	3046-AA24

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2915	Coordination of Federal Equal Employment Opportunity Programs	3046-AA10
2916	Equal Employment Opportunity in the Federal Government; Mixed Case Complaints	3046-AA14
2917	Interpretative Bulletin on Employee Benefit Plans	3046-AA18
2918	Enforcement of Nondiscrimination on the Basis of Handicap in Equal Employment Opportunity Commission Programs	3046-AA30
2919	Pension Accruals and Contributions Under ADEA	3046-AA31

Completed Actions

Sequence Number	Title	Regulation Identifier Number
2920	Equal Employment Opportunity in the Federal Government; Remedial Relief under Section 717	3046-AA06
2921	Equal Employment in the Federal Government; Allegations of Reprisal	3046-AA13
2922	Equal Employment Opportunity in the Federal Government; EEO Complaint Processing and EEO Appeals	3046-AA17

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

Prerule Stage

2909. EQUAL EMPLOYMENT IN THE FEDERAL GOVERNMENT; PROCESSING OF COMPLAINTS FILED UNDER THE EQUAL PAY ACT

Legal Authority: 29 USC 206(d) et seq Equal Pay Act of 1963; 29 USC 204(f) Fair Labor Standards Act of 1938, as amended; 29 USC 206(d) Fair Labor Standards Act of 1938, as amended

CFR Citation: 29 CFR 1613

Legal Deadline: None.

Abstract: Development of procedural regulations for processing Federal sector complaints filed under the Equal Pay Act. Under development.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Nicholas M. Inzeo, Assistant Legal Counsel, Legal Services, Office of Legal Counsel, Equal Employment Opportunity Commission, 202 634-6592

RIN: 3046-AA16

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC)

Proposed Rule Stage

2910. UNIFORM GUIDELINES ON EMPLOYEE SELECTION PROCEDURES

Significance: Agency Priority

Legal Authority: 42 USC 2000e et seq Title VII of the Civil Rights Act of 1964

CFR Citation: 29 CFR 1607

Legal Deadline: None.

Abstract: UGESP Recordkeeping Provisions. On March 15, 1983, the Commission voted to review those portions of the recordkeeping provisions of the Guidelines which relate to the maintenance of data necessary to determine adverse impact. Pursuant to that vote, the Commission published in the Federal Register a notice seeking public comment in general and on several specific questions about UGESP recordkeeping. 48 Fed. Reg. 34766 (Aug. 1, 1983). Approximately 45 comments were received. The Commission is currently reviewing the comments and is considering further action. On June 12, 1984, the Commission voted to prepare an NPRM concerning certain UGESP recordkeeping requirements. Prior to publication for comment, co-signatories to UGESP will engage in discussion of recommended changes and other affected agencies will be consulted under E.O. 12067.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Additional Information: This is included in the Regulatory Program of the United States under the overall RIN 3046-AA24.

Agency Contact: Nicholas Inzeo, Assistant Legal Counsel, Legal Services, Office of Legal Counsel, Equal Employment Opportunity Commission, 202 634-6592

RIN: 3046-AA00

2911. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT; INDIVIDUAL AND CLASS EEO COMPLAINTS PROCESSING

Significance: Agency Priority

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 29 CFR 1614, (Proposed)

Legal Deadline: None.

Abstract: Comprehensive revision of regulations for processing individual and class EEO complaints in the Federal sector. Under development.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Douglas J. Bielan, Director, Federal Sector Programs, Equal Employment Opportunity Commission, 202 634-6753

RIN: 3046-AA11

2912. PROCEDURES FOR ADMINISTRATIVE EXEMPTIONS UNDER SECTION 9 OF THE AGE DISCRIMINATION IN EMPLOYMENT ACT

Legal Authority: 29 USC 628 Age Discrimination in Employment Act

CFR Citation: 29 CFR 1627.15

Legal Deadline: None.

Abstract: The purpose of the proposed amendment to 29 CFR 1627.15 is to give those covered by the ADEA more specific information about what they should do if they wish to seek an exemption from any or all of the ADEA's prohibitions. The advantage is that the establishment of a specific procedure will facilitate the processing of exemption requests.

Timetable:

Action	Date	FR Cite
Submission of Staff Recommendations to Commission	03/13/84	

Next Action Undetermined

Small Entity: No

Agency Contact: Joseph N. Cleary, Assistant Legal Counsel, Office of Legal Counsel, Equal Employment Opportunity Commission, 202 634-7643

RIN: 3046-AA22

2913. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT: HANDICAP

Significance: Regulatory Program

Legal Authority: 29 USC 701 et seq Rehabilitation Act of 1973, as amended

CFR Citation: 29 CFR 1613.701 et seq

Legal Deadline: None.

Abstract: The Commission is considering alternative ways of resolving various interpretative issues involving the definition of handicapped persons used in its section 501 regulations. One alternative would be

EEOC — **Proposed Rule Stage**

to amend the definitions in the regulation itself. The purpose of these revisions would be to clarify the scope of the definitions.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Richard D. Komer, Legal Counsel, Equal Employment Opportunity Commission, **202 634-6460**

RIN: 3046-AA23

2914. UNIFORM GUIDELINES ON EMPLOYEE SELECTION PROCEDURES

Significance: Regulatory Program

Legal Authority: 42 USC 2000e et seq Title VII of the Civil Rights Act of 1964

CFR Citation: 29 CFR 1607

Legal Deadline: None.

Abstract: On March 15, 1983, the Commission voted to review the recordkeeping portions of the Guidelines. During that review process, several questions arose which pertained to the substantive, non-recordkeeping provisions of the Guidelines. Consequently, the Commission decided to review the substantive portions of the Guidelines. The major substantive areas under review are: 1) the purpose of the Guidelines and whether there is still a need for the Guidelines; 2) the theory of adverse impact and the method of determining when such impact is significant; and 3) how to establish test validity. When the review is completed, the Commission will decide whether any regulatory revisions are needed.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/84	
NPRM	06/00/88	

Small Entity: No

Additional Information: This action resulted from splitting previous entry RIN 3046-AA00 Uniform Guidelines on Employee Selection Procedures.

It is included in the Regulatory Program of the United States under overall RIN 3046-AA25.

Agency Contact: Philip Lyons, Special Assistant to the Chairman, Office of the Chairman, Equal Employment Opportunity Commission, **202 634-6700**

RIN: 3046-AA24

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) — Final Rule Stage

2915. COORDINATION OF FEDERAL EQUAL EMPLOYMENT OPPORTUNITY PROGRAMS

Legal Authority: EO 12067 Sec 1-303; EO 12067 Sec 1-304

CFR Citation: 29 CFR 1690

Legal Deadline: None.

Abstract: These amendments to 29 CFR 1690 will implement an agreement reached by EEOC and the Department of Justice with the Office of Management and Budget which clarified the sequence to be followed when agencies are required to seek prepublication clearance of equal employment opportunity rules from EEOC under E.O. 12067, DOJ under E.O. 12250, and from OMB under E.O. 12291 and the Paperwork Reduction Act. In addition to clearance by the EEOC under E.O. 12067, equal employment opportunity rules issued under Title VI of the Civil Rights Act of 1964, Title IX of the Education Amendments of 1972, Section 504 of the Rehabilitation Act of 1973, as amended, or any other provision of Federal statutory law which prohibits discrimination under any program or activity receiving Federal financial assistance, require clearance from DOJ under E.O. 12250.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Elizabeth M. Thornton, Associate Legal Counsel, Coordination and Guidance Services, Office of Legal Counsel, Equal Employment Opportunity Commission, **202 634-7643**

RIN: 3046-AA10

2916. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT; MIXED CASE COMPLAINTS

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 29 CFR 1613

Legal Deadline: None.

Abstract: Development of procedural regulations for processing complaints of discrimination about personnel actions which are appealable to the Merit Systems Protection Board (mixed case complaints). Staff draft transmitted to Federal agencies for comments, Sept. 1982. Initially published as interim regulations which were effective upon publication. No further action contemplated.

Timetable:

Action	Date	FR Cite
Draft transmitted to agencies	09/00/82	
Interim Final Rule	05/02/83	48 FR 19708
Final Action	04/00/88	

Small Entity: No

Agency Contact: Douglas J. Bielan, Director, Federal Sector Programs, Office of Program Operations, Equal Employment Opportunity Commission, **202 634-6753**

RIN: 3046-AA14

2917. INTERPRETATIVE BULLETIN ON EMPLOYEE BENEFIT PLANS

Significance: Agency Priority

Legal Authority: 29 USC 628 The Age Discrimination in Employment Act of 1967

CFR Citation: 29 CFR 1625.10

Legal Deadline: None.

Abstract: In response to a court order, the Commission has published a proposed rule that would require continued pension contributions and accruals for persons working beyond normal retirement age. The court also

EEOC — Final Rule Stage

ordered publication of a final rule but that part of the order was reversed by the court of appeals. The Commission will further study the issues to determine whether additional rulemaking is appropriate.

Timetable:

Action	Date	FR Cite
Publication of Request for Technical Data	09/15/83	
Completion of Regulatory Impact Analysis	07/24/86	
NPRM	04/02/87	52 FR 10584
Commission to determine if rulemaking appropriate	00/00/00	

Small Entity: Yes

Analysis: Regulatory Impact Analysis

Agency Contact: Joseph N. Cleary, Assistant Legal Counsel, Equal Employment Opportunity Commission, 202 634-7643

RIN: 3046-AA18

2918. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN EQUAL EMPLOYMENT OPPORTUNITY COMMISSION PROGRAMS

Significance: Agency Priority

Legal Authority: 29 USC 794

CFR Citation: 29 CFR 1615, (Proposed)

Legal Deadline: None.

Abstract: This proposed regulation provides for the enforcement of section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of handicap, as it applies to programs or activities conducted by the Equal Employment Opportunity Commission.

Timetable:

Action	Date	FR Cite
NPRM	11/05/87	52 FR 42450
Final Action	09/00/88	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Elizabeth M. Thornton, Associate Legal Counsel, Coordination & Guidance Services, Office of Legal Counsel, Equal Employment Opportunity Commission, 202 634-7643

RIN: 3046-AA30

2919. PENSION ACCRUALS AND CONTRIBUTIONS UNDER ADEA

Significance: Agency Priority

Legal Authority: 29 USC 628 The Age Discrimination in Employment Act of 1967; PL 99-509, Sec 9204

CFR Citation: 29 CFR 1625.10

Legal Deadline: Statutory, January 31, 1988.

Abstract: Regulations, as may be necessary, to carry out congressional enactments regarding Pension Accruals and Contributions under ADEA.

Timetable:

Action	Date	FR Cite
NPRM	11/27/87	52 FR 45360
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Joseph N. Cleary, Assistant Legal Counsel, Office of Legal Counsel, Equal Employment Opportunity Commission, 202 634-7643

RIN: 3046-AA31

EQUAL EMPLOYMENT OPPORTUNITY COMMISSION (EEOC) — Completed Actions

2920. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT; REMEDIAL RELIEF UNDER SECTION 717

CFR Citation: 29 CFR 1613

Completed:

Reason	Date	FR Cite
Final Action	10/30/87	52 FR 41919
Final Action Effective	11/30/87	

Small Entity: No

Agency Contact: Nicholas M. Inzeo 202 634-6592

RIN: 3046-AA06

2921. EQUAL EMPLOYMENT IN THE FEDERAL GOVERNMENT; ALLEGATIONS OF REPRISAL

CFR Citation: 29 CFR 1613

Completed:

Reason	Date	FR Cite
Final Action	10/30/87	52 FR 41919
Final Action Effective	11/30/87	

Small Entity: No

Agency Contact: Douglas J. Bielan 202 634-6753

RIN: 3046-AA13

2922. EQUAL EMPLOYMENT OPPORTUNITY IN THE FEDERAL GOVERNMENT; EEO COMPLAINT PROCESSING AND EEO APPEALS

CFR Citation: 29 CFR 1613

Completed:

Reason	Date	FR Cite
Final Action	10/30/87	52 FR 41919
Final Action Effective	11/30/87	

Small Entity: No

Agency Contact: Nicholas M. Inzeo 202 634-6592

RIN: 3046-AA17

[FR Doc. 88-5089 Filed 04-22-88; 8:45 am]

BILLING CODE 6570-06-T

federal register

Monday
April 25, 1988

Part XXII

Federal Emergency Management Agency

Semiannual Regulatory Agenda

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

FEDERAL EMERGENCY MANAGEMENT AGENCY

44 CFR Ch. I

Semiannual Agenda

AGENCY: Federal Emergency Management Agency (FEMA).

ACTION: Semiannual agenda.

SUMMARY: Pursuant to section 5 of Executive Order 12291 ("Federal Regulations") the Federal Emergency Management Agency is publishing its semiannual agenda for FEMA. The agenda lists regulations that will be under development or review during the period April 1, 1988 to March 31, 1989.

ADDRESS: Rules Docket Clerk, Office of General Counsel, Room 840, 500 C Street, SW., Washington, DC 20472.

FOR FURTHER INFORMATION CONTACT: For general information, contact Susan Kantor Bank, Office of General Counsel, Federal Emergency Management Agency, Washington, DC 20472, (202) 646-3973. For additional information about a specific regulation, contact the person listed as the contact point in the agenda.

SUPPLEMENTARY INFORMATION: Executive Order 12291, "Federal Regulations," directs each Executive agency to adopt procedures to improve existing and future regulations. Publication of an agenda of significant regulations is called for at least semiannually in order to give the public adequate notice of agency rulemaking activities; also publication of a regulatory flexibility agenda concerning rules likely to have a significant impact on a substantial number of small entities must be published in accordance with 5 U.S.C. 601 *et seq.*

In fulfillment of requirements imposed by the Executive Order and 5 U.S.C. 601 *et seq.*, this agenda describes current and projected regulations, and regulations which will be under review during the period April 1, 1988 to March 31, 1989. This agenda also contains information on regulations on which action was completed since the last FEMA semiannual agenda published October 26, 1987 at 52 FR 40924.

Public comment on the agenda, including that by State and local governments, is invited and should be submitted to the Rules Docket Clerk.

The agenda is not limited to major or significant rules and contains as much information as possible concerning all FEMA regulations to be published in the next 12 months except for routine flood elevation determinations, listing of eligible communities under the National Flood Insurance Program, listing of suspended communities and similar designations, and organizational and management matters.

Dated: February 29, 1988.

Spence W. Perry,

General Counsel.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2923	Nondiscrimination in Federally-Assisted Programs	3067-AA00
2924	Comprehensive Cooperative Agreement (CCA) Policies, Procedures, and Associated Programs	3067-AB18

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2925	Review and Approval of State and Local Emergency Response Plans	3067-AA76
2926	Radiological Emergency Planning and Preparedness	3067-AA77
2927	Permanent Relocation Assistance	3067-AA84
2928	Flood Insurance Rating System Changes	3067-AA98
2929	Disaster Preparedness Assistance	3067-AB05
2930	Criteria for Hurricane Preparedness Assistance to State and Local Governments	3067-AB11
2931	Flood Insurance Subsidized Rate Change	3067-AB12
2932	National Flood Insurance Program Payment of Flood Insurance for Structures on Land Subject to Imminent Collapse or Subsidence	3067-AB23
2933	National Flood Insurance Program Elevated Building Coverage	3067-AB24
2934	National Flood Insurance Program Elevation Requirements for Manufactured Homes	3067-AB25
2935	Individual and Family Grant Programs	3067-AB26
2936	Disaster Assistance: Subpart J (General Insurance Requirements); Subpart K (Flood Insurance Requirements)	3067-AB28

FEMA

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2937	Nondiscrimination on the Basis of Handicap in FEMA	3067-AA42
2938	Temporary Relocation Assistance - Superfund	3067-AA72
2939	Community Disaster Loans	3067-AA95
2940	National Flood Insurance Program Redefinition of Coastal High Hazard Area	3067-AB08
2941	National Flood Insurance Program Changes	3067-AB09
2942	Changes in National Flood Insurance Program Commissions to Insurance Agents	3067-AB10
2943	Civil Defense: State and Local Emergency Management Assistance Program (EMA)	3067-AB14
2944	Nondiscrimination in Federally Assisted Programs on the Basis of Age	3067-AB16
2945	Changes in NFIP Regulations for Write-Your-Own Program	3067-AB17
2946	Federal Crime Insurance Rate Increases	3067-AB27

Completed Actions

Sequence Number	Title	Regulation Identifier Number
2947	Preservation of the Mobilization Base Through the Placement of Procurement and Facilities in Labor Surplus Areas	3067-AA32
2948	Policy Guidance and Delegation of Authorities for Use of Priorities and Allocations to Maximize Domestic Energy Supplies	3067-AA33
2949	Use of Priorities and Allocation Authority for Federal Supply Classification (FSC) Common Use Items (DMO-12)	3067-AA34
2950	General Policies for Strategic and Critical Materials Stockpiling (DMO-11)	3067-AA35
2951	Policy on Use of Government-Owned Industrial Plant Equipment by Private Industry (DMO-10A)	3067-AA36
2952	Policy Guidance for a National Emergency Blood Program	3067-AA37
2953	Emergency Health and Medical Occupations	3067-AA38
2954	National Security Policy Governing Scientific and Engineering Manpower (DMO-5)	3067-AA43
2955	Guidance on Priority Use of Resources in Immediate Post Attack Period (DMO-4)	3067-AA44
2956	Defense Production Priorities and Allocations Authority	3067-AA45
2957	Maintenance of the Mobilization Base	3067-AA46
2958	Dispersion and Protective Construction: Policy, Criteria Responsibilities (DMO-1)	3067-AA47
2959	State Assistance Programs for Training and Education in Comprehensive Emergency Management	3067-AA70
2960	Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	3067-AA90
2961	Reimbursement of Other Federal Agencies	3067-AA92
2962	Criteria for Earthquake Hazards Reduction Assistance to State and Local Governments	3067-AA99
2963	Federal Crime Insurance Program	3067-AB13

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) — Prerule Stage

2923. NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS

Legal Authority: 42 USC 2000d-1; 29 USC 794; 20 USC 1682; 42 USC 6103; 42 USC 5151; Reorganization Plan No. 3 of 1978; EO 12127; EO 12148

CFR Citation: 44 CFR 7

Legal Deadline: None.

Abstract: This rule effectuates for FEMA the nondiscrimination requirements of Title VI of the Civil Rights Act of 1964, section 504 of the Rehabilitation Act of 1973, Title IX of the Education Amendments of 1972, and section 311 of the Disaster Relief Act of 1974. A draft regulation is undergoing interagency review. The notice of proposed rulemaking will be issued as soon as interagency clearances are obtained.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/01/88	
ANPRM	07/01/88	
ANPRM Comment Period End	09/01/88	
NPRM	11/01/88	
NPRM Comment Period End	01/01/89	

Small Entity: No

Agency Contact: John R. Curran, Sr., Director, Office of Personnel & Equal Opportunity, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3962

RIN: 3067-AA00

2924. COMPREHENSIVE COOPERATIVE AGREEMENT (CCA) POLICIES, PROCEDURES, AND ASSOCIATED PROGRAMS

Legal Authority: 50 USC 2286; 50 USC 2251; 42 USC 5121; 42 USC 5151; 42 USC 7701; 42 USC 4001; PL 95-224; PL 96-295; PL 99-499; PL 93-288; PL 95-124; PL 90-488; PL 93-234; PL 90-577; EO 12148

FEMA — **Prerule Stage**

CFR Citation: 44 CFR 305; 44 CFR 302; 44 CFR 360; 44 CFR 301; 5 CFR 900

Legal Deadline: None.

Abstract: The comprehensive aspect of the CCA process itself was not created by legislation or even by regulation; Presidential emphasis on grants consolidation and FEMA policy on integrating programs created the CCA. The cooperative agreement aspect of the CCA process is based on PL 95-224, the Federal Grant and Cooperative Agreement Act of 1977. Cooperative agreements are used when stimulating a public purpose (the multiple programs delivered in each CCA are aimed at stimulating public purposes, primarily civil defense). The Federal Civil Defense Act of 1950, as amended, authorizes the major portion of CCA programs and assistance dollars, and is therefore the major legislative authority underpinning the CCA process. Various Civil Preparedness Guides, primarily CPG 1-38 and CPG 1-3 address the CCA process and associated programs. However, a regulation would provide complete notice to States and interested parties and complete the policy and procedural requirements identified by the Office of General Counsel. Specific quantitative estimates cannot be cited.

Timetable:

Action	Date	FR Cite
ANPRM	04/15/88	
ANPRM Comment Period End	06/15/88	

Small Entity: No

Agency Contact: Nancy J. Holt, Program Analyst, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 646-3505**

RIN: 3067-AB18

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) — Proposed Rule Stage

2925. REVIEW AND APPROVAL OF STATE AND LOCAL EMERGENCY RESPONSE PLANS

Legal Authority: 50 USC App. 225g; EO 12148

CFR Citation: 44 CFR 350

Legal Deadline: None.

Abstract: Updates existing regulation governing policies and procedures for review and approval of State and local emergency plans and preparedness for the offsite effects of a radiological emergency which might occur at a commercial nuclear power plant.

Timetable:

Action	Date	FR Cite
NPRM	03/18/88	
NPRM Comment Period End	05/20/88	

Small Entity: No

Agency Contact: Marshall Sanders, Chief, Program Development Branch, State and Local Programs Directorate, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 646-4131**

RIN: 3067-AA76

2926. RADIOLOGICAL EMERGENCY PLANNING AND PREPAREDNESS

Legal Authority: EO 12148; EO 12241

CFR Citation: 44 CFR 351

Legal Deadline: None.

Abstract: Updates regulations which set out Federal Agency roles and assigns tasks regarding Federal assistance to States and local governments in their radiological emergency planning and preparedness activities connected with radiological accidents at commercial nuclear power plants.

Timetable:

Action	Date	FR Cite
NPRM	05/30/88	
NPRM Comment Period End	07/20/88	

Small Entity: No

Agency Contact: Marshall Sanders, Chief, Program Development Branch, State & Local Programs Directorate, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 646-4131**

RIN: 3067-AA77

2927. PERMANENT RELOCATION ASSISTANCE

Significance: Regulatory Program

Legal Authority: 42 USC 9601 et seq

CFR Citation: 44 CFR 221

Legal Deadline: None.

Abstract: This part prescribes the policies to be followed by the Federal Emergency Management Agency or any State or local government when implementing permanent relocation under the Comprehensive Environmental Response, Compensation and Liability Act of 1980 (CERCLA), as amended.

Timetable:

Action	Date	FR Cite
NPRM	03/14/88	
NPRM Comment Period End	05/16/88	
Final Action	06/03/88	
Final Action Effective	07/05/88	

Small Entity: No

Agency Contact: Charles D. Robinson, Chief, Superfund & Relocation Assistance Br., Disaster Assistance Program, SLPS, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 646-3805**

RIN: 3067-AA84

2928. FLOOD INSURANCE RATING SYSTEM CHANGES

Significance: Regulatory Program

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 61

Legal Deadline: None.

Abstract: National Flood Insurance Program premium rating system changes under consideration include a community rating system and a system to use revised FIRM's producing higher rates for existing policyholders, subject to a rate cap. The community rating system would be designed to recognize circumstances within local communities that mitigate or exacerbate the flooding risk, such as the inaction of a community in addressing flood problems or the performance of a community that goes beyond minimum

NFIP floodplain management requirements. The use of revised FIRM's for existing policyholders would replace the current practice of allowing premium rates for such policyholders to be based on the map in existence at the time of construction so long as the construction met the requirements at that time.

Timetable:

Action	Date	FR Cite
ANPRM	07/01/87	52 FR 24482
ANPRM Comment Period End	08/31/87	
NPRM	11/30/88	
NPRM Comment Period End	01/29/89	
Final Action	08/01/89	
Final Action Effective	10/01/89	

Small Entity: No

Agency Contact: Francis V. Reilly, Deputy Administrator, FIA, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2782

RIN: 3067-AA98

2929. DISASTER PREPAREDNESS ASSISTANCE

Legal Authority: 42 USC 5121 et seq; Reorganization Plan No. 3 of 1978; EO 12148

CFR Citation: 44 CFR 300

Legal Deadline: None.

Abstract: This regulation revises and makes technical corrections to the regulations governing assistance under title II of the Disaster Relief Act of 1974.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Gregory S. Jones, Emergency Management Specialist, Federal Emergency Management Agency, Off. of Disaster Assistance Programs, State & Local Programs Directorate, 500 C Street, SW, Washington, DC 20472, 202 646-3668

RIN: 3067-AB05

2930. CRITERIA FOR HURRICANE PREPAREDNESS ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Significance: Agency Priority

Legal Authority: 42 USC 5131; 50 USC App. 2251 to 2297; EO 12148; EO 12381

CFR Citation: 44 CFR 362

Legal Deadline: None.

Abstract: Under PL 93-288, the Federal Emergency Management Agency provides financial and technical assistance to States and local governments in their hurricane preparedness planning. Except for some instances, FEMA has provided 100 percent funding to designated States that have high risk hurricane hazard areas for the development of population preparedness and property protection studies. This proposed rulemaking will establish a plan for having States share the cost of these activities. These changes to 44 CFR 300.6 will affect only the hurricane preparedness portion of this rule; the earthquake hazards reduction portion will be revised in a separate concurrent rulemaking effort.

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
NPRM Comment Period End	05/00/88	
Final Action	06/00/88	

Small Entity: Not Applicable

Government Levels Affected: Local, State, Federal

Agency Contact: Richard Krimm, Assistant Associate Director, Office of Natural & Technological Hazards Programs, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2871

RIN: 3067-AB11

2931. FLOOD INSURANCE SUBSIDIZED RATE CHANGE

Significance: Regulatory Program

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 61

Legal Deadline: None.

Abstract: FEMA has determined that there is an imbalance between the general taxpayers and the NFIP policyholders in shouldering the costs of the NFIP that should be rectified by the policyholders, the direct Program beneficiaries, bearing more of the costs. The proposed rule would increase the chargeable (subsidized) premium rates, which apply to all structures in communities participating in the emergency program of the National Flood Insurance Program and to certain structures in communities in the regular program.

Timetable:

Action	Date	FR Cite
NPRM	02/17/88	
NPRM Comment Period End	04/17/88	
Final Action	08/01/88	
Final Action Effective	09/01/88	

Small Entity: No

Agency Contact: Howard Leikin, Special Assistant, Federal Insurance Administration, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2784

RIN: 3067-AB12

2932. ● NATIONAL FLOOD INSURANCE PROGRAM PAYMENT OF FLOOD INSURANCE FOR STRUCTURES ON LAND SUBJECT TO IMMINENT COLLAPSE OR SUBSIDENCE

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 59; 44 CFR 60; 44 CFR 61; 44 CFR 62

Legal Deadline: None.

Abstract: Section 544 of the Housing and Community Development Act of 1987 provides a new benefit to National Flood Insurance Program Policyholders: Payment for demolition or relocation of an insured structure if it is located "along the shore of a lake or other body of water and is certified by appropriate State and local land use authority to be subject to imminent collapse or subsidence as a result of erosion or undermining cause by waves or currents of water exceeding anticipated cyclical levels." FEMA plans to commission an investigation through the National Academy of Sciences (expected to take approximately 15 months) to provide a basis for regulations defining "imminent collapse" certification criteria and erosion zone management measures. In the meantime, FEMA is considering issuing interim administrative

regulations dealing with other aspects of providing new benefits.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Donald F. Collins, Assistant Administrator, Federal Insurance Administration, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3419

RIN: 3067-AB23

2933. ● NATIONAL FLOOD INSURANCE PROGRAM ELEVATED BUILDING COVERAGE

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 61

Legal Deadline: None.

Abstract: A proposed revision to the National Flood Insurance Program regulations would amend the Standard Flood Insurance Policy by making the elevated building coverage limitation, currently applicable to all elevated buildings having enclosures, contents, machinery, building components, equipment, or fixtures below the elevated floor, applicable only to elevated Post-FIRM buildings.

Timetable:

Action	Date	FR Cite
NPRM	03/18/88	
NPRM Comment Period End	05/17/88	
Final Action	07/08/88	
Final Action Effective	10/01/88	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, Federal Insurance Administration, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3419

RIN: 3067-AB24

2934. ● NATIONAL FLOOD INSURANCE PROGRAM ELEVATION REQUIREMENTS FOR MANUFACTURED HOMES

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 59; 44 CFR 60

Legal Deadline: None.

Abstract: Revisions to National Flood Insurance Program regulations regarding the elevation of manufactured homes placed in existing mobile home parks and subdivisions in special flood hazard areas that were effective October 1, 1986, were suspended effective June 30, 1987. There are three possible options: (1) lifting the suspension so that the October 1, 1986, revisions go back into effect; (2) continuing the suspension indefinitely; or (3) making some revisions different from the October 1, 1986 revisions.

Timetable:

Action	Date	FR Cite
NPRM	05/31/88	
NPRM Comment Period End	07/30/88	
Final Action	09/01/88	
Final Action Effective	10/01/88	

Small Entity: No

Agency Contact: Michael F. Robinson, Chief, Program Policy & Compliance Div., Federal Insurance Administration, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-2717

RIN: 3067-AB25

2935. ● INDIVIDUAL AND FAMILY GRANT PROGRAMS

Legal Authority: 42 USC 5178

CFR Citation: 44 CFR 205.54

Legal Deadline: None.

Abstract: An amendment is being proposed to exempt grants under the IFG program from the review provisions of Executive Orders 11988, Flood Plain Management and 11990, Protection of Wetlands.

Timetable:

Action	Date	FR Cite
NPRM	08/01/88	
NPRM Comment Period End	10/01/88	
Final Action	12/01/88	
Final Action Effective	01/01/89	

Small Entity: No

Agency Contact: Agnes C. Mravcak, Emergency Management Specialist, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3660

RIN: 3067-AB26

2936. ● DISASTER ASSISTANCE: SUBPART J (GENERAL INSURANCE REQUIREMENTS); SUBPART K (FLOOD INSURANCE REQUIREMENTS)

Legal Authority: 42 USC 5154; 42 USC 4001

CFR Citation: 44 CFR 205, Subpart J; 44 CFR 205, Subpart K

Legal Deadline: None.

Abstract: To change the rules for general hazard insurance and flood insurance which are required as a condition for receiving Federal assistance under the Disaster Relief Act of 1974, PL 83-288.

Timetable:

Action	Date	FR Cite
ANPRM	11/27/87	52 FR 45365
ANPRM Comment Period End	01/26/88	52 FR 45365
NPRM	05/15/88	
NPRM Comment Period End	07/15/88	
Final Action	10/15/88	

Small Entity: No

Agency Contact: Alex Burns, Program Officer, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3670

RIN: 3067-AB28

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA)

Final Rule Stage

2937. NONDISCRIMINATION ON THE BASIS OF HANDICAP IN FEMA

Legal Authority: 29 USC 794

CFR Citation: 44 CFR 16

Legal Deadline: None.

Abstract: This rule effectuates for FEMA the nondiscrimination requirements of section 504 of the Rehabilitation Act of 1973, as amended in 1978 to include activities conducted directly by Federal agencies. A draft regulation has been prepared and submitted to the Department of Justice and the Equal Employment Opportunity Commission for review.

Timetable:

Action	Date	FR Cite
NPRM	07/02/87	52 FR 25124
NPRM Comment Period End	08/31/87	
Interim Final Rule	05/01/88	
Final Action	07/01/88	

Small Entity: No

Agency Contact: John R. Curran, Sr., Director, Office of Personnel & Equal Opportunity, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 646-3962**

RIN: 3067-AA42

2938. TEMPORARY RELOCATION ASSISTANCE - SUPERFUND

Legal Authority: 42 USC 9601 et seq

CFR Citation: 44 CFR 220

Legal Deadline: None.

Abstract: This part prescribes policy and program guidance to be followed when implementing temporary relocation assistance under the Comprehensive Environmental Response, Compensation and Liability Act, 1980 (CERCLA) Superfund.

Timetable:

Action	Date	FR Cite
NPRM	06/10/86	51 FR 20995
NPRM Comment Period End	08/11/86	
Begin Review	10/01/86	
End Review	04/30/87	
Final Action	03/15/88	
Final Action Effective	04/15/88	

Small Entity: No

Agency Contact: Karen Forbes, Emergency Management Specialist, Federal Emergency Management Agency, Room 701, 500 C Street, SW, Washington, DC 20472, **202 646-3807**

RIN: 3067-AA72

2939. COMMUNITY DISASTER LOANS

Legal Authority: 42 USC 5201

CFR Citation: 44 CFR 205, Subpart F

Legal Deadline: None.

Abstract: To provide FEMA policies and procedures for administering the Community Disaster Loan Program under section 414, PL 93-288.

Timetable:

Action	Date	FR Cite
NPRM	04/28/87	52 FR 15348
NPRM Comment Period End	06/29/87	
Final Action	04/00/88	

Small Entity: No

Government Levels Affected: Local

Agency Contact: Gene Morath, Program Officer, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 646-3683**

RIN: 3067-AA95

2940. NATIONAL FLOOD INSURANCE PROGRAM REDEFINITION OF COASTAL HIGH HAZARD AREA

Significance: Regulatory Program

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 59

Legal Deadline: None.

Abstract: The proposed rule would modify the definition of "coastal high hazard area" at 44 CFR 59.1 to include the primary frontal dune on barrier islands and other sandy shorelines exposed to the open coast. Including primary frontal dunes in the definition of coastal high hazard areas would recognize their inherent susceptibility to flood and erosion hazards during major coastal storms. Classification of these dunes as VE zones on Flood Insurance Rate Maps would assure that adequate insurance rates are assessed and that the construction standards, appropriate to the hazards, are imposed should new construction on the primary frontal dunes be permitted by State or local ordinances.

Timetable:

Action	Date	FR Cite
NPRM	11/03/87	52 FR 42117
NPRM Comment Period End	01/04/88	52 FR 42117
Final Action	05/01/88	
Final Action Effective	10/01/88	

Small Entity: No

Agency Contact: Brian R. Mrazik, Assistant Administrator, Federal Insurance Administration, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, **202 646-2766**

RIN: 3067-AB08

2941. NATIONAL FLOOD INSURANCE PROGRAM CHANGES

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 59; 44 CFR 61; 44 CFR 72

Legal Deadline: None.

Abstract: Possible changes to the NFIP regulations include changes in the standard flood insurance policy, a change to flood plain management standards by specifying criteria under which communities may permit flood plain and floodway developments which would increase base flood elevations and the procedures to be followed in revising maps when these situations occur, a change to flood plain management standards by providing criteria which clarify a community's responsibilities with regard to the maintenance of altered water courses, a change to the procedures for map correction under the provisions of 44 CFR 70.3 by correcting an inconsistency with a subsequent section, and a change in the fee exemption provisions of 44 CFR 72.5 to give the Administrator discretion in waiving fees associated with the review of proposed projects that, when completed, could result in a NFIP map revision.

Timetable:

Action	Date	FR Cite
NPRM	11/03/87	52 FR 42117
NPRM Comment Period End	01/04/88	52 FR 42117
Final Action	05/01/88	
Final Action Effective	10/01/88	

Small Entity: No

FEMA — **Final Rule Stage**

Agency Contact: Donald L. Collins, Assistant Administrator, Federal Insurance Administration, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3419

RIN: 3067-AB09

2942. CHANGES IN NATIONAL FLOOD INSURANCE PROGRAM COMMISSIONS TO INSURANCE AGENTS

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 62

Legal Deadline: None.

Abstract: Changes under consideration would increase the insurance agents' commission on new NFIP policies and decrease the commission on direct bill renewals, resulting in an overall decrease in the average commission.

Timetable:

Action	Date	FR Cite
NPRM	05/20/87	52 FR 18929
NPRM Comment Period End	07/27/87	
Final Action	05/16/88	
Final Action Effective	10/01/88	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, Federal Insurance Administration, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3419

RIN: 3067-AB10

2943. CIVIL DEFENSE: STATE AND LOCAL EMERGENCY MANAGEMENT ASSISTANCE PROGRAM (EMA)

Legal Authority: 50 USC (App) 2253; Reorganization Plan No. 3 of 1978; EO 12148

CFR Citation: 44 CFR 302, (Revision)

Legal Deadline: None.

Abstract: Changes within existing regulation to delete one allocation formula factor.

Timetable:

Action	Date	FR Cite
NPRM	08/26/87	52 FR 32140
NPRM Comment Period End	10/26/87	52 FR 32140
Interim Final Rule	12/30/87	
Next Action Undetermined		

Small Entity: No

Government Levels Affected: Local, State

Agency Contact: John McKay, Chief, Emergency Management Systems Development Division, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-4252

RIN: 3067-AB14

2944. NONDISCRIMINATION IN FEDERALLY ASSISTED PROGRAMS ON THE BASIS OF AGE

Legal Authority: 42 USC 6103

CFR Citation: 44 CFR 7, Subpart E

Legal Deadline: None.

Abstract: This rule effectuates for FEMA the nondiscrimination requirements of the Age Discrimination Act of 1975.

Timetable:

Action	Date	FR Cite
NPRM	01/14/88	53 FR 922
NPRM Comment Period End	03/14/88	53 FR 922
Final Action	06/15/88	
Final Action Effective	08/15/88	

Small Entity: No

Agency Contact: Alan Clive, Equal Employment Manager, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3957

RIN: 3067-AB16

2945. CHANGES IN NFIP REGULATIONS FOR WRITE-YOUR-OWN PROGRAM

Legal Authority: 42 USC 4001 et seq; EO 12127

CFR Citation: 44 CFR 61; 44 CFR 62

Legal Deadline: None.

Abstract: Possible changes to the National Flood Insurance Program regulations governing the Write-Your-Own (WYO) Program include changes in the provisions on investing funds, remitting excess funds, audits of WYO companies, State or municipal taxes, loss adjustment expenses, and termination of WYO arrangements.

Timetable:

Action	Date	FR Cite
NPRM	02/07/88	53 FR 419
NPRM Comment Period End	03/07/88	53 FR 419
Final Action	05/16/88	
Final Action Effective	10/01/88	

Small Entity: No

Agency Contact: Donald L. Collins, Assistant Administrator, FIA, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3419

RIN: 3067-AB17

2946. ● FEDERAL CRIME INSURANCE RATE INCREASES

Legal Authority: 12 USC 1749bbb-17; EO 12127

CFR Citation: 44 CFR 80; 44 CFR 82; 44 CFR 83

Legal Deadline: None.

Abstract: Proposed revisions to the Federal Crime Insurance Program (FCIP) regulations would increase FCIP rates which apply to both residential and commercial properties located in eligible states. They would also authorize a premium discount and commercial burglary and robbery insurance policies in the form of credits for installation of holdup buttons and alarms protecting safes, and for commercial policies covering robbery away from the premises when the insured has demonstrated that he had entered into a contract with a bonded armored car service for transporting cash from the insured premises to a bank.

Timetable:

Action	Date	FR Cite
NPRM	01/11/88	53 FR 621
NPRM Comment Period End	03/11/88	53 FR 621
Final Action	03/25/88	
Final Action Effective	05/01/88	

Small Entity: No

Agency Contact: Robert J. DeHenzel, Chief, Urban Property Insurance Operations, Federal Emergency Management Agency, 500 C Street, SW, Washington, DC 20472, 202 646-3440

RIN: 3067-AB27

FEDERAL EMERGENCY MANAGEMENT AGENCY (FEMA) — Completed Actions

2947. PRESERVATION OF THE MOBILIZATION BASE THROUGH THE PLACEMENT OF PROCUREMENT AND FACILITIES IN LABOR SURPLUS AREAS

CFR Citation: 44 CFR 331

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: Paul Bryant 202 646-3607

RIN: 3067-AA32

2948. POLICY GUIDANCE AND DELEGATION OF AUTHORITIES FOR USE OF PRIORITIES AND ALLOCATIONS TO MAXIMIZE DOMESTIC ENERGY SUPPLIES

CFR Citation: 44 CFR 330

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: James Grichar 202 646-3054

RIN: 3067-AA33

2949. USE OF PRIORITIES AND ALLOCATION AUTHORITY FOR FEDERAL SUPPLY CLASSIFICATION (FSC) COMMON USE ITEMS (DMO-12)

CFR Citation: 44 CFR 329

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: Rita Friga 202 646-3343

RIN: 3067-AA34

2950. GENERAL POLICIES FOR STRATEGIC AND CRITICAL MATERIALS STOCKPILING (DMO-11)

CFR Citation: 44 CFR 328

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: Carl W. Carson 202 646-3520

RIN: 3067-AA35

2951. POLICY ON USE OF GOVERNMENT-OWNED INDUSTRIAL PLANT EQUIPMENT BY PRIVATE INDUSTRY (DMO-10A)

CFR Citation: 44 CFR 327

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: James Grichar 202 646-3054

RIN: 3067-AA36

2952. POLICY GUIDANCE FOR A NATIONAL EMERGENCY BLOOD PROGRAM

CFR Citation: 44 CFR 326

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: Clair Blong 202 646-3052

RIN: 3067-AA37

2953. EMERGENCY HEALTH AND MEDICAL OCCUPATIONS

CFR Citation: 44 CFR 325

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: Clair Blong 202 646-3544

RIN: 3067-AA38

2954. NATIONAL SECURITY POLICY GOVERNING SCIENTIFIC AND ENGINEERING MANPOWER (DMO-5)

CFR Citation: 44 CFR 324

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: Henry Hyatt 202 646-3567

RIN: 3067-AA43

2955. GUIDANCE ON PRIORITY USE OF RESOURCES IN IMMEDIATE POST ATTACK PERIOD (DMO-4)

CFR Citation: 44 CFR 323

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: Clair Blong 202 646-3052

RIN: 3067-AA44

2956. DEFENSE PRODUCTION PRIORITIES AND ALLOCATIONS AUTHORITY

CFR Citation: 44 CFR 322

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: Rita Friga 202 646-3343

RIN: 3067-AA45

2957. MAINTENANCE OF THE MOBILIZATION BASE

CFR Citation: 44 CFR 321

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: Rita Friga 202 646-3343

RIN: 3067-AA46

2958. DISPERSION AND PROTECTIVE CONSTRUCTION: POLICY, CRITERIA RESPONSIBILITIES (DMO-1)

CFR Citation: 44 CFR 320

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: James Grichar 202 646-3054

RIN: 3067-AA47

2959. STATE ASSISTANCE PROGRAMS FOR TRAINING AND EDUCATION IN COMPREHENSIVE EMERGENCY MANAGEMENT

CFR Citation: 44 CFR 360

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: Robert T. Petersen 301 447-6771

RIN: 3067-AA70

2960. ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

CFR Citation: 44 CFR 13

Completed:

Reason	Date	FR Cite
Final Action	03/11/88	53 FR 8034
Final Action Effective	10/01/88	

Small Entity: No

Agency Contact: Arthur Curry 202 646-3718

RIN: 3067-AA90

2961. REIMBURSEMENT OF OTHER FEDERAL AGENCIES

CFR Citation: 44 CFR 205, Subpart I

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: John F. Guerre 202 646-3675

RIN: 3067-AA92

2962. CRITERIA FOR EARTHQUAKE HAZARDS REDUCTION ASSISTANCE TO STATE AND LOCAL GOVERNMENTS

Significance: Regulatory Program

CFR Citation: 44 CFR 361

Completed:

Reason	Date	FR Cite
Final Action	09/08/87	52 FR 33814
Final Action Effective	10/01/87	52 FR 33814

Small Entity: Not Applicable

Agency Contact: Richard W. Krimm 202 646-2871

RIN: 3067-AA99

2963. FEDERAL CRIME INSURANCE PROGRAM

CFR Citation: 44 CFR 80; 44 CFR 81; 44 CFR 82; 44 CFR 83

Completed:

Reason	Date	FR Cite
Final Action	08/17/87	52 FR 30683
Final Action Effective	09/16/87	52 FR 30683

Small Entity: No

Agency Contact: Robert J. DeHenzel 202 646-3440

RIN: 3067-AB13

[FR Doc. 88-5090 Filed 04-22-88; 8:45 am]
BILLING CODE 6718-01-T

federal register

Monday
April 25, 1988

Part XXIII

Federal Mediation and Conciliation Service

Semiannual Regulatory Agenda

FEDERAL MEDIATION AND CONCILIATION SERVICE (FMCS)

FEDERAL MEDIATION AND CONCILIATION SERVICE

29 CFR Ch. XII

Unified Agenda of Federal Regulations

AGENCY: Federal Mediation and Conciliation Service.

ACTION: Semiannual agenda required by the Regulatory Flexibility Act of 1980.

SUMMARY: The Federal Mediation and Conciliation Service is redrafting one regulation subject to the Regulatory Flexibility Act during the six month period from April to October 1988. That regulation is Arbitration Policy and Practice.

FOR FURTHER INFORMATION CONTACT: Daniel P. Dozier, Legal Counsel, Federal Mediation and Conciliation Service, 2100 K Street, NW., Washington, DC 20427, (202) 653-5305.

Dated: March 11, 1988.

Kay McMurray,

Director.

FEDERAL MEDIATION AND CONCILIATION SERVICE (FMCS) — Proposed Rule Stage

2964. REVIEW OF EXISTING ARBITRATION REGULATION

Significance: Agency Priority

Legal Authority: 29 USC 172; 5 USC 552; 29 USC 173

CFR Citation: 29 CFR 1404

Legal Deadline: None.

Abstract: The Federal Mediation and Conciliation Service is in the process of redrafting its existing Arbitration Services regulation at 29 CFR Part 1404. The Service will have completed its initial draft by April 1988. A proposed rule will be published soon thereafter and public comments solicited.

Timetable:

Action	Date	FR Cite
End Review	10/00/87	
NPRM	05/00/88	

Small Entity: No

Agency Contact: Daniel P. Dozier, Counsel, Federal Mediation and Conciliation Service, 2100 K Street, NW, Washington, DC 20427, 202 653-5305

RIN: 3076-AA01

[FR Doc. 88-6198 Filed 04 22-88; 8:45 am]

BILLING CODE 6732-01-T

federal register

Monday
April 25, 1988

Part XXIV

General Services Administration

Semiannual Regulatory Agenda

GENERAL SERVICES ADMINISTRATION (GSA)

GENERAL SERVICES ADMINISTRATION

41 CFR Chs. 101, 105, and 201

48 CFR Ch. 5

Unified Agenda of Federal Regulations

AGENCY: General Services Administration.

ACTION: Semiannual agenda.

SUMMARY: This agenda announces the proposed regulatory actions that GSA plans for the next 12 months and those actions that were completed since October 1987. This agenda was developed under the guidelines in OMB Bulletin 88-1, dated October 7, 1987. GSA's purpose in publishing this agenda is to allow interested persons an opportunity to participate in the rulemaking process.

FOR FURTHER INFORMATION CONTACT: Rodney P. Lantier, Chief, Directives and Correspondence Management Branch (202) 566-0666.

SUPPLEMENTARY INFORMATION: None of the regulations will have an effect on small businesses or other entities. None of the regulations listed are considered major under Executive Order 12291, Federal Regulations.

Dated: February 22, 1988.

T. C. Golden,

Administrator of General Services.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
2965	Utilization, Donation, and Disposal of Foreign Gifts and Decorations	3090-AC85
2966	FIRMR Improvement Project	3090-AD04
2967	Federal Property Management Regulations; Annual Real Property Inventories	3090-AC74

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
2968	General Services Administration Acquisition Regulation Change Subpart 46.7	3090-AB82
2969	Miscellaneous Changes on the Acquisition of Leasehold Interests in Real Property (GSAR 5-155)	3090-AC59
2970	Contract Closeout Procedures (GSAR 5-96)	3090-AC67
2971	Multiyear Contracts and Contracts with Options (GSAR 5-106)	3090-AC68
2972	Small Business Subcontracting Plans (GSAR 5-122)	3090-AC69
2973	Federal Property Management Regulations; Revises the Reporting Requirements for Real Property	3090-AB31
2974	Prepayment Transportation Audit Procedures	3090-AC92
2975	Revision of Standard Form 1169, U.S. Government Transportation Request	3090-AD12
2976	Revision of Standard Form 1170, Redemption of Unused Tickets	3090-AD13
2977	Update of Governmentwide Policies and Regulations	3090-AB08
2978	Revision of ADPE Reutilization Policies and Procedures Including Instructions for SF 120, Project 86.14A	3090-AC25
2979	Establishment of Policies and Procedures for Federal Agencies' Management of Electronic Recordkeeping, Project 86.83A	3090-AC54
2980	Office Equipment Accessibility for the Handicapped	3090-AD02
2981	Implementation of Title VIII, Paperwork Reduction Reauthorization Act of 1986, P.L. 99-500 Regarding Automatic Data Processing Equipment	3090-AD03
2982	Enforcement of Nondiscrimination on the Basis of Handicap in Federally Conducted Programs	3090-AC48
2983	Nondiscrimination on the Basis of Race, Color, National Origin, and where applicable, sex	3090-AC49

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
2984	Supply Sources and Related Programs	3090-AA89
2985	General Services Administration Acquisition Regulation, Change Receipt of Proposals and Quotations	3090-AB83
2986	General Services Administration Acquisition Regulation Change Part 501	3090-AB86
2987	Buy American Act - Construction Materials (GSAR 5-131)	3090-AC37
2988	Federal Procurement Data System (FPDS) Reporting Requirements (GSAR 5-113)	3090-AC56
2989	Multiple Award Schedule Program (GSAR 5-38A)	3090-AC61
2990	General Services Administration Acquisition Regulation (GSAR) Proposed Rule, Utility Contracts, GSAR Case 5-65	3090-AD10

GSA

Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
2991	General Services Administration Acquisition Regulation (GSAR) Acquisition Circular, AC-87-4, Increase in Thresholds for Contracting Office Warrant Program & Imprest Funds Trans	3090-AD11
2992	Revision of Public Voucher for Transportation Charges, Standard Form 1113	3090-AB69
2993	Audit Procedures for Commercial Bills of Lading- Cost-Reimbursement-Type Contracts	3090-AC20
2994	National Defense Stockpile Disposal Regulations	3090-AA40
2995	Reporting of Excess Real Property - Asbestos	3090-AD05
2996	Donation of Personal Property	3090-AA23
2997	Donation of Abandoned and Forfeited Personal Property	3090-AA24
2998	Acquisition and Use of Excess Personal Property	3090-AA30
2999	Utilization, Donation, Sale, Abandonment or Destruction of Hazardous Materials	3090-AA42
3000	Change to Federal Travel Regulations (FTR), FPMR 101-7, Supplement (Unassigned)	3090-AC93
3001	Removal of the Federal Travel Regulations from the Federal Property Management Regulations System	3090-AD19

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3002	General Services Administration Acquisition Regulation; Subcontracting Plan Reporting Requirements; Change 48	3090-AB76
3003	General Services Administration Acquisition Regulation (GSAR), Acquisition Circular, AC-87-3, Monitoring Contractor Compliance with Subcontracting Plans	3090-AD06
3004	General Services Administration Acquisition Regulation (GSAR), Change 47, Implementing FAC 84-25	3090-AD07
3005	General Services Administration Acquisition Regulation (GSAR) Change 49, Prompt Payment Discounts	3090-AD08
3006	General Services Administration Acquisition Regulation (GSAR) Change 50, Revision of GSA Form 300	3090-AD09
3007	Reporting of Excess Real Property - PCB	3090-AC90
3008	Utilization and Disposal of Personal Property	3090-AA45
3009	Federal Travel Regulations (FTR), FPMR 101-7, Supplement 26	3090-AC24
3010	Use of Cash for Official Travel (Temporary Regulation)	3090-AC91
3011	Update of Governmentwide Policies and Regulations regarding Federal Employee use of Government Telephone Systems (87.14A)	3090-AC75
3012	Interim implementation of Pub. L. 99-500 Title VIII Brooks Act Amendment-Extension of Temporary Regulation	3090-AD01
3013	Federal Advisory Committee Management	3090-AA62

GENERAL SERVICES ADMINISTRATION (GSA) — Prerule Stage

FEDERAL SUPPLY AND SERVICES

2965. UTILIZATION, DONATION, AND DISPOSAL OF FOREIGN GIFTS AND DECORATIONS

Legal Authority: 40 USC 486(c); 5 USC 7342

CFR Citation: 41 CFR 101-49

Legal Deadline: None.

Abstract: This rule updates and revises GSA's policy and procedure concerning the utilization, donation, and disposal of foreign gifts and decorations.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Mr. Stanley M. Duda, Director, Property Management, General Services Administration, General Services ADministration, Property Management Division, Washington, DC 20406, 703 557-1240

RIN: 3090-AC85

OFFICE OF INFORMATION RESOURCES MANAGEMENT

2966. ● FIRMR IMPROVEMENT PROJECT

Significance: Regulatory Program

Legal Authority: 40 USC 486(c); 40 USC 751(f)

CFR Citation: 41 CFR 201

Legal Deadline: None.

Abstract: In response to recommendations by users of the FIRMR to revise the regulation to make it more readable and useful, GSA plans to restructure the FIRMR during the next few years. This restructuring will include: the separation of policies and procedures, the separation of contracting from management and use provisions, the reorganization of FIRMR

GSA — Prerule Stage

contracting provisions for consistency with the Federal Acquisition Regulations, and the reorganization of the FIRMR's management and use provisions into a life cycle format. As the final draft of each subchapter is completed, GSA will seek public comment on the subchapter through a notice of proposed rulemaking. Subchapter E, which deals with acquisition, will be completed first and, if possible, issued as a final rule before publication of the entire FIRMR.

Timetable:

Action	Date	FR Cite
ANPRM	04/00/88	
ANPRM Comment Period End	06/00/88	
NPRM	08/00/88	
Final Action Effective	12/00/89	

Small Entity: Yes

Agency Contact: David Mullins, Chief, Policy Branch, General Services Administration, GSA, IRMS/KMPR, Washington, D.C. 20405, 202 535-7462

RIN: 3090-AD04

PUBLIC BUILDINGS SERVICE

2967. FEDERAL PROPERTY MANAGEMENT REGULATIONS; ANNUAL REAL PROPERTY INVENTORIES

Legal Authority: EO 12411

CFR Citation: 41 CFR 101-3

Legal Deadline: None.

Abstract: This regulation will be reviewed and updated in light of the governmentwide space reduction and utilization improvement initiatives mandated in Executive Order 12411--Government Work Space Management Reform--and FPMR Temporary Regulation D-73-- Quality Workplace Environment.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Judy Maretta, Director, Governmentwide Policy Div., General Services Administration, GSA Office of Governmentwide Real Property, Policy and Oversight (PG), Washington, DC 20405, 202 566-0507

RIN: 3090-AC74

GENERAL SERVICES ADMINISTRATION (GSA) — Proposed Rule Stage

ACQUISITION POLICY

2968. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CHANGE SUBPART 46.7

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 546

Legal Deadline: None.

Abstract: GSA to issue a GSAR amendment to implement and supplement the FAR Subpart 46.7 by providing agency policies and procedures on the use of Warranties.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4026, Washington, DC 20405, 202 523-3822

RIN: 3090-AB82

2969. MISCELLANEOUS CHANGES ON THE ACQUISITION OF LEASEHOLD INTERESTS IN REAL PROPERTY (GSAR 5-155)

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 570

Legal Deadline: None.

Abstract: The General Services Administration Acquisition Regulation (GSAR) will be amended to codify in the regulation the revised contract clauses approved for use in lease contracts.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Streets, NW, Washington, DC 20405, 202 523-3822

RIN: 3090-AC59

2970. CONTRACT CLOSEOUT PROCEDURES (GSAR 5-96)

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 504

Legal Deadline: None.

Abstract: The General Services Administration Acquisition Regulations (GSAR) will be amended to implement one of the recommendations resulting from a Federal Procurement Reform study under Executive Order 12352 by providing agency procedures in Part 504.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Streets, NW, Washington, DC 20405, 202 523-3822

RIN: 3090-AC67

2971. MULTIYEAR CONTRACTS AND CONTRACTS WITH OPTIONS (GSAR 5-106)

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 517

Legal Deadline: None.

Abstract: The General Services Administration Acquisition Regulation

(GSAR) will be amended to incorporate the deviation from FAR 52.217-1, Limitations of Price and Contractor Qualifications and FAR 52.217-2, Cancellation of Items; and to consider the applicability of FAR Part 17 to Federal Supply Service multiyear contracts and contracts with options.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Streets, NW, Washington, DC 20405, 202 523-3822

RIN: 3090-AC68

2972. SMALL BUSINESS SUBCONTRACTING PLANS (GSAR 5-122)

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 501; 48 CFR 519

Legal Deadline: None.

Abstract: The General Services Administration Acquisition Regulation (GSAR) will be amended to include information and instructions regarding various types and need for subcontracting plans; and to insert a reference to reflect the applicability of Subpart 519.7 to leases of real property in Section 501.103(b).

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Streets, NW, Washington, DC 20405, 202 523-3822

RIN: 3090-AC69

OFFICE OF THE COMPTROLLER

2973. FEDERAL PROPERTY MANAGEMENT REGULATIONS; REVISES THE REPORTING REQUIREMENTS FOR REAL PROPERTY

Legal Authority: EO 12411

CFR Citation: 41 CFR 101-3

Legal Deadline: None.

Abstract: This regulation revises FPMR 101-3 with changes and additions to the data elements currently collected as part of the World-Wide Real Property Inventory System. It also displays the revised forms to be used when supplying this information. These changes are necessary to monitor government-wide space reduction initiatives mandated by Executive Order 12411 - Government Work Space Management Reforms and Temporary Regulation D-70-Work Space Management Plans.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Bobby Daniel, Accounting Specialists, General Services Administration, GSA Office of Governmentwide Real Property, Policy and Oversight(PG), Washington, DC 20405, 202 566-1426

RIN: 3090-AB31

FEDERAL SUPPLY AND SERVICES

2974. PREPAYMENT TRANSPORTATION AUDIT PROCEDURES

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101

Legal Deadline: None.

Abstract: This proposed rule implements Pub. L. 99-627 relating to prepayment audits of selected transportation bills. This rule also prescribes procedures, conditions, and limitations relevant to any delegation of authority to another agency for the purpose of conducting prepayment audits.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: No

Agency Contact: John W. Sandfort, Chief, Regulations, Procedures, and, Review Branch (FWCP), General Services Administration, 18th & F Streets, NW, Washington, DC 20405, 202 786-3065

RIN: 3090-AC92

2975. ● REVISION OF STANDARD FORM 1169, U.S. GOVERNMENT TRANSPORTATION REQUEST

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101

Legal Deadline: None.

Abstract: The current Standard Form (SF) 1169 Government Transportation Request (GTR) format is not suitable for automated preparation. This rule proposes to make the SF 1169 available in electronic data processing (EDP) format to facilitate form preparation on either a typewriter or an automated printer.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: No

Agency Contact: Carolyn West, Transportation Specialist, General Services Administration, GSA/FWCP/R, 18th & F Streets, NW, Washington, D.C. 20405, 202 786-3005

RIN: 3090-AD12

2976. ● REVISION OF STANDARD FORM 1170, REDEMPTION OF UNUSED TICKETS

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101

Legal Deadline: None.

Abstract: The current Standard Form (SF) 1170, Redemption of Unused Tickets, format is not suitable for automated preparation. This rule proposes to make the SF 1170 available in electronic data processing (EDP) format to facilitate form preparation on either a typewriter or an automated printer.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: No

Agency Contact: Carolyn West, Transportation Specialist, General Services Administration, GSA/FWCP/R, 18th & F Streets, NW, Washington, D.C., 202 786-3005

RIN: 3090-AD13

OFFICE OF INFORMATION RESOURCES MANAGEMENT

2977. UPDATE OF GOVERNMENTWIDE POLICIES AND REGULATIONS

Significance: Agency Priority

Legal Authority: 40 USC 486(c); 40 USC 751(f)

CFR Citation: 41 CFR 201-21; 41 CFR 201-23; 41 CFR 201-38; 41 CFR 201-39; 41 CFR 201-41

Legal Deadline: None.

Abstract: This project revises FIRMR Provisions relating to Federal Telecommunications acquisition and management. It will include changes brought about by the Federal Communications Commission Computer II inquiry and the divestiture of AT&T. This regulation will update GSA policies and provisions impacting Government-wide telecommunication management and will specifically address the need for requirements definition and analysis for local and intercity service. It will revise "major change" requirements and state what GSA needs from agencies if GSA is expected to provide services or if GSA is reviewing service for individual agency acquisitions. All obsolete provisions will be eliminated.

Timetable:

Action	Date	FR Cite
NPRM	09/23/87	52 FR 35736
NPRM Comment Period End	11/23/87	52 FR 35736
NPRM FIRMR Amendment	04/01/88	
Final Action Effective	07/00/88	

Small Entity: No

Agency Contact: John F. Stewart, Supervisory Communications Specialist, General Services Administration, Regulations Branch (KMPR), Information Resources Management Service, Washington, DC 20405, 202 566-0194

RIN: 3090-AB08

2978. REVISION OF ADPE REUTILIZATION POLICIES AND PROCEDURES INCLUDING INSTRUCTIONS FOR SF 120, PROJECT 86.14A

Significance: Agency Priority

Legal Authority: 40 USC 486(c); 40 USC 751(f)

CFR Citation: 41 CFR 201 to 33

Legal Deadline: None.

Abstract: This regulation delegates to agencies authority and responsibility for interagency screening of excess and exchange/sale ADPE with an original acquisition cost (OAC) below $1,000,000. A recent analysis of the ADPE reported to GSA for interagency reuse during the last two years revealed that there is a minimum amount of savings to be realized for the reuse of ADPE with an OAC under $1,000,000. Additionally, these savings are further reduced when the costs of nationwide interagency screening are considered.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: No

Agency Contact: Phillip R. Patton, Procurement Analyst, General Services Administration, Regulations Branch (KMPR), Information Resources Management Service, Washington DC 20405, 202 566-0194

RIN: 3090-AC25

2979. ESTABLISHMENT OF POLICIES AND PROCEDURES FOR FEDERAL AGENCIES' MANAGEMENT OF ELECTRONIC RECORDKEEPING, PROJECT 86.83A

Legal Authority: 40 USC 486(f); 40 USC 751(f)

CFR Citation: 41 CFR 201-22; 41 CFR 201-34; 41 CFR 201-45

Legal Deadline: None.

Abstract: This project establishes a new Subpart 201-45.2 in the FIRMR to establish governmentwide policies and procedures for the management of electronic recordkeeping. Specifically responsibilities for the creation, maintenance, use, and disposition of electronic records will be prescribed.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	08/00/88	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Carolyn A. Thomas, Program Analyst, General Services Administration, Regulations Branch (KMPR), Information Resources Management Service, Washington, DC 20405, 202 566-0194

RIN: 3090-AC54

2980. ● OFFICE EQUIPMENT ACCESSIBILITY FOR THE HANDICAPPED

Significance: Regulatory Program

Legal Authority: 40 USC 486(c); 40 USC 751(f)

CFR Citation: 41 CFR 201

Legal Deadline: Statutory, September 30, 1988.

Abstract: The Rehabilitation Act of 1973, as amended (P.L. 99-506), directs GSA to adopt Governmentwide guidelines on electronic equipment accessibility. GSA will issue a nonmandatory FIRMR bulletin describing procedures agencies should follow in acquiring equipment for employees with disabilities and the types of equipment or strategies that can be used to make this technology more useable by disabled employees. This project will result in regulatory changes to the FIRMR to reflect special procedures managers must follow to ensure equipment accessibility for the disabled.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	09/00/88	

Small Entity: No

Agency Contact: Phillip R. Patton, Procurement Analyst, General Services Administration, GSA, IRMS/KMPR, Washington, D.C. 20405, 202 566-0194

RIN: 3090-AD02

GSA

Proposed Rule Stage

2981. ● IMPLEMENTATION OF TITLE VIII, PAPERWORK REDUCTION REAUTHORIZATION ACT OF 1986, P.L. 99-500 REGARDING AUTOMATIC DATA PROCESSING EQUIPMENT

Significance: Regulatory Program

Legal Authority: 40 USC 486(c); 40 USC 751(f)

CFR Citation: 41 CFR 201-1; 41 CFR 201-2; 41 CFR 201-23; 41 CFR 201-24

Legal Deadline: None.

Abstract: This regulation implements certain selected portions of the Paperwork Reduction Reauthorization Act of 1986. Among the other changes, it clarifies the applicability of the FIRMR to the management acquisition, and use of various information resources by Federal agencies. The amendment prescribes FIRMR policies and procedures for use in determining whether any particular procurement must be conducted under GSA's exclusive procurement authority. It also streamlines the Delegations Program by establishing uniform procedures, uniform blanket delegations of procurement authority, Agency Procurement Requests for all ADP and telecommunications resources.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	09/00/88	

Small Entity: No

Agency Contact: Phillip R. Patton, Procurement Analyst, General Services Administration, GSA, IRMS/KMPR, Washington, D.C. 20405, 202 566-0194

RIN: 3090-AD03

OFFICE OF ORGANIZATION AND PERSONNEL

2982. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN FEDERALLY CONDUCTED PROGRAMS

Legal Authority: PL 95-602, Sec 119

CFR Citation: 41 CFR 105-8

Legal Deadline: None.

Abstract: The General Services Administration proposes this regulation to implement the above cited laws. These statutes prohibit discrimination on the basis of handicap as it applies to any programs or activities conducted by GSA.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: This proposed rule has been circulated internally and externally for comments. Comments have been received from the Equal Employment Opportunity Commission. We are still waiting for the Department of Justice's approval and comment on the regulation. Employment Opportunity Commission. The Department of Justice's comments on regulation with respect to GSA's role as the Federal Government landlord have been received. Comments regarding the program portion of the regulation have not been received. Comments regarding the program portion of the regulation were received on June 4, 1987 from the Department of Justice (DOJ). Reconciling of comments with Public Building Services and DOJ is presently occurring.

Government Levels Affected: Federal

Agency Contact: Thomas E. Henderson, Equal Employment Specialist (CTC), General Services Administration, General Services Administration, 18th and F Streets, NW, Washington, DC 20405, 202 566-1368

RIN: 3090-AC48

2983. NONDISCRIMINATION ON THE BASIS OF RACE, COLOR, NATIONAL ORIGIN, AND WHERE APPLICABLE, SEX

Legal Authority: 40 USC 476; 42 USC 2000d-1; 20 USC 1681

CFR Citation: 41 CFR 101-8.2

Legal Deadline: None.

Abstract: The General Services Administration proposes this regulation to implement all of the above cited Federal laws. These statutes prohibit discrimination, in whole or in part, so that no person in the United States shall on the grounds of race, color, national origin, or sex be excluded from participation in, be denied the benefits of, or be subject to discrimination under any program activity receiving Federal assistance from the General Services Administration. In addition, the objectives of the regulation are to streamline certain administrative procedural requirements by consolidating prohibitions of discrimination into one regulation and to make requirements clear and convenient for applicants and recipients to comply with, as well as making the regulation manageable for GSA to administer.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Thomas E. Henderson, EEO Specialist, General Services Administration, General Services Administration, 18th and F Streets, NW, Washington, DC 20405, 202 566-1368

RIN: 3090-AC49

GENERAL SERVICES ADMINISTRATION (GSA)

Final Rule Stage

ACQUISITION POLICY

2984. SUPPLY SOURCES AND RELATED PROGRAMS

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-26

Legal Deadline: None.

Abstract: Part 101-26 prescribes policies and procedures for the procurement of personal property and nonpersonal services by Federal agencies from established Government supply sources. A number of executive agencies have indicated that this part needs to be revised to update, improve, clarify and streamline these regulations. GSA

officials and representatives from the major executive agencies are developing a draft revision of this part to meet their requirements more adequately.

Timetable:

Action	Date	FR Cite
Final Action	04/29/88	

Small Entity: No

Agency Contact: Robert A. Renner, Supply Systems Analyst, General Services Administration, Regulations and Policy Division (FFY), Washington, DC 20406, 703 557-1256

RIN: 3090-AA89

2985. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION, CHANGE RECEIPT OF PROPOSALS AND QUOTATIONS

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 515; 48 CFR 552

Legal Deadline: None.

Abstract: GSA to issue a GSAR amendment which will (1) revise Section 515.411, Receipt of Proposals and Quotations, to require the use of the appropriate Business Service Center for receipt and safeguarding of proposals or quotations (except small purchases) unless an exemption is obtained; (2) amend Part 515 to establish a special Late Proposals provision for Multiple Award Federal Supply Schedules that will preclude an offeror from adding additional items to an offer after the time set for submission of offer; and (3) revise clause 552.210-78, Charges for Packaging and Packing.

Timetable:

Action	Date	FR Cite
NPRM	08/17/87	52 FR 30694

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Margorie Ashby, Management Analyst Analyst, General Services Administration, GSA Acquistion Policy and Regulations, 18th & F Sts., NW Room 4026, Washington, DC 20405, 202 523-3822

RIN: 3090-AB83

2986. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION CHANGE PART 501

Legal Authority: 40 USC 486(c) Sec. 205(c), 63 Stat. 390

CFR Citation: 48 CFR 501

Legal Deadline: None.

Abstract: To issue a GSAR amendment to implement the requirements of the Competition Enhancement Act of 1984 (Pub. L. 98-577) regarding publicizing proposed regulations in Part 501, General Services Administration Acquisition Regulations System.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Sts., NW Room 4027, Washington, DC 20405, 202 523-3822

RIN: 3090-AB86

2987. BUY AMERICAN ACT - CONSTRUCTION MATERIALS (GSAR 5-131)

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 525; 48 CFR 552

Legal Deadline: None.

Abstract: The General Services Administration Acquisition Regulation (GSAR) will be amended to add sections that will address the method of evaluation of offers based on the use of non-domestic construction materials in construction contracts.

Timetable:

Action	Date	FR Cite
NPRM	11/03/87	52 FR 42125

Next Action Undetermined

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, Washington, DC 20405, 202 523-3822

RIN: 3090-AC37

2988. FEDERAL PROCUREMENT DATA SYSTEM (FPDS) REPORTING REQUIREMENTS (GSAR 5-113)

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 504; 48 CFR 553

Legal Deadline: None.

Abstract: The General Services Administration Acquisition Regulation (GSAR) will be amended to incorporate the material currently in the Procurement Management Information System handbook into the regulation; the handbook provides guidance, procedures, and instructions on the preparation of various recurring procurement reporting requirements.The Federal Procurement Data System provides a comprehensive mechanism for assembling, organizing and presenting contract order, lease, schedule, and placement data for the Federal Government.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Streets, NW, Washington, DC 20405, 202 523-3822

RIN: 3090-AC56

2989. MULTIPLE AWARD SCHEDULE PROGRAM (GSAR 5-38A)

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 515; 48 CFR 538; 48 CFR 552

Legal Deadline: None.

Abstract: The General Services Administration Acquisition Regulation will be amended to revise Section 515.804-3 to add instructions on claiming and granting exemptions to the requirement for submission on cost or pricing data in the multiple award schedule (MAS) contracting process; to add Section 515.804-70 to provide the format of the discount schedule and marketing data sheets to be used in MAS solicitations; to add Part 538 to provide procedures on the GSA schedule contracting process; and to add Section 552.238-70 to provide text of the price reductions clause to be

used in certain MAS solicitations and contracts.

Timetable:

Action	Date	FR Cite
NPRM	08/12/86	51 FR 31344

Next Action Undetermined

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA Acquisition Policy and Regulations, 18th & F Streets, NW, Washington, DC 20405, 202 523-3822

RIN: 3090-AC61

2990. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) PROPOSED RULE, UTILITY CONTRACTS, GSAR CASE 5-65

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 508; 48 CFR 513

Legal Deadline: None.

Abstract: This proposed General Services Administration Acquisition Regulation will revise Part 508 to clarify the Federal Acquisition Regulation definition of utility services, to prescribe policies governing the acquisition of utility services, to prescribe procedures for precontract review for utility contracts, to provide for annual rate reviews, to provide for use of GSA forms for acquiring utility services; and to revise Part 553 to illustrate GSA Forms 1533, Utilities Contract; 1683, Negotiated Electric Utility Contract, and 1684, Technical Provisions (Electric Utility Contract).

Timetable:

Action	Date	FR Cite
NPRM	12/24/87	52 FR 48729
Final Action	04/01/88	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA, Off. of GSA Aquisition Policy and Regs., 18th & F Streets, NW 20405, Washington, D.C., 202 523-3822

RIN: 3090-AD10

2991. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) ACQUISITION CIRCULAR, AC-87-4, INCREASE IN THRESHOLDS FOR CONTRACTING OFFICE WARRANT PROGRAM & IMPREST FUNDS TRANS

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 501; 48 CFR 513

Legal Deadline: None.

Abstract: This Acquisition Circular temporarily amends Parts 501 and 513 of the General Services Administration Acquisition Regulation (GSAR) to increase the threshold for purchases which require a contracting officer warrant and to increase the threshold for purchases paid through the imprest fund.

Timetable:

Action	Date	FR Cite
NPRM	01/05/88	53 FR 132

Next Action Undetermined

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA, Off. of GSA Acquisition Policy & Regs., 18th & F Streets, NW, Washington, D.C. 20405, 202 523-3822

RIN: 3090-AD11

OFFICE OF THE COMPTROLLER

2992. REVISION OF PUBLIC VOUCHER FOR TRANSPORTATION CHARGES, STANDARD FORM 1113

Legal Authority: 31 USC 3726; 40 USC 486(c)

CFR Citation: 41 CFR 101-41

Legal Deadline: None.

Abstract: This rule revises Public Voucher for Transportation Charges, Standard Form 1113, to eliminate various information blocks because certain agency fiscal control numbers are no longer required. This change will reduce the amount of time agencies spend in processing these documents.

Timetable:

Action	Date	FR Cite
Final Action	04/01/88	

Small Entity: No

Agency Contact: Gracie Jones, Transportation Specialist, General Services Administration, Regulations and Procedures Section (FWCP/R), Washington, DC 20405, 202 786-3007

RIN: 3090-AB69

2993. AUDIT PROCEDURES FOR COMMERCIAL BILLS OF LADING-COST-REIMBURSEMENT-TYPE CONTRACTS

Legal Authority: 31 USC 3726; 40 USC 486 (c)

CFR Citation: 41 CFR 101-41

Legal Deadline: None.

Abstract: This rule requires contractors doing business with the United States Government to submit cost reimbursement-type contract commercial bills of lading to GSA for audit.

Timetable:

Action	Date	FR Cite
NPRM	07/05/85	50 FR 27625
Final Action	04/01/88	

Small Entity: No

Agency Contact: Carolyn F. West, Transportation Specialist, General Services Administration, FWCP, Washington, DC 20405, 202 786-3025

RIN: 3090-AC20

FEDERAL PROPERTY RESOURCES SERVICE

2994. NATIONAL DEFENSE STOCKPILE DISPOSAL REGULATIONS

Legal Authority: 50 USC 98; EO 12155

CFR Citation: 41 CFR 101-14.4

Legal Deadline: None.

Abstract: These regulations indicate the procedures for disposing of strategic and critical materials that are excess to National Defense Stockpile needs and have been authorized for disposal by Congress, pursuant to the Stock Piling Act of 1979 50 USC 98 et seq. These regulations will be responsive to public sector, intergovernment and intragovernment comments reflecting on the lack of published regulations governing GSA's stockpile disposal policies and procedures.

GSA

Final Rule Stage

Timetable:

Action	Date	FR Cite
Final Action	06/30/88	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0; Base Year for Dollar Estimates: 1983

Government Levels Affected: Federal

Agency Contact: J. Wayne Kulig, Assistant Commissioner, General Services Administration, Office of National Defense Stockpile (DN), Washington, DC 20405, **202 535-7671**

RIN: 3090-AA40

2995. ● REPORTING OF EXCESS REAL PROPERTY - ASBESTOS

Legal Authority: 40 USC 483(b)

CFR Citation: 41 CFR 101-47.202-2

Legal Deadline: None.

Abstract: 41 CFR 101-47.202-2 is to be amended to require that specific information concerning asbestos contamination be included in all reports of excess real property.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Marjorie L. Lomax, Director, Policy and Planning Division (DRP), General Services Administration, 18th & F Streets, NW, Washington, D.C. 20405, **202 535-7052**

RIN: 3090-AD05

FEDERAL SUPPLY AND SERVICES

2996. DONATION OF PERSONAL PROPERTY

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-44.000; 41 CFR 101-44.001; 41 CFR 101-44.105; 41 CFR 101-44.106; 41 CFR 101-44.108; 41 CFR 101-44.112; 41 CFR 101-44.118; 41 CFR 101-44.120; 41 CFR 101-44.200; 41 CFR 101-44.204; 41 CFR 101-44.205; 41 CFR 101-44.207; 41 CFR 101-44.208; 41 CFR 101-44.4701; 41 CFR 101-44.4901-123; ...

Legal Deadline: None.

Abstract: This rule updates GSA's policies and procedures concerning the Federal surplus personal property donation program. It would: (1) prescribe new and revised definitions; (2) implement Title IX of the Education Amendments of 1972; (3) change procedures for donating aircraft, drugs, biologicals, and reagents; (4) clarify cannibalization procedures; (5) add additional terms to the State agency distribution documents; (6) clarify that conditional title, not unrestricted title, passes to a donee at the time it takes possession of the property; (7) prohibit reimbursement to State agencies for certain sales expenses; (8) change reporting requirements; and (9) revise eligibility criteria for educational activities. This amendment is necessary to comply with the provisions of Title IX of the Education Amendments of 1972, section 502(a) of Public Law 94-241, and the Congressional Reports Elimination Act of 1980 (Public Law 96-470). Its intent is to increase the efficiency and effectiveness of the donation program.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Stanley M. Duda, Director, General Services Administration, Property Management Division (FBP), Washington, DC 20406, **703 557-1240**

RIN: 3090-AA23

2997. DONATION OF ABANDONED AND FORFEITED PERSONAL PROPERTY

Legal Authority: 26 USC 5688(a)

CFR Citation: 41 CFR 101-48.2

Legal Deadline: None.

Abstract: This rule would emphasize that all forfeited distilled spirits, wine, or malt beverages donated to eleemosynary institutions are to be used only by their inpatients for medicinal purposes. Allegations of misuse of these donated spirits have created a need for this regulation.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Stanley M. Duda, Director, General Services Administration, Property Management Division (FBP), Washington, DC 20406, **703 557-1240**

RIN: 3090-AA24

2998. ACQUISITION AND USE OF EXCESS PERSONAL PROPERTY

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-43

Legal Deadline: None.

Abstract: A number of miscellaneous changes will be made to clarify procedures for the acquisition and use of excess personal property by federal agencies and other authorized recipients.

Timetable:

Action	Date	FR Cite
Final Action	06/01/88	

Small Entity: No

Agency Contact: Mr. Stanley M. Duda, Director, General Services Administration, Property Management Division (FBP), Washington, DC 20406, **703 557-1240**

RIN: 3090-AA30

2999. UTILIZATION, DONATION, SALE, ABANDONMENT OR DESTRUCTION OF HAZARDOUS MATERIALS

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-43; 41 CFR 101-44; 41 CFR 101-45; 41 CFR 101-46; 41 CFR 101-48; 41 CFR 101-49

Legal Deadline: None.

Abstract: Revisions and additions to existing rules are proposed to establish a separate regulatory section concerning the utilization, donation, sale, abandonment or destruction of hazardous materials.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: Proposals are to be circulated among Federal agencies on an information basis before rulemaking consideration.

Agency Contact: Mr. Stanley M. Duda, Director, General Services Administration, Property Management

GSA

Final Rule Stage

Division (FBP), Washington, DC 20406, 703 557-1240

RIN: 3090-AA42

3000. CHANGE TO FEDERAL TRAVEL REGULATIONS (FTR), FPMR 101-7, SUPPLEMENT (UNASSIGNED)

Legal Authority: 5 USC 5724(b)

CFR Citation: 41 CFR 101-7

Legal Deadline: None.

Abstract: FTR change transmitted by GSA Bulletin FPMR A-40, Supplement (Unassigned). FTR change implements new tables for determining the Federal and State marginal tax rate for use in calculating the relocation income tax allowance covering relocation expense reimbursements received during the 1987 tax year.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: No

Agency Contact: Audrey E. Rish, Supervisory Traffic Management Specialist, General Services Administration, Regulations and Policy Division (FFY), Washington, DC 20406, 703 557-1253

RIN: 3090-AC93

3001. ● REMOVAL OF THE FEDERAL TRAVEL REGULATIONS FROM THE FEDERAL PROPERTY MANAGEMENT REGULATIONS SYSTEM

Legal Authority: 40 USC 486(c)

CFR Citation: 41 CFR 101-7

Legal Deadline: None.

Abstract: This final rule will remove the Federal Travel Regulations (FTR) from the Federal Property Management Regulations (FPMR) system. This action is necessary in order to establish the FTR as a separate regulatory system. The change should provide a more appropriate means for promulgating travel policies and procedures affecting Federal employees.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Ray Holmes, Supply Systems Analyst, General Services Administration, Crystal Mall Bldg #4, 202 557-7525

RIN: 3090-AD19

GENERAL SERVICES ADMINISTRATION (GSA)

Completed Actions

3002. GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION; SUBCONTRACTING PLAN REPORTING REQUIREMENTS; CHANGE 48

CFR Citation: 48 CFR 519

Completed:

Reason	Date	FR Cite
Final Action	09/02/87	52 FR 34387
Final Action Effective	09/02/87	52 FR 34387

Small Entity: Not Applicable

Agency Contact: Marjorie Ashby 202 523-3822

RIN: 3090-AB76

3003. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR), ACQUISITION CIRCULAR, AC-87-3, MONITORING CONTRACTOR COMPLIANCE WITH SUBCONTRACTING PLANS

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 519

Legal Deadline: None.

Abstract: This Acquisition Circular temporarily amends Part 519 of the General Services Administration Acquisition Regulation (GSAR), to provide uniform procedures for monitoring contractor compliance with subcontracting plans and for reporting actions under section 211 of Pub L. 95-507.

Timetable:

Action	Date	FR Cite
Final Action	12/16/87	52 FR 47396
Final Action Effective	12/16/87	52 FR 47396

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA, Office of Acquisition Policy, 18th & F Streets, Washington, D.C. 20405, 202 523-3822

RIN: 3090-AD06

3004. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR), CHANGE 47, IMPLEMENTING FAC 84-25

Legal Authority: 40 USC 486 (c)

CFR Citation: 48 CFR 507; 48 CFR 508; 48 CFR 552; 48 CFR 553.

Legal Deadline: None.

Abstract: The General Services Administration Acquisition Regulation was amended to revise Part 507 to clarify the requirement for use of the Report of Employment Under Commercial Activities clause at 552.207-70 and to modify the reference to a GSA order on the implementation of OMB Circular A-76 Productivity Improvement Program; to revise Part 508 to identify the central printing authority for the General Services Administration (GSA) and to delete section 508.870; to revise section 552.203-70 to modify Alternate II; to revise section 552.207-70 to delete material in the introductory paragraph that repeats the prescriptive language in Part 507; to revise section 553.270-1 to permit modification of the GSA Form 3503, Representations and Certifications, pending a revision to the form, and to revise section 553.270-2 to permit modification of the GSA Forms 3501, Solicitation Provisions (Sealed Bid), and 3502, Solicitation Provisions (Negotiated), pending a revision to the forms.

Timetable:

Action	Date	FR Cite
Final Action	07/01/87	52 FR 28827
Final Action Effective	07/01/87	52 FR 28827

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services

Administration, GSA, Off. of Acquisition Policy & Regs., 18th & F Streets, NW, Washington, D.C. 20405, 202 523-3822

RIN: 3090-AD07

3005. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) CHANGE 49, PROMPT PAYMENT DISCOUNTS

Legal Authority: 40 USC 486(c)

CFR Citation: 49 CFR 532; 49 CFR 552

Legal Deadline: None.

Abstract: The General Services Administration Acquisition Regulation was amended to revise sections 532.111(a)(1) and 552.232-8(g) to delete the words "beginning with" and to subordinate the word "from."

Timetable:

Action	Date	FR Cite
Final Action	12/24/87	52 FR 47005
Final Action Effective	12/24/87	52 FR 47005

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA, Off. of Acquisition Policy & Regs., 18th & F Streets, NW, Washington, D.C. 20405, 202 523-3822

RIN: 3090-AD08

3006. ● GENERAL SERVICES ADMINISTRATION ACQUISITION REGULATION (GSAR) CHANGE 50, REVISION OF GSA FORM 300

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR 553

Legal Deadline: None.

Abstract: The General Services Administration Acquisition Regulation was amended to revise section 553.272(a) to provide for the use of GSA Form 300, Order for Supplies and Services, the GSA Form 300-1, Order for Supplies and Services (pin-feed format), and the GSA Form 300-A(1), Order for Supplies and Services (Continuation) (pin-feed format); to revise section 553.273(a) to provide for the use of the pin-feed format of GSA Form 3025A, Receiving Report; to revise section 553.370-300 to illustrate the latest version of the GSA Form 300, Order for Supplies and Services; to revise section 553.370-300l to provide instructions for completion of the latest revision of GSA Form 300, Order for Supplies and Services, and to revise section 553.370-527 to illustrate the latest version of the GSA Form 527, Contractor's Qualifications and Financial Information.

Timetable:

Action	Date	FR Cite
Final Action	12/24/87	52 FR 47006
Final Action Effective	12/24/87	52 FR 47006

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Marjorie Ashby, Management Analyst, General Services Administration, GSA, Off. of GSA Acquisition Policy & Regs., 18th & F Streets, NW, Washington, D.C. 20405, 202 523-3822

RIN: 3090-AD09

3007. REPORTING OF EXCESS REAL PROPERTY - PCB

CFR Citation: 41 CFR 101-47.202-2(b); 40 CFR 761; 41 CFR 101-47.202-2

Completed:

Reason	Date	FR Cite
Final Action	12/08/87	52 FR 46467
Final Action Effective	12/08/87	52 FR 46467

Small Entity: Undetermined

Agency Contact: Marjorie L. Lomax 202 535-7052

RIN: 3090-AC90

3008. UTILIZATION AND DISPOSAL OF PERSONAL PROPERTY

CFR Citation: 41 CFR 101-42; 41 CFR 101-43; 41 CFR 101-44; 41 CFR 101-45; 41 CFR 101-46; 41 CFR 101-48

Completed:

Reason	Date	FR Cite
Final Action	04/01/88	

Small Entity: No

Agency Contact: Stanley M. Duda 202 557-0807

RIN: 3090-AA45

3009. FEDERAL TRAVEL REGULATIONS (FTR), FPMR 101-7, SUPPLEMENT 26

CFR Citation: 41 CFR 101-7

Completed:

Reason	Date	FR Cite
Final Action	12/21/87	52 FR 48325
Final Action Effective	10/01/87	52 FR 48325

Small Entity: No

Agency Contact: Audrey E. Rish 703 557-1253

RIN: 3090-AC24

3010. USE OF CASH FOR OFFICIAL TRAVEL (TEMPORARY REGULATION)

CFR Citation: 41 CFR 101

Completed:

Reason	Date	FR Cite
Final Action	09/30/87	52 FR 36572
Final Action Effective	09/30/87	52 FR 36572

Small Entity: No

Agency Contact: Betty J. Brown 202 786-3011

RIN: 3090-AC91

3011. UPDATE OF GOVERNMENTWIDE POLICIES AND REGULATIONS REGARDING FEDERAL EMPLOYEE USE OF GOVERNMENT TELEPHONE SYSTEMS (87.14A)

Significance: Regulatory Program

CFR Citation: 41 CFR 201-38

Completed:

Reason	Date	FR Cite
Final Action	11/04/87	52 FR 42292
Final Action Effective	01/04/88	52 FR 42292

Small Entity: No

Agency Contact: Roger W. Walker 202 566-0194

RIN: 3090-AC75

3012. INTERIM IMPLEMENTATION OF PUB. L. 99-500 TITLE VIII BROOKS ACT AMENDMENT-EXTENSION OF TEMPORARY REGULATION

Significance: Agency Priority

CFR Citation: 41 CFR 201-1; 41 CFR 201-2; 41 CFR 201-23; 41 CFR 201-24

Completed:

Reason	Date	FR Cite
Final Action	12/08/87	52 FR 46468
Final Action Effective	12/23/87	52 FR 46468

GSA

Completed Actions

Small Entity: No

Agency Contact: William Loy 202 566-0194

RIN: 3090–AD01

3013. FEDERAL ADVISORY COMMITTEE MANAGEMENT

Significance: Regulatory Program

CFR Citation: 41 CFR 101-6.10

Completed:

Reason	Date	FR Cite
Final Action	12/02/87	52 FR 45926
Final Action Effective	12/02/87	52 FR 45926

Small Entity: No

Agency Contact: Charles F. Howton 202 523-4884

RIN: 3090–AA62

[FR Doc. 88-5091 Filed 04-22-88; 8:45 am]

BILLING CODE 6820-61-T

federal register

Monday
April 25, 1988

Part XXV

Merit Systems Protection Board

Semiannual Regulatory Agenda

MERIT SYSTEMS PROTECTION BOARD (MSPB)

MERIT SYSTEMS PROTECTION BOARD

5 CFR Ch. II

Regulatory Agenda

AGENCY: Merit Systems Protection Board.

ACTION: Semiannual agenda of regulations.

SUMMARY: The following Merit Systems Protection Board (MSPB) regulations are scheduled for review or development from April 1988 through March 1989. They are submitted herein for publication in the Unified Agenda of Federal Regulations, E.O. 12291. Regulatory action may not be limited to the items listed.

FOR FURTHER INFORMATION CONTACT: Paul D. Mahoney, Assistant to the Executive Director for Management, (202) 653-8900.

Dated: February 9, 1988.

Merit Systems Protection Board.

Daniel R. Levinson,

Chairman.

MERIT SYSTEMS PROTECTION BOARD (MSPB) — Prerule Stage

3014. PART 1206 OPEN MEETINGS

Legal Authority: 5 USC 552b Government in the Sunshine Act

CFR Citation: 5 CFR 1206

Legal Deadline: None.

Abstract: Pursuant to 5 U.S.C. 552b, the Board is required to promulgate regulations, pursuant to notice and receipt of public comment, establishing procedures by which it will conduct open meetings. Such regulations were issued in 44 FR 43448, July 24, 1979. The Board proposes to review these regulations to ensure that they are easily understood by all persons. If indicated by the review, the Board plans to publish these regulations in "plain English."

Timetable:

Action	Date	FR Cite
Begin Review	10/00/87	
End Review	10/00/88	
Final Action	01/00/89	

Small Entity: No

Agency Contact: Michael H. Hoxie, Director, Information Services Division, Merit Systems Protection Board, 1120 Vermont Ave., NW, Washington, DC 20419, **202 653-7200**

RIN: 3124-AA06

3015. PART 1203 - HEARING PROCEDURES FOR ORIGINAL JURISDICTION CASES

Legal Authority: 5 USC 1205(a)(4); 5 USC 1205(e); 5 USC 1205(g)

CFR Citation: 5 CFR 1203.1 to 1203.18

Legal Deadline: None.

Abstract: The Board proposes to review the regulations in this Part to ensure that these regulations are easily understood by all persons. If indicated by the review, the Board plans to republish these regulations in "plain English."

Timetable:

Action	Date	FR Cite
Begin Review	10/00/87	
End Review	10/00/88	
Publish regulations in "plain English"	01/00/89	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Paul D. Mahoney, Assistant to the Executive Director for Management, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, DC 20419, **202 653-8900**

RIN: 3124-AA07

3016. PART 1204 - FREEDOM OF INFORMATION ACT

Legal Authority: 5 USC 552

CFR Citation: 5 CFR 1204.1 to 1204.22

Legal Deadline: None.

Abstract: The Board issued interim final regulations in 52 FR 28123, July 28, 1987. The interim regulations became final regulations on December 1, 1987, in 52 FR 45597. The Board proposes to monitor these regulations carefully to ensure that they are easily understood. If indicated by the review, the Board plans to rewrite them in "plain English."

Timetable:

Action	Date	FR Cite
Begin Review	08/00/87	
End Review	10/00/88	
Republish in "plain English"	01/00/89	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Michael H. Hoxie, Director, Information Services Division, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, DC 20419, **202 653-7200**

RIN: 3124-AA08

3017. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS CONDUCTED BY THE MERIT SYSTEMS PROTECTION BOARD

Legal Authority: 29 USC 791

CFR Citation: 5 CFR 1207.1 to 1207.99

Legal Deadline: None.

Abstract: The Board issued proposed regulations in 52 FR 25123, July 2, 1987, and expects to issue final or interim final regulations during July 1988. The Board proposes to monitor these regulations and immediately begin a new review to ensure that these regulations are easily understood by all persons. If indicated by the review, the Board plans to rewrite them in "plain English."

MSPB — Prerule Stage

Timetable:

Action	Date	FR Cite
Begin Review	10/00/87	
End Review	10/00/88	
Publish Regulations in "plain English"	01/00/89	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Sara B. Rearden, Acting Director, Equal Employment Division, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, DC 20419, 202 653-6180

RIN: 3124-AA09

3018. PART 1201 - PRACTICES AND PROCEDURES

Legal Authority: 5 USC 1205; 5 USC 7701

CFR Citation: 5 CFR 1201.1 to 1201.199

Legal Deadline: None.

Abstract: The Board proposes to review the regulations in this Part to ensure that these regulations are easily understood by all persons appearing before the Board. If indicated by the review, the Board plans to republish these regulations in "plain English."

Timetable:

Action	Date	FR Cite
Begin Review	10/00/87	
End Review	10/00/88	
Publish Regulations in "plain English"	01/00/89	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Paul D. Mahoney, Assistant to the Executive Director for Management, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, DC 20419, 202 653-8900

RIN: 3124-AA10

MERIT SYSTEMS PROTECTION BOARD (MSPB) — Final Rule Stage

3019. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS CONDUCTED BY THE MERIT SYSTEMS PROTECTION BOARD

Legal Authority: 29 USC 791

CFR Citation: 5 CFR 1207.1 to 1207.99, (New)

Legal Deadline: None.

Abstract: To effectuate Section 119 of the Rehabilitation, Comprehensive Services, and Developmental Disabilities Amendments of 1978, amending Section 504 of P.L. 95-602.

Timetable:

Action	Date	FR Cite
NPRM	07/02/87	52 FR 25123
NPRM Comment Period End	08/31/87	52 FR 25123
Final Action	07/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Sara B. Rearden, Acting Director, Equal Employment Division, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, DC 20419, 202 653-6180

RIN: 3124-AA01

3020. PART 1200 - BOARD ORGANIZATION

Legal Authority: 5 USC 552 Public Information; 5 USC 1205(g) and (i) Authority

CFR Citation: 5 CFR 1200

Legal Deadline: None.

Abstract: Pursuant to 5 U.S.C. 552, the Board provides the public current information regarding the Board's organization and a statement of functions assigned to each organizational unit. Certain title changes and other realignments are planned (or are in process) since January 27, 1986 when the Board's organization was published last (51 FR 3321).

Timetable:

Action	Date	FR Cite
Final Action	05/00/88	
Final Action Effective	05/00/88	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Paul D. Mahoney, Assistant to the Executive Director for Management, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, DC 20419, 202 653-8900

RIN: 3124-AA04

3021. PART 1205 - PRIVACY ACT

Legal Authority: 5 USC 552a Privacy Act

CFR Citation: 5 CFR 1205

Legal Deadline: None.

Abstract: Pursuant to 5 USC 552a(f), the Board is required to promulgate regulations pursuant to notice and receipt of public comment establishing procedures for responding to individual requests for access to records covered by the Privacy Act; for the amendment of records covered by the Act and for appeals of adverse rulings on such requests; and for fees to be charged for copying requested records. Such regulations were issued in 44 FR 43448, July 24, 1979. The Board proposes to review these regulations to ensure that they are easily understood by all persons. If indicated by the review, the Board plans to publish these regulations in "plain English."

Timetable:

Action	Date	FR Cite
Begin Review	09/00/87	
Final Action	01/00/89	
End Review	10/00/89	

Small Entity: No

MSPB **Final Rule Stage**

Agency Contact: Michael H. Hoxie, Director, Information Services Division, Merit Systems Protection Board, 1120 Vermont Ave., NW, Washington, DC 20419, **202 653-7200**

RIN: 3124-AA05

MERIT SYSTEMS PROTECTION BOARD (MSPB) — Completed Actions

3022. ● PART 1201 -- PRACTICES AND PROCEDURES

Legal Authority: 5 USC 1205; 5 USC 7701

CFR Citation: 5 CFR 1201.21; 5 CFR 1201.24; 5 CFR 1201.25; 5 CFR 1201.200 to 1201.222

Legal Deadline: None.

Abstract: The Board amended its rules of practice and procedures by eliminating subpart H-Voluntary Expedited Appeals Procedure (VEAP) as a separate alternative for adjudicating Federal employee appeals of personnel actions.

Timetable:

Action	Date	FR Cite
Review Completed	12/15/87	52 FR 47547
Final Action	12/15/87	52 FR 47547
Final Action Effective	12/15/87	52 FR 47547

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Government Levels Affected: Federal

Agency Contact: Paul D. Mahoney, Assistant to the Executive Director for Management, Merit Systems Protection Board, 1120 Vermont Avenue, NW, Washington, DC 20419, **202 653-8900**

RIN: 3124-AA11

[FR Doc. 88-5092 Filed 04-22-88; 8:45 am]

BILLING CODE 7400-01-T

federal register

Monday
April 25, 1988

Part XXVI

National Aeronautics and Space Administration

Semiannual Regulatory Agenda

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA)

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

14 CFR Ch. V

Regulatory Agenda

AGENCY: National Aeronautics and Space Administration.

ACTION: Regulatory agenda.

SUMMARY: This regulatory agenda describes the proposed regulations being considered for development or amendment by NASA, the need and legal basis for the actions being considered, the name and telephone number of a knowledgeable official, whether a regulatory analysis is required, and the status of regulations previously reported.

ADDRESS: Director, General Management Division (Code NPN), Office of Management, NASA Headquarters, Washington, DC 20546.

FOR FURTHER INFORMATION CONTACT: Margaret M. Herring, 202/453-2922.

SUPPLEMENTARY INFORMATION: OMB Bulletin No. 88-1, "Regulatory Program of the United States Government (April 1, 1988 - March 31, 1989) and Unified Agenda of Federal Regulations for April 1988," Executive Order 12291, "Federal Regulation," and NASA Management Instruction 1410.10E, "Federal Register: Delegation of Authority and Requirements for Publication of NASA Documents," require a regulatory agenda of proposed regulations under development and review be published in the **Federal Register** each April and October.

John F. Duggan,

Director, General Management Division.

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3023	General Provisions Regarding Flight of Reimbursable Payloads Aboard the Space Shuttle	2700-AA14
3024	Space Transportation System; Mementos Aboard Space Shuttle Flights	2700-AA18
3025	Space Transportation System; Nonscientific Payloads	2700-AA19
3026	Major System Acquisitions	2700-AA38
3027	Source Evaluation Board Manual	2700-AA39
3028	Space Transportation System; Reimbursement for Shuttle Services Provided to Non-U.S. Government Users; Reimbursement for Shuttle Services Provided to Civil U.S. Government Users and Foreign Etc	2700-AA45
3029	Delegation of Authority of Certain Civil Rights Functions to the Department of Health, Education, and Welfare	2700-AA47
3030	Payload Specialists for NASA or NASA Related Payloads	2700-AA52
3031	Extraterrestrial Exposure	2700-AA53
3032	Policy Concerning Data Obtained from Space Science Flight Investigations	2700-AA54
3033	Broad Agency Announcements	2700-AA65
3034	Nondiscrimination on the Basis of Sex in Education Programs and Activities Receiving or Benefiting from Assistance by NASA	2700-AA69
3035	Freedom of Information Act Submitter Notice	2700-AA74
3036	National Space Grant College and Fellowship Program	2700-AA75
3037	Policy On The Protection Of Human Subjects	2700-AA76

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3038	Space Transportation System; Insurance and Indemnification of NASA Space Vehicle Users	2700-AA00
3039	Space Transportation System; Reimbursement for Spacelab Services	2700-AA01
3040	Tracking and Data Relay Satellite System (TDRSS); Use and Reimbursement Policy for Non-U.S. Government Users	2700-AA29
3041	Emergency Personnel Security Adjudication and Procedures	2700-AA31
3042	Uniform Relocation Assistance and Real Property Acquisition for Federal and Federally-Assisted Programs	2700-AA32
3043	Nondiscrimination in Federally-Assisted Programs of NASA	2700-AA50
3044	Duty-Free Entry of Space Articles	2700-AA62

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3045	Patent Waiver Regulations	2700-AA10
3046	NASA Seal, Insignia, Logotype Insignia, Program and Astronaut Badges, and Flags	2700-AA15
3047	Data and Copyrights	2700-AA40

NASA

Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
3048	Availability of Agency Records to Members of the Public	2700-AA49
3049	Release of Information to News and Information Media	2700-AA58
3050	Environmental Quality; Floodplain and Wetlands Management	2700-AA70
3051	Implementation of the Program Fraud Civil Remedies Act of 1986	2700-AA71
3052	Delegation of Authority--To Take Statutory Action for "Liquidated Damage" Assessment Under the Contract Work Hours and Safety Standards Act, and Associated Labor Statute Actions	2700-AA73

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) — Proposed Rule Stage

3023. GENERAL PROVISIONS REGARDING FLIGHT OF REIMBURSABLE PAYLOADS ABOARD THE SPACE SHUTTLE

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1214, Subpart 1

Legal Deadline: None.

Abstract: Sets forth the general provisions regarding flight of reimbursable payloads aboard the NASA Space Shuttle. Incorporates pricing principles for the Second Phase of STS operations.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: No

Additional Information: RIN = 2700-AA13 merged with RIN = 2700-AA14.

Agency Contact: Lowell E. Primm, Office of Space Flight, Code MC, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-2536**

RIN: 2700-AA14

3024. ● SPACE TRANSPORTATION SYSTEM; MEMENTOS ABOARD SPACE SHUTTLE FLIGHTS

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1214, Subpart 1214.6

Legal Deadline: None.

Abstract: Clarifies policy on carrying mementos aboard Space Shuttle flights and use of both official flight kits and personal preference kits.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: No

Agency Contact: Lynn A. Marra, Office of External Relations, Code XM, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-8335**

RIN: 2700-AA18

3025. ● SPACE TRANSPORTATION SYSTEM; NONSCIENTIFIC PAYLOADS

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1214 "Subpart 16"

Legal Deadline: None.

Abstract: Sets forth the policy on the services provided by NASA for the launch of nonscientific payloads aboard the Space Shuttle.

Timetable:

Action	Date	FR Cite
NPRM	07/31/88	

Small Entity: No

Agency Contact: Kenneth Pedersen, Office of External Relations, Code X, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-8305**

RIN: 2700-AA19

3026. MAJOR SYSTEM ACQUISITIONS

Legal Authority: 42 USC 2473(c)(1)

CFR Citation: 48 CFR 00

Legal Deadline: None.

Abstract: Revise and update procedures for major systems acquisition.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Not Applicable

Agency Contact: John E. Horvath, Office of Procurement, Code HS, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-2080**

RIN: 2700-AA38

3027. SOURCE EVALUATION BOARD MANUAL

Legal Authority: 42 USC 2473(c)(1)

CFR Citation: 48 CFR 00

Legal Deadline: None.

Abstract: Revise and update procedures for conduct of Source Evaluation Boards.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Not Applicable

Agency Contact: Linda M. Williams, Office of Procurement, Code HS, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-8673**

RIN: 2700-AA39

3028. SPACE TRANSPORTATION SYSTEM; REIMBURSEMENT FOR SHUTTLE SERVICES PROVIDED TO NON-U.S. GOVERNMENT USERS; REIMBURSEMENT FOR SHUTTLE SERVICES PROVIDED TO CIVIL U.S. GOVERNMENT USERS AND FOREIGN ETC

Legal Authority: PL 85-568, Sec 203; 72 Stat 429; 42 USC 2473; PL 87-624, Sec 201(b); 76 Stat 421; 47 USC 721(b)

CFR Citation: 14 CFR 1214, Subpart 1; 14 CFR 1214, Subpart 2

Legal Deadline: None.

Abstract: This revision will incorporate provisions for scheduled shared-flight retrieval service and for equitable charging for use of the downweight capability of the shuttle.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Additional Information: TITLE CONT: Users Who Have Made Substantial Investment in the STS Program

Agency Contact: Lowell E. Primm, Office of Space Flight, Code MC, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-2536**

RIN: 2700-AA45

3029. DELEGATION OF AUTHORITY OF CERTAIN CIVIL RIGHTS FUNCTIONS TO THE DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Legal Authority: 42 USC 2473(b)(1), (3), (5), (6), and (14); 14 CFR 1250.111(c)

CFR Citation: 14 CFR 1204.508

Legal Deadline: None.

Abstract: Amends existing NASA regulation to reflect changes in the Federal sector and to include new civil rights laws enacted since the original regulation was published.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: No

Agency Contact: Lewin S. Warren, Office of Equal Opportunity Programs, Code U, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-2163**

RIN: 2700-AA47

3030. PAYLOAD SPECIALISTS FOR NASA OR NASA RELATED PAYLOADS

Legal Authority: PL 85-568, Sec 203; 42 USC 2473 72 Stat 429 as amended; PL 87-624, Sec 201(b); 47 USC 721(b) 76 Stat 421

CFR Citation: 14 CFR 1214, Subpart 3

Legal Deadline: None.

Abstract: Revises existing regulation to reflect current practices.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Robert A. Schmitz, Office of Space Science and Applications, Code EM, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-1703**

RIN: 2700-AA52

3031. EXTRATERRESTRIAL EXPOSURE

Legal Authority: Secs 203, 304, 72 Stat 429, 433; 42 USC 2455; 42 USC 2456; 42 USC 2473; 18 USC 799

CFR Citation: 14 CFR 1211

Legal Deadline: None.

Abstract: Revision updates the existing regulation to conform to current agency practices.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: No

Agency Contact: Stephan W. Fogleman, Office of Space Science and Applications, Code EB, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-1530**

RIN: 2700-AA53

3032. POLICY CONCERNING DATA OBTAINED FROM SPACE SCIENCE FLIGHT INVESTIGATIONS

Legal Authority: 42 USC 2454

CFR Citation: 14 CFR 1205, Subpart 1

Legal Deadline: None.

Abstract: Amends regulation to reflect current agency practices.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: No

Agency Contact: John F. Devlin, Office of Space Science and Applications, Code EPS, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-1630**

RIN: 2700-AA54

3033. BROAD AGENCY ANNOUNCEMENTS

Legal Authority: 42 USC 2473(c)(1)

CFR Citation: 48 CFR 00

Legal Deadline: None.

Abstract: NASA implementation of announcements authorized at FAR Subpart 6.1.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: W. A. Greene, Office of Procurement, Code HP, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-8923**

RIN: 2700-AA65

3034. NONDISCRIMINATION ON THE BASIS OF SEX IN EDUCATION PROGRAMS AND ACTIVITIES RECEIVING OR BENEFITING FROM ASSISTANCE BY NASA

Legal Authority: 20 USC 1681 et seq

CFR Citation: 14 CFR 1253

Legal Deadline: None.

Abstract: This regulation proposes to establish for NASA a set of rules prohibiting sex discrimination in educational programs or activities receiving financial assistance from NASA. Under authority provided by the Education Amendments of 1974, this regulation seeks to ensure that no person in the United States shall, on the basis of sex, be excluded from participation in, be denied benefit of, or otherwise be subject to discrimination under any program or activity receiving

Federal financial assistance from NASA.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: No

Agency Contact: Lewin S. Warren, Office of Equal Opportunity Program, Code U, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, 202 453-2163

RIN: 2700-AA69

3035. ● FREEDOM OF INFORMATION ACT SUBMITTER NOTICE

Legal Authority: 5 USC 552(a) (3) (B); EO 12600

CFR Citation: 14 CFR 1206

Legal Deadline: None.

Abstract: Formalizes current NASA policy and procedure in providing notice of request pursuant to the Freedom of Information Act to submitters of commercial information, implementing EO 12600.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: Pamela J. vonSoosten, Office of General Counsel, Code GK, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, 202 453-2439

RIN: 2700-AA74

3036. ● NATIONAL SPACE GRANT COLLEGE AND FELLOWSHIP PROGRAM

Legal Authority: PL 100-147

CFR Citation: 14 CFR 1259

Legal Deadline: None.

Abstract: Formalizes and expands upon NASA's policy and procedures for implementing the National Space Grant College and Fellowship Program.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Agency Contact: Elaine Schwartz, University Programs Branch, Code XEU, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, 202 453-8344

RIN: 2700-AA75

3037. ● POLICY ON THE PROTECTION OF HUMAN SUBJECTS

Legal Authority: 42 USC 2451; 45 CFR 46

CFR Citation: 14 CFR 1230

Legal Deadline: None.

Abstract: NASA will be one of a few Federal Agencies to adopt a Model Federal Policy for the Protection of Human Subjects which was prepared by the Office of Science and Technology Policy. This NPRM will implement a Model Federal Policy for the Protection of Human subjects of research conducted, supported or regulated by NASA.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Agency Contact: Dr. Arnauld E. Nicogossian, National Aeronautics and Space Administration, Life Sciences Division, Code EB, Office of Space Science and Applications, Washington, DC 20546, 202 453-1530

RIN: 2700-AA76

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) Final Rule Stage

3038. SPACE TRANSPORTATION SYSTEM; INSURANCE AND INDEMNIFICATION OF NASA SPACE VEHICLE USERS

Legal Authority: PL 85-568, Sec 203; 42 USC 2473 Sec 308 of the Space Act as amended; 42 USC 2458(b)

CFR Citation: 14 CFR 1214, Subpart 13

Legal Deadline: None.

Abstract: Describes the policy on when users of the Space Transportation System must obtain financial protection against third-party claims and the conditions under which NASA will provide insurance or indemnification of users. Comments on the proposed rule were received from several individuals.

Timetable:

Action	Date	FR Cite
NPRM	11/10/80	45 FR 74499
Final Action	00/00/00	

Small Entity: No

Agency Contact: Robert J. Wojtal, Office of General Counsel, Code GK, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, 202 453-2446

RIN: 2700-AA00

3039. SPACE TRANSPORTATION SYSTEM; REIMBURSEMENT FOR SPACELAB SERVICES

Legal Authority: 42 USC 2473

CFR Citation: 14 CFR 1214, Subpart 8

Legal Deadline: None.

Abstract: Describes the policy for Spacelab services provided by NASA to users during the Second Phase of STS operations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/30/85	50 FR 30807
Final Action	06/00/88	

Small Entity: No

Agency Contact: Lowell E. Primm, Office of Space Flight, Code MC, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, 202 453-2536

RIN: 2700-AA01

3040. TRACKING AND DATA RELAY SATELLITE SYSTEM (TDRSS); USE AND REIMBURSEMENT POLICY FOR NON-U.S. GOVERNMENT USERS

Legal Authority: PL 85-568 Sec 203; 42 USC 2473

CFR Citation: 14 CFR 1215

NASA — **Final Rule Stage**

Legal Deadline: None.

Abstract: Annual revision of Appendix A to reflect each Calendar Year rate change for TDRSS services.

Timetable:

Action	Date	FR Cite
Final Action for CY 1988 Rate Change	04/06/87	52 FR 10881
Final Action for CY 1989 Rate Change	05/00/88	

Small Entity: No

Agency Contact: Eugene Ferrick, Office of Space Operations, Code T, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-2043**

RIN: 2700-AA29

3041. EMERGENCY PERSONNEL SECURITY ADJUDICATION AND PROCEDURES

Legal Authority: 42 USC 2451 et seq.; 5 USC 552 A; 5 USC 5596; EO 10450; EO 12356; 5 USC 7312; 5 USC 7531 TO 7533

CFR Citation: 14 CFR 1203

Legal Deadline: None.

Abstract: 14 CFR Part 1203 is amended by adding this new Subpart J, "Emergency Personnel Security Adjudication and Procedures." This proposed rule sets forth NASA's personnel security adjudication policy and procedures. The intended effect of this proposed rule is to inform individuals of the procedures within NASA with respect to those individuals whose employment with NASA may not be clearly consistent with the interests of national security.

Timetable:

Action	Date	FR Cite
NPRM	01/23/87	52 FR 2548
Final Action	10/00/88	

Small Entity: No

Agency Contact: Jerome Verba, NASA Security Office, Code NIS, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-2946**

RIN: 2700-AA31

3042. ● UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION FOR FEDERAL AND FEDERALLY-ASSISTED PROGRAMS

Legal Authority: 42 USC 4601 Note

CFR Citation: 14 CFR 1208

Legal Deadline: None.

Abstract: Designates Department of Transportation (DOT) as lead agency in implementation of Uniform Act.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/17/87	52 FR 48017
Final Action	09/00/88	

Small Entity: No

Agency Contact: Gitta G. Haber, Facilities Management Office, Code NXG, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-1958**

RIN: 2700-AA32

3043. NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS OF NASA

Legal Authority: Title VI of the Civil Rights Act of 1964 as amended; Section 504 of the Rehabilitation Act of 1973, as amended; Age Discrimination Act of 1975; EO 12250

CFR Citation: 14 CFR 1250

Legal Deadline: None.

Abstract: NASA is revising 14 CFR Part 1250, "Nondiscrimination in Federally-Assisted Programs of NASA," to reflect changes in the NASA organization and processes through which this regulation is implemented. The purpose of this Part is to effectuate the provisions of Title VI of the Civil Rights Act of 1964, as amended.

Timetable:

Action	Date	FR Cite
Final Action	10/00/88	

Small Entity: No

Agency Contact: Lewin S. Warren, Office of Equal Opportunity Programs, Code U, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-2163**

RIN: 2700-AA50

3044. DUTY-FREE ENTRY OF SPACE ARTICLES

Legal Authority: PL 98-573 Sec 124; PL 97-446 Sec 116 and Sec 156; 96 Stat 2335 to 2336; 19 USC 1202 note; 96 Stat 2345 to 2346

CFR Citation: 14 CFR 1214 Subpart 15

Legal Deadline: None.

Abstract: Amending 14 CFR Subpart 1214.15 to reflect the changes on the duty-free entry of communication satellites imposed by PL 98-573.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/00/88	

Small Entity: No

Agency Contact: Robert J. Wojtal, Office of General Counsel, Code GK, National Aeronautics and Space Administration, NASA Headquarters, Washington, DC 20546, **202 453-2446**

RIN: 2700-AA62

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (NASA) — Completed Actions

3045. PATENT WAIVER REGULATIONS

CFR Citation: 14 CFR 1245, Subpart 1

Completed:

Reason	Date	FR Cite
Final Action	11/16/87	52 FR 43748

Small Entity: No

Agency Contact: Robert F. Kempf 202 453-2424

RIN: 2700-AA10

3046. NASA SEAL, INSIGNIA, LOGOTYPE INSIGNIA, PROGRAM AND ASTRONAUT BADGES, AND FLAGS

CFR Citation: 14 CFR 1221, Subpart 1

Completed:

Reason	Date	FR Cite
Final Action	12/02/87	52 FR 45811

Small Entity: No

Agency Contact: Robert Schulman 202 453-8315

RIN: 2700-AA15

3047. DATA AND COPYRIGHTS

CFR Citation: 48 CFR 00

Completed:

Reason	Date	FR Cite
Final Action	12/10/87	52 FR 46765

Small Entity: Not Applicable

Agency Contact: W. A. Greene 202 453-8923

RIN: 2700-AA40

3048. AVAILABILITY OF AGENCY RECORDS TO MEMBERS OF THE PUBLIC

CFR Citation: 14 CFR 1206

Completed:

Reason	Date	FR Cite
Final Action	10/29/87	52 FR 41406

Small Entity: No

Agency Contact: Patricia M. Riep 202 453-8346

RIN: 2700-AA49

3049. RELEASE OF INFORMATION TO NEWS AND INFORMATION MEDIA

CFR Citation: 14 CFR 1213, Subpart 1

Completed:

Reason	Date	FR Cite
Final Action	12/03/87	52 FR 45935

Small Entity: No

Agency Contact: James W. McCulla 202 453-8398

RIN: 2700-AA58

3050. ENVIRONMENTAL QUALITY; FLOODPLAIN AND WETLANDS MANAGEMENT

CFR Citation: 14 CFR 1216

Completed:

Reason	Date	FR Cite
Final Action	03/25/88	53 FR 9759

Small Entity: No

Agency Contact: Lewis E. Andrews 202 453-1972

RIN: 2700-AA70

3051. IMPLEMENTATION OF THE PROGRAM FRAUD CIVIL REMEDIES ACT OF 1986

CFR Citation: 14 CFR 1264

Completed:

Reason	Date	FR Cite
Interim Final Rule	10/22/87	52 FR 39498

Small Entity: No

Agency Contact: Sara Najjar 202 453-2465

RIN: 2700-AA71

3052. DELEGATION OF AUTHORITY--TO TAKE STATUTORY ACTION FOR "LIQUIDATED DAMAGE" ASSESSMENT UNDER THE CONTRACT WORK HOURS AND SAFETY STANDARDS ACT, AND ASSOCIATED LABOR STATUTE ACTIONS

CFR Citation: 14 CFR 1204.509

Completed:

Reason	Date	FR Cite
Final Action	09/22/87	52 FR 35538

Small Entity: No

Agency Contact: Gordon K. Gilson 202 453-2882

RIN: 2700-AA73

[FR Doc. 88-5093 Filed 04-22-88; 8:45 am]

BILLING CODE 7510-01-T

federal register

Monday
April 25, 1988

Part XXVII

National Archives and Records Administration

Semiannual Regulatory Agenda

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA)

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION

36 CFR Ch. XII

Unified Agenda of Federal Regulations

AGENCY: National Archives and Records Administration.

ACTION: Semiannual agenda.

SUMMARY: This agenda announces the proposed regulatory actions that the National Archives and Records Administration (NARA) plans for the next 12 months and those actions that have been completed since October 1987. This agenda was developed under the guidelines in OMB Bulletin No. 88-1, dated October 7, 1987. NARA's purpose in publishing this agenda is to allow interested persons an opportunity to have more comprehensive documentation of NARA's regulatory plans and to provide a systematic means of monitoring regulatory activity in NARA. None of the regulations listed in the agenda are considered major under Executive Order 12291, Federal Regulation.

FOR FURTHER INFORMATION CONTACT: John A. Constance, Chief, Information Management and Directives Branch, (202) 523-3214.

Dated: February 29, 1988.

Don W. Wilson,

Archivist of the United States.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3053	Transfers to the National Personnel Records Center	3095-AA15

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3054	Membership on State Historical Records Advisory Boards	3095-AA20
3055	Restrictions on Access to Archival Records	3095-AA21
3056	Micrographics Records Management	3095-AA22
3057	NARA Implementation of Presidential Records Act	3095-AA24
3058	NARA Standards of Conduct	3095-AA25
3059	Electronic Records Management	3095-AA29
3060	Loans of Original Records for Exhibition Purposes	3095-AA37

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3061	Transfers to the National Personnel Records Center	3095-AA16
3062	Enforcement Nondiscrimination on the Basis of Handicap in Federally-conducted Programs	3095-AA35
3063	Implementation of Government-wide Nonprocurement Debarment and Suspension System	3095-AA38

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3064	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	3095-AA23
3065	Statistical Research in Records Containing Personal Information	3095-AA26
3066	Disposition of Federal Records	3095-AA30
3067	NARA Fee Schedule	3095-AA33
3068	Use of NARA Self-service Copiers	3095-AA39

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA) — Prerule Stage

3053. TRANSFERS TO THE NATIONAL PERSONNEL RECORDS CENTER

Legal Authority: 44 USC 3101

CFR Citation: 36 CFR 1228.154

Legal Deadline: None.

Abstract: Consideration is being given to acceptance of individual earnings and pay cards and comprehensive payrolls in microfiche or computer output microfilm format only.

Timetable:

Action	Date	FR Cite
Begin Review	10/01/87	
End Review	08/00/88	

Small Entity: Not Applicable

Agency Contact: Gregory A. Pomicter, Dir., Field Operations Division (NCF), National Archives and Records Administration, Washington, DC 20408, **202 653-8388**

RIN: 3095-AA15

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA) — Proposed Rule Stage

3054. MEMBERSHIP ON STATE HISTORICAL RECORDS ADVISORY BOARDS

Legal Authority: 44 USC 2505

CFR Citation: 36 CFR 1206

Legal Deadline: None.

Abstract: This regulation will restructure the State Historical Records Advisory Boards and redefine their functions in the grant review process.

Timetable:

Action	Date	FR Cite
NPRM	03/00/89	
NPRM Comment Period End	04/00/89	
Final Action	05/00/89	

Small Entity: Not Applicable

Agency Contact: Nancy Sahli, Acting Dir., Records Program (NP), National Archives and Records Administration, Washington, DC 20408, **202 523-5386**

RIN: 3095-AA20

3055. RESTRICTIONS ON ACCESS TO ARCHIVAL RECORDS

Legal Authority: 44 USC 2108(a); 44 USC 2104(a)

CFR Citation: 36 CFR 1256.40

Legal Deadline: None.

Abstract: This rule will add specific agency restrictions on the use of certain accessioned archival records. The restrictions will be in conformity with the Freedom of Information Act.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
NPRM Comment Period End	01/00/89	
Final Action	03/00/89	

Small Entity: Not Applicable

Agency Contact: Trudy H. Peterson, Assistant Archivist, Office of National Archives, National Archives and Records Administration, Washington, DC 20408, **202 523-3130**

RIN: 3095-AA21

3056. MICROGRAPHICS RECORDS MANAGEMENT

Legal Authority: 44 USC 2907; 44 USC 3302; 44 USC 3312

CFR Citation: 36 CFR 1230

Legal Deadline: None.

Abstract: This rule will update existing regulations on micrographics records management to correct references to Federal and industry micrographics standards.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	05/00/88	
Final Action	06/00/88	

Small Entity: No

Agency Contact: Adrienne C. Thomas, Dir., Program Policy and Eval. Div. (NAA), National Archives and Records Administration, Washington, DC 20408, **202 523-3214**

RIN: 3095-AA22

3057. NARA IMPLEMENTATION OF PRESIDENTIAL RECORDS ACT

Legal Authority: 44 USC 2206

CFR Citation: 36 CFR 1270

Legal Deadline: None.

Abstract: 44 USC 2206 requires that the Archivist promulgate regulations to carry out the Presidential Records Act. The law requires that the regulations provide for:

1. advance public notice of intention to dispose of valueless records;

2. notice to the former President of impending opening of otherwise restrictable records in response to judicial process, a request from the incumbent President, or request from Congress;

3. notice to the former President when disclosure of documents may adversely affect any rights or privileges he may have; and

4. establishment of procedures for consultation between the Archivist and appropriate Federal agencies regarding Presidential records which may be restricted as investigatory records compiled for law enforcement purposes.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment Period End	00/00/00	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Gary Brooks, Act. Dir., Legal Services Staff (NSL), National Archives and Records Administration, Washington, DC 20408, **202 523-3618**

RIN: 3095-AA24

3058. NARA STANDARDS OF CONDUCT

Legal Authority: 44 USC 2104(a)

CFR Citation: 36 CFR 1204

Legal Deadline: None.

NARA — **Proposed Rule Stage**

Abstract: These regulations will establish standards of conduct for NARA employees.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	
Final Action	06/00/88	

Small Entity: Not Applicable

Agency Contact: Gary Brooks, Act. Designated Agency Ethics Official, National Archives and Records Administration, Washington, DC 20408, 202 523-3618

RIN: 3095-AA25

3059. ELECTRONIC RECORDS MANAGEMENT

Legal Authority: 44 USC 2904; 44 USC 3102

CFR Citation: 36 CFR 1234

Legal Deadline: None.

Abstract: Federal agencies increasingly are recording their policies and authorities electronically. The proposed regulation will provide comprehensive standards for the creation, maintenance, use and disposition of electronic records.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
NPRM Comment Period End	00/00/00	
Final Action	00/00/00	

Small Entity: Not Applicable

Agency Contact: Mary Ann Wallace, Director, Agency Services Division (NIA), National Archives and Records Administration, Washington, DC 20408, 202 724-1453

RIN: 3095-AA29

3060. LOANS OF ORIGINAL RECORDS FOR EXHIBITION PURPOSES

Legal Authority: 44 USC 2104a; 44 USC 2109

CFR Citation: 36 CFR 1254

Legal Deadline: None.

Abstract: NARA lends original records for exhibition purposes to qualified institutions that are capable of providing care comparable with that provided at NARA. This regulation will make NARA's existing minimum requirements for security, environmental conditions, lighting, handling and advance notice more conveniently available to potential borrowers. Since loan requests are reviewed in accordance with an established administrative procedure and are subject to existing requirements, no additional costs will be involved.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	
NPRM Comment Period End	12/00/88	
Final Action	02/00/89	

Small Entity: Not Applicable

Agency Contact: Adrienne C. Thomas, Director, Program Policy and Evaluation Division, National Archives and Records Administration, Washington, DC 20408, 202 523-3214

RIN: 3095-AA37

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA) — Final Rule Stage

3061. TRANSFERS TO THE NATIONAL PERSONNEL RECORDS CENTER

Legal Authority: 44 USC 3101

CFR Citation: 36 CFR 1228

Legal Deadline: None.

Abstract: As a result of FPM Letter 293-20 which established an Employee Medical Folder (EMF) for all civilian employees, this regulation will be expanded to include the EMF. In addition, a separate request form will be developed similar to the SF 127, Request for Official Personnel Folder.

Timetable:

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: Not Applicable

Agency Contact: Gregory A. Pomicter, Dir., Field Operations Division (NCF), National Archives and Records Administration, Washington, DC 20408, 202 653-8388

RIN: 3095-AA16

3062. ENFORCEMENT NONDISCRIMINATION ON THE BASIS OF HANDICAP IN FEDERALLY-CONDUCTED PROGRAMS

Legal Authority: 29 USC 794

CFR Citation: 36 CFR 1208

Legal Deadline: None.

Abstract: The National Archives and Records Administration is joining with the Department of Justice and other agencies in the third joint publication of regulations implementing Section 504 of the Rehabilitation Act of 1973, as amended.

Timetable:

Action	Date	FR Cite
NPRM	07/02/87	52 FR 25124
NPRM Comment Period End	08/31/87	52 FR 25124
Final Action	00/00/00	
Final Action Effective	00/00/00	

Small Entity: No

Agency Contact: Adrienne C. Thomas, Dir., Program Policy and Evaluation Div., (NAA), National Archives and Records Administration, Washington, DC 20408, 202 523-3214

RIN: 3095-AA35

3063. IMPLEMENTATION OF GOVERNMENT-WIDE NONPROCUREMENT DEBARMENT AND SUSPENSION SYSTEM

Legal Authority: EO 12549; 44 USC 2104(a)

CFR Citation: 36 CFR 1209

Legal Deadline: Statutory, May 26, 1988

Abstract: NARA will join other agencies in the voluntary common rule for implementing E.O. 12549. This order calls for the establishment of a system of government-wide nonprocurement and suspension from programs and activities involving Federal financial and nonfinancial assistance and benefits.

NARA — Final Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	52 FR 39015
NPRM Comment Period End	12/21/87	52 FR 39015
Final Action	05/00/88	

Small Entity: No

Agency Contact: Adrienne C. Thomas, Director, Program Policy and Evaluation Division, National Archives and Records Administration, Washington, DC 20408, **202 523-3214**

RIN: 3095-AA38

NATIONAL ARCHIVES AND RECORDS ADMINISTRATION (NARA) — Completed Actions

3064. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

CFR Citation: 36 CFR 1207

Completed:

Reason	Date	FR Cite
Final Action	03/11/88	53 FR 8034
Final Action Effective	10/01/88	

Small Entity: Not Applicable

Agency Contact: Adrienne C. Thomas 202 523-3214

RIN: 3095-AA23

3065. STATISTICAL RESEARCH IN RECORDS CONTAINING PERSONAL INFORMATION

CFR Citation: 36 CFR 1256

Completed:

Reason	Date	FR Cite
Final Action	03/03/88	53 FR 6821

Small Entity: No

Agency Contact: Adrienne C. Thomas 202 523-3214

RIN: 3095-AA26

3066. DISPOSITION OF FEDERAL RECORDS

CFR Citation: 36 CFR 1228

Completed:

Reason	Date	FR Cite
Final Action	09/09/87	52 FR 34134
Final Action Effective	10/01/87	52 FR 34134

Small Entity: Not Applicable

Agency Contact: Kenneth F. Rossman 202 724-1457

RIN: 3095-AA30

3067. NARA FEE SCHEDULE

CFR Citation: 36 CFR 1258

Completed:

Reason	Date	FR Cite
Final Action	04/13/88	53 FR 12150

Small Entity: No

Agency Contact: Adrienne C. Thomas 202 523-3214

RIN: 3095-AA33

3068. ● USE OF NARA SELF-SERVICE COPIERS

Legal Authority: 44 USC 2104(a)

CFR Citation: 36 CFR 1254

Legal Deadline: None.

Abstract: NARA has expanded the full use of a debit card system to additional locations and has modified the operation of the system.

Timetable:

Action	Date	FR Cite
Final Action	01/19/88	53 FR 1348
Final Action Effective	01/19/88	53 FR 1348

Small Entity: Not Applicable

Agency Contact: Adrienne C. Thomas, Dir., Program Policy and Eval. Div., National Archives and Records Administration, Washington, DC 20408, **202 523-3214**

RIN: 3095-AA39

[FR Doc. 88-5094 Filed 04-22-88; 8:45 am]

BILLING CODE 7515-01-T

federal register

Monday
April 25, 1988

Part XXVIII

National Endowment for the Arts

Semiannual Regulatory Agenda

NATIONAL ENDOWMENT FOR THE ARTS (NEA)

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Arts

45 CFR Ch. XI

Semiannual Agenda of Regulations

AGENCY: National Endowment for the Arts.

ACTION: Publication of the semiannual agenda.

SUMMARY: Pursuant to Executive Order 12291 and the Regulatory Flexibility Act (5 U.S.C. 605), the National Endowment for the Arts publishes this regulatory agenda describing agency regulations under development or review.

FOR FURTHER INFORMATION CONTACT: Mr. Frederic R. Kellogg, General Counsel, National Endowment for the Arts, 1100 Pennsylvania Avenue, NW., Washington, DC 20506 or call (202) 682-5418.

Peter J. Basso,

Deputy Chairman for Management, National Endowment for the Arts.

NATIONAL ENDOWMENT FOR THE ARTS (NEA) — Proposed Rule Stage

3069. COLLECTION OF CLAIMS

Significance: Agency Priority

Legal Authority: PL 97-365; 31 USC 3711; 31 USC 3716 to 3718; 5 USC 5514; 5 USC 552a

CFR Citation: 45 CFR 1150

Legal Deadline: None.

Abstract: The proposed rule amends the National Endowment for the Arts regulation for collecting debts. Principally, the amendments implement the Debt Collection Act of 1982 (PL 97-365), which amended the Federal Claims Collection Act of 1966 (31 USC 3711, 3716-3718) to authorize among other things, charging of interest penalties and administrative costs, and the use of administrative offset, private collection agencies and credit agencies by the Government. The amendments also implement government-wide regulations issued by the Department of Justice and the General Accounting Office (49 FR 8689) and Office of Personnel Management (49 FR 27470).

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
NPRM Comment Period End	07/00/88	

Small Entity: Not Applicable

Agency Contact: Mr. Frederic R. Kellogg, General Counsel, National Endowment for the Arts, Office of the General Counsel, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 682-5418

RIN: 3135-AA01

3070. NONDISCRIMINATION ON THE BASIS OF AGE

Significance: Agency Priority

Legal Authority: 42 USC 6101 et seq

CFR Citation: 45 CFR 1154

Legal Deadline: None.

Abstract: This final rule prohibits discrimination on the basis of age in programs and activities receiving assistance from the National Endowment for the Arts. These regulations are issued pursuant to the requirements of the Age Discrimination Act and consistent with the general government-wide regulations issued by the Department of Health and Human Services.

Timetable:

Action	Date	FR Cite
NPRM	10/02/79	44 FR 56725
NPRM Comment Period End	11/15/79	44 FR 56725

Next Action Undetermined

Small Entity: No

Agency Contact: Mr. Frederic R. Kellogg, General Counsel, National Endowment for the Arts, Office of the General Counsel, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 682-5418

RIN: 3135-AA03

3071. CLAIMS COLLECTION: SALARY OFFSET

Legal Authority: 5 USC 5514; EO 11809 (redesignated EO 12107); 5 CFR 550, Subpart K

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: This regulation provides procedures for the collection by administrative offset of a federal employee's salary without his/her consent to satisfy certain debts owed to the Federal government. The regulation outlines certain procedural protections that must be accorded to an employee prior to commencing offset.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Murray R. Welsh, Director, Administrative Services Division, National Endowment for the Arts, 1100 Pennsylvania Ave., NW, Washington, DC 20506, 202 682-5401

RIN: 3135-AA04

NATIONAL ENDOWMENT FOR THE ARTS (NEA)

Completed Actions

3072. NONDISCRIMINATION ON THE BASIS OF RACE, COLOR OR NATIONAL ORIGIN IN PROGRAMS OR ACTIVITIES RECEIVING FEDERAL FINANCIAL ASSISTANCE FROM NEA

Significance: Agency Priority

CFR Citation: 45 CFR 1110

Completed:

Reason	Date	FR Cite
Withdrawn	02/26/88	

Small Entity: Not Applicable

Agency Contact: Mr. Frederic R. Kellogg 202 682-5418

RIN: 3135-AA00

[FR Doc. 88-5095 Filed 04-22-88; 8:45 am]

BILLING CODE 7537-01-T

federal register

Monday
April 25, 1988

Part XXIX

National Endowment for the Humanities

Semiannual Regulatory Agenda

NATIONAL ENDOWMENT FOR THE HUMANITIES (NEH)

NATIONAL FOUNDATION ON THE ARTS AND THE HUMANITIES

National Endowment for the Humanities

45 CFR Ch. XI

Unified Agenda of Regulations

AGENCY: National Endowment for the Humanities.

ACTION: Publication of the unified agenda of regulations.

SUMMARY: Pursuant to the Regulatory Flexibility Act, Pub. L. 96-354, and Executive Order 12291, "Federal Regulations," dated February 17, 1981, the National Endowment for the Humanities is required to publish in April and October of each year an agenda of proposed regulations that the Endowment has issued or expects to issue and current rules that are under agency review.

FOR FURTHER INFORMATION CONTACT: Mr. Stephen J. McCleary, Deputy General Counsel, National Endowment for the Humanities, 1100 Pennsylvania Avenue, NW., Washington, DC 20506; 202/786-0322.

Lynne V. Cheney,

Chairman.

NATIONAL ENDOWMENT FOR THE HUMANITIES (NEH) — Final Rule Stage

3073. ● NONPROCUREMENT DEBARMENT AND SUSPENSION

Legal Authority: 20 USC 959(a)(1)

CFR Citation: 45 CFR 1169

Legal Deadline: None.

Abstract: This action proposes a common regulation establishing among the Federal agencies a uniform system of nonprocurement debarment and suspension.

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	52 FR 39029
NPRM Comment Period End	12/21/87	
Final Action	05/26/88	

Small Entity: No

Agency Contact: Mr. Stephen J. McCleary, Deputy General Counsel, National Endowment for the Humanities, 1100 Pennsylvania Avenue, NW, Washington, DC 20506, 202 786-0322

RIN: 3136-AA09

NATIONAL ENDOWMENT FOR THE HUMANITIES (NEH) — Completed Actions

3074. STATEMENT FOR THE GUIDANCE OF THE PUBLIC - ORGANIZATION, PROCEDURES AND AVAILABILITY OF INFORMATION

CFR Citation: 45 CFR 1100

Completed:

Reason	Date	FR Cite
Final Action	12/21/87	52 FR 48265
Final Action Effective	12/21/87	

Small Entity: No

Agency Contact: Mr. Stephen J. McCleary 202 786-0322

RIN: 3136-AA03

3075. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS (COMMON RULE)

CFR Citation: 45 CFR 1174

Completed:

Reason	Date	FR Cite
Final Action	03/11/88	53 FR 8082
Final Action Effective	10/01/88	53 FR 8034

Small Entity: No

Agency Contact: Stephen J. McCleary 202 786-0322

RIN: 3136-AA08

[FR Doc. 88-6199 Filed 04-22-88; 8:45 am]

BILLING CODE 7536-01-T

federal register

Monday
April 25, 1988

Part XXX

National Science Foundation

Semiannual Regulatory Agenda

NATIONAL SCIENCE FOUNDATION (NSF)

NATIONAL SCIENCE FOUNDATION

45 CFR Ch. VI

Federal Regulation; Semiannual Regulations Agenda

AGENCY: National Science Foundation.

ACTION: Publication of semiannual regulations agenda.

SUMMARY: The National Science Foundation (NSF) publishes its semiannual agenda of regulations under development or review as required by Executive Order 12291, Federal Regulation (46 FR 13193, February 17, 1981). This agenda has been prepared in accordance with OMB Bulletin No. 88-1, Unified Agenda of Federal Regulations.

FOR FURTHER INFORMATION CONTACT: For additional information regarding any particular regulatory action contained in the agenda, contact the individual identified as the contact person in the agenda. Comments or inquiries of a general nature about the agenda should be directed to Sukari S. Smith, Office of the General Counsel, National Science Foundation, Washington, DC 20550, (202) 357-9435.

Dated: February 18, 1988.

Sukari S. Smith,

Regulatory Contact.

NATIONAL SCIENCE FOUNDATION (NSF) — Prerule Stage

3076. EFFECTUATION OF TITLE IX OF THE EDUCATION AMENDMENTS OF 1982 (SEX DISCRIMINATION)

Legal Authority: 20 USC 1681; PL 93-568, Sec 901 to 902; PL 93-380, Sec 844

CFR Citation: 45 CFR 620, (New)

Legal Deadline: None.

Abstract: This regulation is to effectuate Title IX of the Education Amendments of 1972, as amended, which prohibits discrimination on the basis of sex in connection with education programs and activities receiving Federal financial assistance from the National Science Foundation. Costs, if any, should be nominal since most NSF recipients are also covered by HHS regulations. Potential benefits are to ensure that any educational program or activity receiving financial assistance from NSF does not, on the basis of sex (1) exclude any person from participation in, (2) deny any person the benefits of, or subject any such person to discrimination under that program or activity.

Timetable:

Action	Date	FR Cite
Clearance with EEOC and Justice under Executive Order 12250	05/01/87	
ANPRM	07/01/87	
ANPRM Comment Period End	09/01/87	

Next Action Undetermined

Small Entity: No

Agency Contact: Brenda Brush, Director, Office of Equal Opportunity, National Science Foundation, 1800 G Street, NW, Washington, DC 20550, 202 357-9819

RIN: 3145-AA06

NATIONAL SCIENCE FOUNDATION (NSF) — Proposed Rule Stage

3077. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN NATIONAL SCIENCE FOUNDATION

Legal Authority: 29 USC 794; PL 95-602, Sec 504

CFR Citation: 45 CFR 606, (New); 45 CFR 86

Legal Deadline: None.

Abstract: This regulation provides for the enforcement of Section 504 of the Rehabilitation Act of 1973, as amended, which prohibits discrimination on the basis of handicap, as it applies to programs or activities conducted by the National Science Foundation. Potential costs are not known. Any benefits derived will be to ensure that the handicapped will not be excluded from the participation in, be denied the benefits of, or be subjected to discrimination under any program or activity conducted by the National Science Foundation.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Brenda Brush, Director, Office of Equal Opportunity, National Science Foundation, 1800 G Street, NW, Washington, DC 20550, 202 357-9819

RIN: 3145-AA05

3078. ● AMENDMENTS/ADDITIONS TO 45 CFR PART 670 - CONSERVATION OF ANTARCTIC ANIMALS AND PLANTS ENTITLED "ENFORCEMENT AND HEARING PROCEDURES" (SUBPART K)

Significance: Agency Priority

Legal Authority: 42 USC 1870; 16 USC 2405; 16 USC 2407; 16 USC 2408; 16 USC 2409; 16 USC 2411

CFR Citation: 45 CFR 670.50 (New); 45 CFR 670.60 (New)

Legal Deadline: None.

Abstract: This action will amend this regulation by adding a new Subpart K (45 CFR 670.50 et seq), entitled "Enforcement and Hearing Procedures." The Antarctic Conservation Act of 1978 prohibits certain acts in the Antarctic.

such as the taking of any native mammal or native bird without a valid permit. The new subpart will establish hearing procedures for adjudicating administrative complaints alleging violations of the Act, elaborate and clarify the elements of a violation, and specific other procedures necessary for the enforcement of the Antarctic Conservation Act of 1978.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	
NPRM Comment Period End	11/30/88	
Final Action	12/31/88	
Final Action Effective	12/31/88	
Public Hearing	00/00/00	

Small Entity: No

Public Compliance Cost: Initial Cost: $0; Yearly Recurring Cost: $0

Government Levels Affected: Federal

Agency Contact: Robert M. Andersen, Deputy General Counsel, National Science Foundation, 1800 G Street, NW, Washington, DC 20550, 202 357-9435

RIN: 3145-AA12

NATIONAL SCIENCE FOUNDATION (NSF) Final Rule Stage

3079. PATENTS

Legal Authority: 42 USC 1870(a) The Natl. Sci. Found. Act of 1950, as amended; 35 USC 200 et seq The Bayh-Dole Act, as amended

CFR Citation: 45 CFR 650

Legal Deadline: None.

Abstract: The Bayh-Dole Act (34 USC 200 et seq) was amended by Title V of PL 98-620 (98 Stat. 3364, 3368). The Department of Commerce has prepared a Government-wide implementing regulation. The Foundation's Patents regulation (45 CFR 650) conform to it. Because the revision to the NSF Patents regulation will merely echo a Government-wide regulation on which the public will have had an opportunity to comment, the Foundation expects that the revision will be published as a final rule. No additional costs will be imposed on the public as a result of the revision.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Additional Information: The notable changes to be made in the revision of the NSF Patents regulation will be: elimination of restrictions on the licensing of NSF-supported inventions by nonprofit organizations, including universities; modification of the criteria and procedures for determining that "exceptional circumstances" warrant restricting a grantee's right to retain principal patent rights to its employees' NSF-supported inventions; and elimination of the Foundation's authority to waive the Government license and "march-in" rights in awards not subject to the Bayh-Dole Act. All these changes are required by amendments to the Bayh-Dole Act.

Agency Contact: John Chester, Intellectual Property Attorney, National Science Foundation, Office of the General Counsel, Room 501, Washington, DC 20550, 202 357-9435

RIN: 3145-AA07

3080. NONPROCUREMENT DEBARMENT AND SUSPENSION

Legal Authority: 42 USC 1870(a); EO 12459

CFR Citation: 45 CFR 620

Legal Deadline: None.

Abstract: The regulations implement section 6 of EO 12459 and set forth criteria and procedures for debarment and suspension of individuals and organizations receiving assistance from the National Science Foundation under its nonprocurement programs and activities.

These regulations are required to be established under the guidelines issued by OMB in the May 29, 1987, Federal Register (52 F.R. 20360).

Timetable:

Action	Date	FR Cite
NPRM	10/21/87	52 FR 39015
NPRM Comment Period End	12/21/87	
Final Action	05/00/88	

Small Entity: Yes

Additional Information: NSF is joining with other executive branch agencies in a voluntary common rulemaking. This effort is being coordinated by OMB.

Agency Contact: Arthur J. Kusinski, Assistant General Counsel, National Science Foundation, 1800 G Street, NW, Room 501, Washington, DC 20550, 202 357-9435

RIN: 3145-AA11

3081. ● UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

Legal Authority: 42 USC 1870(a)

CFR Citation: 45 CFR 602

Legal Deadline: None.

Abstract: This regulation implements a common rule, OMB Circular A-102, "Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments," has been revised and is being published as a common rule by 23 Federal agencies which award grants to State and local governments. This regulation provides uniform fiscal and administrative requirements for proposals submitted by, and grants and cooperative agreements awarded to, State and local governments. This common rule establishes consistency and uniformity among the various Federal agencies in the management of grants and cooperative agreements to State and local governments. Potential costs are not known. The State and local government entities which receive grants from Federal agencies will benefit from the common rule in pre-award, post-award, and after-the-grant phases by having a consistent uniform set of requirements.

Timetable:

Action	Date	FR Cite
NPRM	06/09/87	52 FR 21820
NPRM Comment Period End	08/10/87	
Final Action	03/11/88	
Final Action Effective	10/01/88	

Small Entity: No

Additional Information: NSF is joining with 22 other executive branch agencies

NSF

Final Rule Stage

in a voluntary common rulemaking. This effort is being coordinated by OMB.

Government Levels Affected: Local, State, Federal

Agency Contact: Sharon Graham, Grant and Contract Specialist, Division of Grants and Contracts, National Science Foundation, 1800 G Street, NW, Washington, DC 20550, 202 357-7880

RIN: 3145-AA13

[FR Doc. 88-5096 Filed 04-22-88; 8:45 am]

BILLING CODE 7555-01-T

federal register

Monday
April 25, 1988

Part XXXI

Office of Management and Budget

Semiannual Regulatory Agenda

OFFICE OF MANAGEMENT AND BUDGET (OMB)

OFFICE OF MANAGEMENT AND BUDGET

5 CFR Ch. III

Federal Regulations; OMB Directives Included in the Semiannual Agenda of Upcoming Activities

AGENCY: Office of Management and Budget.

ACTION: Publication of semiannual agenda.

SUMMARY: The Office of Management and Budget (OMB) is publishing its semiannual agenda of upcoming activities on OMB Circulars and Office of Federal Procurement Policy Letters (OFPP Policy Letters). This action is in accordance with OMB's internal procedures for implementing Executive Order No. 12291. OMB directives are issued under authority derived from several sources including: Subtitles I, II, and V of Title 31, United States Code, Executive Order No. 11541, and other specific authority as cited. The agenda includes actions on issuances which are not regulations, but which are of public interest.

OMB Circulars and OFPP Policy Letters are directives that communicate significant government-wide policy of a continuing nature. For purposes of this agenda, we have included Circulars and Policy Letters which are designed to implement, interpret, or prescribe law or policy, or describe the procedure or practice requirements of an agency. Excluded are directives that outline procedures to be followed in connection with the President's budget and legislative programs, and directives that affect only the internal functions, management, or personnel of Federal agencies.

FOR FURTHER INFORMATION CONTACT: See agency person listed for each entry in the agenda, c/o Office of Management and Budget, Washington, DC 20503. On the overall agenda, contact Darrell A. Johnson (202/395-7250) at the above address.

Darrell A. Johnson,

Assistant Director for Administration.

OFFICE OF MANAGEMENT AND BUDGET (OMB) — Prerule Stage

3082. POLICIES ON GOVERNMENT PUBLICATIONS (CIRCULAR NO. A-3)

Significance: Agency Priority

Legal Authority: 44 USC 1108

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: OMB Circular No. A-3, Government Publications, last revised in May 1985, prescribes policies and procedures for approving funding for government periodicals to fulfill the requirements of 44 USC 1108, and for reporting periodicals and non-recurring publications. This Circular is under review. OMB will consider modifications reflecting current policies on electronic dissemination of information.

Timetable:

Action	Date	FR Cite
Begin Review	10/00/88	

Small Entity: No

Agency Contact: J. Timothy Sprehe, Room 3235 NEOB, Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, DC 20503, **202 395-4814**

RIN: 0348-AA77

3083. MAJOR SYSTEM ACQUISITIONS (CIRCULAR NO. A-109)

Legal Authority: PL 93-400; See preamble

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: Some agencies report difficulty working under the Circular. A review, in light of experience gained, is warranted with a goal of revision and simplification while maintaining the current general policy thrust of A-109.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Yes

Agency Contact: Robert Cooper, Procurement Analyst, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, **202 395-3300**

RIN: 0348-AA12

3084. PROMPT PAYMENT(CIRCULAR A-125)

Legal Authority: 31 USC 65 et seq; 41 USC 401 et seq; See preamble; 31 USC 3901 et seq

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: The Office of Management and Budget is considering proposing amendments to Circular A-125.

Timetable:

Action	Date	FR Cite
Begin Review	01/01/88	
End Review	06/30/88	
Proposal to revise Circular	12/00/88	

Small Entity: No

Agency Contact: Suzanne Duval, Management Analyst, Credit and Cash Management Branch, Office of Management and Budget, Financial Management Division, Washington, D.C. 20503, **202 395-6107**

RIN: 0348-AA67

3085. POLICIES ON MANAGEMENT OF FEDERAL INFORMATION RESOURCES (CIRCULAR NO. A-130)

Significance: Agency Priority

Legal Authority: 44 USC 35; 5 USC 552a; 40 USC 759; 40 USC 487; 31 USC 11

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: OMB Circular No. A-130, Management of Federal Information Resources, issued December 12, 1985, establishes policy for the management of Federal information resources, and provides certain procedural and analytic guidelines for implementing specific aspects of these policies. OMB is reviewing the Circular for consistency with the Computer Security Act of 1987 (PL 100-235), for policies on electronic collection and dissemination of information, and for certain technical adjustments.

OMB — Prerule Stage

Timetable:

Action	Date	FR Cite
Begin Review	01/00/88	
End Review	10/00/88	

Small Entity: No

Agency Contact: J. Timothy Sprehe, Room 3235 NEOB, Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, DC 20503, **202 395-4814**

RIN: 0348-AA76

OFFICE OF MANAGEMENT AND BUDGET (OMB) — Proposed Rule Stage

3086. WRITING AND ADMINISTERING PERFORMANCE WORK STATEMENTS (PART II OF SUPPLEMENT TO CIRCULAR NO. A-76)

Legal Authority: 31 USC 501 et seq; 41 USC 401 et seq

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: This document describes a systematic means for developing Performance Work Statements and Quality Assurance Surveillance plans for Government management of commercial activities. It also includes procedures for contracting personnel who develop, review, award, and administer service contracts.

Timetable:

Action	Date	FR Cite
Draft for Public Comment	05/02/88	
Final Action	07/15/88	
Final Action Effective	08/15/88	

Small Entity: Yes

Agency Contact: David L. Muzio, Dep. Assoc. Adm. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, **202 395-6810**

RIN: 0348-AA34

3087. PERFORMANCE OF COMMERCIAL ACTIVITIES (CIRCULAR NO. A-76)

Legal Authority: 31 USC 501 et seq; 41 USC 401 et seq

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: OMB Circular No. A-76, last revised in August 1983, sets forth the policy of acquiring commercial products and services from the private sector, and provides guidance on the development of performance work statements and on comparing the cost of Government performance with contractor performance. This Circular is currently under revision to incorporate changes required by Executive Order 12615, and to provide more management flexibility to directly contract certain functions.

Timetable:

Action	Date	FR Cite
Draft for public comment	05/02/88	
Final Action	07/15/88	
Final Action Effective	08/15/88	

Small Entity: Yes

Agency Contact: David L. Muzio, Dep. Assoc. Admin. for Policy Development, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, **202 395-6810**

RIN: 0348-AA45

3088. ● COST PRINCIPLES FOR STATE AND LOCAL GOVERNMENTS (CIRCULAR A-87)

Legal Authority: 64 STAT 832

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: This review will develop proposed changes to update the Circular.

Timetable:

Action	Date	FR Cite
Draft circular published for public comment	12/00/88	

Small Entity: No

Agency Contact: Jimmie Brown, Chief, Financial Systems and Policy Branch, Office of Management and Budget, Financil Management Division, Washington, DC 20503, **202 395-3993**

RIN: 0348-AA83

3089. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND AGREEMENTS WITH INSTITUTIONS OF HIGHER EDUCATION, HOSPITALS, AND OTHER NONPROFIT ORGANIZATIONS (CIRCULAR NO. A-110)

Legal Authority: 31 USC 65 et seq; 41 USC 401 et seq; See preamble

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: An OMB and HHS-chaired task force will review the current requirements of Circular A-110, compare them with the final Circular A-102 and government-wide common rule published in the Federal Register March 11,1988,determine the need for changes to restore uniformity, and propose a revised Circular A-110 and common rule for public comment.

Timetable:

Action	Date	FR Cite
Begin Review	06/15/87	
Invitation for Comments	06/24/87	52 FR 23729
Proposed Revision	10/00/88	

Small Entity: No

Agency Contact: Jonathan D. Breul, Management Analyst, Office of Management and Budget, Financial Management Division, Washington, DC 20503, **202 395-3050**

RIN: 0348-AA69

3090. BOARD OF CONTRACT APPEALS - POSITION ALLOCATION PURSUANT TO PUBLIC LAW 95-563 (OFPP POLICY LETTER 79-2, SUPPLEMENT NO. 1)

Legal Authority: 41 USC 401 et seq; See preamble

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: The Contract Disputes Act provides for establishment of Boards of Contract Appeals (BCAs) in the various

OMB **Proposed Rule Stage**

executive agencies; initial allocation of positions was made by the Administrator, OFPP, based on workload studies of existing BCAs. The Act provides for update of workload studies every three years; update of the Policy Letter appears necessary, due to update of workload studies.

Timetable:

Action	Date	FR Cite
Begin Review	03/01/88	
Draft Policy Letter for Comment	12/01/88	
End Review	03/01/89	

Small Entity: No

Agency Contact: Allen Brown, Acting Associate Administrator for Procurement Law and Legislation, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, 202 395-3501

RIN: 0348-AA16

OFFICE OF MANAGEMENT AND BUDGET (OMB) — Final Rule Stage

3091. FEDERAL GOVERNMENT USER CHARGES POLICY (CIRCULAR NO. A-25)

Legal Authority: Budget and Accounting Act of 1921; PL 93-344; See preamble

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: General policies for Federal agencies on administering user charges and formulating legislative proposals regarding user charges are set forth in OMB Circular No. A-25. Public comments have been received on a revised draft of the Circular. They are currently being considered.

Timetable:

Action	Date	FR Cite
Draft Published for Comment	07/01/87	52 FR 24890
Public Comment Period End	08/01/87	
Final Publication	07/00/88	

Small Entity: Yes

Agency Contact: Joel Friedman, Financial Economist, Office of Management and Budget, Fiscal Analysis Branch, Budget Review Division, Washington, D.C. 20503, 202 395-4574

RIN: 0348-AA41

3092. INDIRECT COST RATES, AUDIT, AND AUDIT FOLLOWUP AT EDUCATIONAL INSTITUTIONS (CIRCULAR A-88)

Legal Authority: 31 USC 65 et seq; 41 USC 401 et seq; See preamble

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: The review will develop proposed changes to the Circular needed to call for "single audit" of universities.

Timetable:

Action	Date	FR Cite
Published in the Federal Register for Public Comment	11/06/85	50 FR 46244
Circular to be issued	09/30/88	

Small Entity: No

Additional Information: Current policy for independent audits of universities is contained in Circular A-110 "Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Nonprofit Organizations." The proposed revision will be merged with current policy for Federal audits of universities contained in Circular A-88.

Agency Contact: Jimmie D. Brown, Chief, Financial Systems and Policy Branch, Office of Management and Budget, Financial Management Division, Washington, D.C. 20503, 202 395-6823

RIN: 0348-AA68

3093. STATISTICAL POLICY DIRECTIVES

Legal Authority: 31 USC 1104 Budget & Accounting Procedures Act 1950 (Sec 103); PL 96-511 Paperwork Reduction Act of 1980; See preamble

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: The Directives give general policies for gathering, compiling, analyzing, publishing, and disseminating statistical information by the agencies in the Executive Branch of the Federal Government. A draft Circular was issued for public comment on January 20, 1988. The final Circular is planned for issuance in June 1988.

Timetable:

Action	Date	FR Cite
Draft Circular for Public Comment	01/20/88	53 FR 1542
Final Circular	06/00/88	

Small Entity: No

Agency Contact: Suzann K. Evinger, Statistical Policy Analyst, Office of Management and Budget, Office of Information and Regulatory Affairs, Washington, D.C. 20503, 202 395-3093

RIN: 0348-AA43

3094. CONTROLLING PAPERWORK BURDEN ON THE PUBLIC: REGULATORY CHANGES REFLECTING AMENDMENTS TO THE PAPERWORK REDUCTION ACT

Legal Authority: 44 USC 3502(11); 44 USC 3507; 44 USC Chapter 35

CFR Citation: 5 CFR 1320

Legal Deadline: None.

Abstract: The recently enacted Paperwork Reduction Reauthorization Act of 1986 amended the Paperwork Reduction Act of 1980. The Office of Management and Budget will amend its existing paperwork clearance rules to reflect this legislative change and otherwise to improve the management of Federal paperwork.

Timetable:

Action	Date	FR Cite
NPRM	07/23/87	52 FR 27768
NPRM Comment Period End	09/21/87	
Final Action	04/00/88	

Small Entity: Yes

Agency Contact: Jefferson B. Hill, Chief, Commerce and Lands Branch, Office of Information and Regulatory

OMB

Final Rule Stage

Affairs, Office of Management and Budget, **202 395-5897**

RIN: 0348-AA71

OFFICE OF MANAGEMENT AND BUDGET (OMB)

Completed Actions

3095. POLICIES ON CONSTRUCTION OF FAMILY HOUSING (CIRCULAR NO. A-18)

Legal Authority: Budget and Accounting Act of 1921; See preamble

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: OMB Circular A-18 sets forth policies for budgeting, planning, and undertaking the construction of federally-owned housing (exclusive of military barracks) for Federal personnel and for employees of Government contractors. Review of the Circular was completed in January.

Timetable:

Action	Date	FR Cite
End Review	01/01/88	

Small Entity: No

Agency Contact: David F. Baker, Assoc. Admin. for Management Controls, Office of Management and Budget, Office of Federal Procurement Policy, Washington, D.C. 20503, **202 395-7207**

RIN: 0348-AA08

3096. POLICY GOVERNING CHARGES FOR RENTAL QUARTERS AND RELATED FACILITIES (CIRCULAR NO. A-45)

Legal Authority: 5 USC 5911(F); EO 11609 (Section 9)

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: Review of this policy document was completed in January. It continues to be current.

Timetable:

Action	Date	FR Cite
End Review	01/01/88	

Small Entity: No

Agency Contact: David F. Baker, Assoc. Admin. for Mgmt. Controls, Office of Management and Budget, OFPP, 726 Jackson Place, Washington, D.C. 20352, **202 395-7207**

RIN: 0348-AA70

3097. UNIFORM REQUIREMENTS FOR ASSISTANCE TO STATE AND LOCAL GOVERNMENTS (CIRCULAR NO. A-102)

Legal Authority: 31 USC 65 et seq; 42 USC 4212 et seq; 41 USC 401 et seq; See preamble

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: The purpose of the review is to develop changes to administrative policies which will further reduce the regulatory burden on State and local governments.

Timetable:

Action	Date	FR Cite
Advance Notice of Policy Review	06/18/84	49 FR 24958
Notice of Proposed Policy	06/19/87	52 FR 21816
Final Action	03/11/88	53 FR 8027

Small Entity: No

Additional Information: On March 12, 1987, the President signed a memorandum directing the 23 grant-making agencies to simultaneously propose common grants management regulations that adopt Governmentwide terms and conditions for grants to State and local governments. Within one year the departments and agencies must issue final common rules.

Agency Contact: Jonathan D. Breul, Management Analyst, Office of Management and Budget, Financial Management Division, Washington, D.C. 20503, **202 395-3050**

RIN: 0348-AA11

3098. ● MANAGING FEDERAL CREDIT PROGRAMS (CIRCULAR A-129)

Legal Authority: Budget and Accounting Act of 1921 AS Amended; Debt Collection Act of 1982 As Amended; Deficit Reduction Act of 1984

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: Originally published May 1, 1985, revision clarifies the Circular.

Timetable:

Action	Date	FR Cite
Final Action	06/30/88	
Final Action Effective	06/30/88	

Small Entity: No

Agency Contact: Thomas Stack, Chief Credit and Cash Management Branch, Office of Management and Budget, Financial Management Division, Washington,DC 20503, **202 395-3066**

RIN: 0348-AA82

[FR Doc. 88-5802 Filed 04-22-88; 8:45 am]

BILLING CODE 3110-01-T

federal register

Monday
April 25, 1988

Part XXXII

Office of Personnel Management

Semiannual Regulatory Agenda

OFFICE OF PERSONNEL MANAGEMENT (OPM)

OFFICE OF PERSONNEL MANAGEMENT

5 CFR Ch. I

Regulatory Agenda

AGENCY: Office of Personnel Management.

ACTION: Semiannual agenda of regulations.

SUMMARY: The following Office of Personnel Management regulations are scheduled for development or review from April 1, 1988, through March 31, 1989. This agenda carries out OPM's responsibilities to publish a semiannual agenda under E.O. 12291, Federal Regulation, and the Regulatory Flexibility Act (5 U.S.C. chapter 6). This publication in the **Federal Register** does not impose a binding obligation on the Office of Personnel Management with regard to any specific item on the agenda. Regulatory action in addition to the items listed is not precluded.

FOR FURTHER INFORMATION CONTACT: JoAnn G. Blackler, (202) 653-7252.

U.S. Office of Personnel Management.

Constance Horner,

Director.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3099	Executive Assignment System	3206-AC03
3100	Executive and Management Development	3206-AC12
3101	Suitability -- Suitability Disqualification/Rating Actions	3206-AC19
3102	Personnel Security and Related Programs	3206-AC21
3103	Investigations	3206-AB92

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3104	Performance Management System; Recordkeeping	3206-AB27
3105	Employment (General); Employment Practices	3206-AB41
3106	Employment (General); Time-in-Grade Restrictions	3206-AC01
3107	Appointment, Reassignment, Transfer, and Reinstatement in the Senior Executive Service	3206-AA09
3108	Appointment, Reassignment, Transfer and Reinstatement in the Senior Executive Service (SES Career Appointment by Reinstatement)	3206-AA11
3109	Employment in the Senior Executive Service	3206-AC81
3110	Qualifications Requirements (Medical)	3206-AA91
3111	Removal from the Senior Executive Service; Guaranteed Placement in Other Personnel Systems	3206-AA21
3112	Removal from the Senior Executive Service; Guaranteed Placement in Other Personnel Systems	3206-AA23
3113	Training	3206-AD06
3114	Performance Management System	3206-AD22
3115	Productivity Gainsharing	3206-AC71
3116	Pay Under the General Schedule; Prevailing Rate Systems; Grade and Pay Retention	3206-AC36
3117	Prevailing Rate Systems	3206-AC82
3118	Pay Under Other Systems (Pay Under the Senior Executive Service)	3206-AB29
3119	Pay Administration (General); Severance Pay	3206-AC41
3120	Pay Administration under the FLSA: Compliance	3206-AA40
3121	Processing Garnishment Orders for Child Support and/or Alimony	3206-AB42
3122	Absence and Leave; Restoration of Annual Leave	3206-AD42
3123	Political Activity of Federal Employees	3206-AA47
3124	Employee Responsibilities and Conduct	3206-AB66
3125	Post Employment Conflict of Interest	3206-AB12
3126	Retirement; Credit and Deposits for Military Service	3206-AB73
3127	Retirement; Disability Retirement	3206-AB77
3128	Retirement; Recovery of Annuity Overpayments	3206-AB78
3129	Federal Employees Group Life Insurance	3206-AB80
3130	Federal Employees Health Benefits Program; Technical Corrections	3206-AB83
3131	Federal Employees Health Benefits for Former Spouses of CIA and Foreign Service Employees	3206-AD28
3132	Federal Employees Health Benefits Program/Withdrawal of Carrier and Plan Approval	3206-AD37
3133	Federal Employees Health Benefits Program; Continuation of Enrollment	3206-AB88
3134	Federal Employees Health Benefits Program; Reenrollment of Certain Annuitants	3206-AD23
3135	Federal Employees Health Benefits Program (FEHBP) Plan Advertising in Violation of FEHBP Contract Provisions	3206-AD36
3136	OPM Procurement Regulations	3206-AB28

OPM

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3137	Excepted Service -- Schedule B Authority to Appoint and Convert Cooperative Education Students	3206-AD20
3138	Organization of the Government for Personnel Management; Personnel Management in Agencies	3206-AA66
3139	Availability of Official Information	3206-AD05
3140	Procedures for Selecting Candidates for Appointment	3206-AD18
3141	General Recruitment/Placement Principles	3206-AC07
3142	Promotion and Internal Placement	3206-AA90
3143	Reduction in Grade and Removal Based on Unacceptable Performance	3206-AB21
3144	Special Salary Rates for Recruitment and Retention	3206-AD38
3145	Prevailing Rate Systems	3206-AC59
3146	Pay Administration (General); Back Pay	3206-AD39
3147	Pay Administration (General); Overtime Pay Computation	3206-AC98
3148	Pay Administration Under the Fair Labor Standards Act	3206-AD40
3149	Allowances and Differentials; Cost of Living Allowance and Post Differential--Nonforeign Areas	3206-AB34
3150	Absence and Leave; Coverage of D.C. Government Employees	3206-AC47
3151	Absence and Leave; Temporary Leave Transfer Program	3206-AD41
3152	Executive Personnel Financial Disclosure Requirements	3206-AA93
3153	Post Employment Conflict of Interest; 1987 Designation of Certain Positions and Agencies	3206-AD04
3154	Adverse Actions	3206-AC23
3155	Retirement; Underdeductions of Retirement Contributions	3206-AC96
3156	Retirement; Processing Court Orders for Apportionment of Civil Service Retirement System Annuity and Competing Claims for Survivor Benefits	3206-AC93
3157	Retirement; Credit for Service; Food Service Employees of the House of Representatives May Retain CSRS or FERS	3206-AD14
3158	Retirement; Credit for Service; Employees Who Transfer to Airports Authority	3206-AD15
3159	Retirement; Implementing Regulations for Civil Service Retirement Spouse Equity Act of 1984	3206-AB75
3160	Retirement; Deposits for Military Service	3206-AB35
3161	Retirement; Alternative Form of Annuity	3206-AD35
3162	Retirement; Federal Employees' Retirement System Act of 1986	3206-AC94
3163	Continuation of Federal Employees' Group Life Insurance Coverage During Military Service	3206-AD10
3164	Continuation of Health and Life Insurance Coverage During Retirement	3206-AD34
3165	Continuation of Federal Employees Health Benefits and Federal Employees Group Life Insurance Coverage under FERS	3206-AD11
3166	Credit for CHAMPUS Coverage for the Purpose of Continuing an FEHB Enrollment During Retirement	3206-AD26
3167	Federal Employees Health Benefits Program; Registration and Enrollment	3206-AB87
3168	Federal Employees Health Benefits Program; Continuation of Coverage During Military Service	3206-AD24
3169	Computer Security Training	3206-AD43

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3170	Excepted Service -- Schedule A Authority for Employment of Students	3206-AD17
3171	Excepted Service -- Schedule A Authority to Appoint and Convert Presidential Management Interns	3206-AD21
3172	Protection of Privacy and Personnel Records	3206-AA70
3173	Overseas Employment	3206-AA71
3174	Noncompetitive Appointment of Certain Former Overseas Employees	3206-AD16
3175	Restoration to Duty from Military Service and Injury Compensation	3206-AC34
3176	Pay Under the General Schedule; Determining Rate of Basic Pay	3206-AA32
3177	Eligibility of District of Columbia Government Employees for Superior Qualifications Appointments	3206-AD19
3178	Post Employment Conflict of Interest; 1986 Designation of Certain Positions and Agencies	3206-AD00
3179	Adverse Actions (Regulatory Requirements for Taking Adverse Actions Under the Senior Executive Service)	3206-AA50
3180	Retirement; Order of Precedence for Statutory Withholdings from Annuity	3206-AB70
3181	Retirement; Part-time Employees	3206-AC95
3182	Retirement; Credit for Service under CSRS for Certain Service as National Guard Technicians, Cadet Nurse, and Nonappropriated Fund Employees	3206-AD13
3183	Retirement; Law Enforcement Officers and Firefighters	3206-AB09
3184	Civil Service Retirement, FEGLI, and FEHBP Coverage for D.C. Government Employees Hired After September 30, 1987	3206-AD09
3185	Standardization of Terms Used under the Federal Employees Group Life Insurance Program	3206-AD27
3186	An Additional Opportunity for Annuitants to Enroll for Federal Employees' Health Benefits Coverage	3206-AD12

OPM

Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
3187	Federal Employees Health Benefits Program; Termination of Enrollment	3206-AB84
3188	Programs for Specific Positions and Examinations (Miscellaneous) Administrative Law Judges	3206-AB91

OFFICE OF PERSONNEL MANAGEMENT (OPM)

Prerule Stage

3099. EXECUTIVE ASSIGNMENT SYSTEM

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302; 5 USC 3324; EO 10577

CFR Citation: 5 CFR 305

Legal Deadline: None.

Abstract: Review of regulations on executive assignment system (GS-16/18). Regulations need to be reviewed in light of the establishment of the Senior Executive Service, which incorporated most GS-16/18 positions, and delegations to agencies under the CSRA.

Timetable:

Action	Date	FR Cite
Begin Review	03/01/88	
End Review	09/00/88	

Small Entity: No

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Office of Executive Administration, 1900 E St., NW; Washington, DC 20415, 202 632-4625

RIN: 3206-AC03

3100. EXECUTIVE AND MANAGEMENT DEVELOPMENT

Legal Authority: 5 USC 3397

CFR Citation: 5 CFR 412, Subparts A and E

Legal Deadline: None.

Abstract: Review of executive and management development program authority for possible reconstructing.

Timetable:

Action	Date	FR Cite
Begin Review	02/15/88	
End Review	09/30/88	

Small Entity: No

Agency Contact: Harold Segal, Chief, Policy and Oversight Branch, Office of Personnel Management, Training and Investigations Group, 1121 Vermont Avenue, NW; P.O. Box 7230, Washington, D.C. 20044, 202 632-5574

RIN: 3206-AC12

3101. SUITABILITY -- SUITABILITY DISQUALIFICATION/RATING ACTIONS

Legal Authority: 5 USC 3301; 5 USC 3302; 5 USC 7301; EO 10577; EO 11222

CFR Citation: 5 CFR 731, Subparts B and C

Legal Deadline: None.

Abstract: Comprehensive review of suitability standards. Current revision of personnel security program by Presidential task force will likely result in the need for conforming changes in personnel suitability standards.

Timetable:

Action	Date	FR Cite
Begin Review	11/01/85	
End Review	01/01/89	

Small Entity: No

Agency Contact: Frances A. Sclafani, Associate Director, Training and Investigations Group, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415, 202 632-4426

RIN: 3206-AC19

3102. PERSONNEL SECURITY AND RELATED PROGRAMS

Legal Authority: 5 USC 3301; 5 USC 3302; 5 USC 7312; 50 USC 403; EO 10450; EO 10577

CFR Citation: 5 CFR 732

Legal Deadline: None.

Abstract: Comprehensive review of security standards. Current revision of personnel security program by Presidential task force will likely result in the need for conforming changes in personnel security standards.

Timetable:

Action	Date	FR Cite
Begin Review	11/01/85	
End Review	01/01/89	

Small Entity: No

Agency Contact: Frances A. Sclafani, Associate Director, Training and Investigations Group, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415, 202 632-4426

RIN: 3206-AC21

3103. INVESTIGATIONS

Legal Authority: PL 93-579; 5 USC 522a

CFR Citation: 5 CFR 736

Legal Deadline: None.

Abstract: Review of Governmentwide background investigations standards. Current revision of personnel security program by Presidential task force will likely result in the need for conforming changes in personnel investigations standards.

Timetable:

Action	Date	FR Cite
Begin Review	11/01/85	
End Review	01/01/89	

Small Entity: No

Agency Contact: Frances A. Sclafani, Associate Director, Training and Investigations Group, Office of Personnel Management, 1900 E Street,

OPM

Prerule Stage

N.W., Washington, D.C. 20415, 202 632-4426

RIN: 3206-AB92

OFFICE OF PERSONNEL MANAGEMENT (OPM)

Proposed Rule Stage

3104. PERFORMANCE MANAGEMENT SYSTEM; RECORDKEEPING

Legal Authority: 5 USC 552; 5 USC 4302a; 5 USC 4312; EO 12107; 5 USC 1103; 5 USC 1104; 5 USC 1302; 5 CFR 7.2; EO 9830; 5 USC 4302

CFR Citation: 5 CFR 293

Legal Deadline: None.

Abstract: This section establishes requirements for the Performance Management System on filing and transfer of performance records. The proposed regulation is a technical change that would bring the OPF subpart into conformance with the EPF subpart, indicating that performance ratings of records, and the performance plans on which they are based, may be filed in either the OPF or the EPF.

Timetable:

Action	Date	FR Cite
NPRM	03/11/86	51 FR 8422
NPRM	04/00/88	
Final Action	06/00/88	

Small Entity: No

Agency Contact: C. Frank Carrick, Chief, Performance Management Division, Office of Personnel Management, Office of Pay and Performance, Personnel Systems and Oversight Group, 1900 E St., NW; Washington, DC 20415, 202 632-7630

RIN: 3206-AB27

3105. EMPLOYMENT (GENERAL); EMPLOYMENT PRACTICES

Legal Authority: 5 USC 3301; 5 USC 3302; 5 USC 3304

CFR Citation: 5 CFR 300

Legal Deadline: None.

Abstract: Clarification of the policy and appeal procedures used in developing and implementing employment practices in the recruitment, measurement and selection of individuals for appointments and promotion within the competitive service. The proposed amendments would remove a non-statutory appeal procedure which was created to provide a simple, streamlined administrative review procedure but which has, instead, become a time-consuming, convoluted process. Additionally, the proposed changes would avoid a duplicative enforcement procedure currently subject to review by OPM and MSPB, which is, more properly, within the sole jurisdiction of the EEOC.

Timetable:

Action	Date	FR Cite
EEOC Coordination	07/01/88	
NPRM	12/00/88	

Small Entity: No

Agency Contact: James S. Green, Associate General Counsel, Office of Personnel Management, Office of the General Counsel, 1900 E Street, NW, Washington, DC 20415, 202 632-5087

RIN: 3206-AB41

3106. EMPLOYMENT (GENERAL); TIME-IN-GRADE RESTRICTIONS

Legal Authority: 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 300, Subpart F

Legal Deadline: None.

Abstract: Regulations based on review of time-in-grade restrictions. Regulations will address inconsistencies and clarify certain provisions.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Agency Contact: Donald L. Holum, Chief, Staffing Policy Division, Office of Personnel Management, Career Entry Group, 1900 E Street, NW, Washington, D.C. 20415, 202 632-6817

RIN: 3206-AC01

3107. APPOINTMENT, REASSIGNMENT, TRANSFER, AND REINSTATEMENT IN THE SENIOR EXECUTIVE SERVICE

Legal Authority: 5 USC 3392; 5 USC 3393; 5 USC 3394; 5 USC 3397

CFR Citation: 5 CFR 317

Legal Deadline: None.

Abstract: Proposed regulations to govern appointment actions in the SES, including establishment of qualifications standards, agency recruitment and selection procedures for career appointments, operations of OPM Qualifications Review Boards, and completion of the one-year probationary period for career appointees. Regulations are intended to set forth basic staffing requirements to assure compliance with merit system provisions and to implement staffing provisions of Pub. L. 98-615, November 8, 1984.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Additional Information: Regulatory Program RIN 3206-AC81 combines this item with RINs 3206-AA21, 3206-AA23, 3206-AB29, and 3206-AA50.

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Office of Executive Administration, 1900 E St., NW; Washington, DC 20415, 202 632-4625

RIN: 3206-AA09

3108. APPOINTMENT, REASSIGNMENT, TRANSFER AND REINSTATEMENT IN THE SENIOR EXECUTIVE SERVICE (SES CAREER APPOINTMENT BY REINSTATEMENT)

Legal Authority: 5 USC 3593

CFR Citation: 5 CFR 317, Subpart G

Legal Deadline: None.

OPM

Proposed Rule Stage

Abstract: Proposed regulations on reinstatement to an SES career appointment following (a) voluntary separation from SES, or (b) separation from a Presidential appointment of a former SES career appointee. These reinstatements are authorized by law. The regulations set the procedures for implementing the law.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/05/80	45 FR 80468
NPRM	04/00/88	

Small Entity: No

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Office of Executive Administration, 1900 E St., NW; Washington, DC 20415, 202 632-4625

RIN: 3206-AA11

3109. EMPLOYMENT IN THE SENIOR EXECUTIVE SERVICE

Significance: Regulatory Program

Legal Authority: 5 USC 3392; 5 USC 3393; 5 USC 3394; 5 USC 3397; 5 USC 1302; 5 USC 3595; 5 USC 3596; 5 USC 5383; 5 USC 5385; 5 USC 7543

CFR Citation: 5 CFR 317; 5 CFR 359; 5 CFR 534; 5 CFR 752

Legal Deadline: None.

Abstract: This is a Regulatory Program entry that combines RINs 3206-AA09, 3206-AA21, 3206-AA23, 3206-AB29, and 3206-AA50.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Analyze comments	06/00/88	

Small Entity: No

Agency Contact: Kirke Harper, Director, Office of Executive Personnel, Office of Executive Administation, Office of Personnel Management, 1900 E St., N.W., Washington, DC 20415, 202 632-4486

RIN: 3206-AC81

3110. QUALIFICATIONS REQUIREMENTS (MEDICAL)

Legal Authority: 5 USC 3301; 5 USC 3304; 5 USC 3312

CFR Citation: 5 CFR 339

Legal Deadline: None.

Abstract: Proposed regulations to clarify procedures for establishing physical requirements for jobs and for documenting and processing disabilities.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	53 FR 9121
Final Action	07/00/88	

Small Entity: No

Agency Contact: Raleigh Neville, Personnel Staffing Specialist, Office of Personnel Management, Staffing Policy Division, Career Entry Group, 1900 E Street, NW, Washington, DC 20415, 202 632-6817

RIN: 3206-AA91

3111. REMOVAL FROM THE SENIOR EXECUTIVE SERVICE; GUARANTEED PLACEMENT IN OTHER PERSONNEL SYSTEMS

Legal Authority: 5 USC 1302; 5 USC 3594; 5 USC 3596

CFR Citation: 5 CFR 359

Legal Deadline: None.

Abstract: Proposed regulations on (1) the removal of SES career appointees during probation or for less than fully successful executive performance, (2) the removal of other than career appointees, (3) placement rights in other personnel systems of certain SES career appointees. These actions are authorized by law. The regulations establish procedures for implementing previous law and the new Pub. L. 98-615, November 8, 1984.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/31/79	44 FR 44815
NPRM	04/00/88	

Small Entity: No

Additional Information: Regulatory Program RIN 3206-AC81 combines this item with RINs 3206-AA09, 3206-AA23, 3206-AB29, and 3206-AA50.

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Office of Executive Administration, 1900 E St., NW; Washington, DC 20415, 202 632-4625

RIN: 3206-AA21

3112. REMOVAL FROM THE SENIOR EXECUTIVE SERVICE; GUARANTEED PLACEMENT IN OTHER PERSONNEL SYSTEMS

Legal Authority: 5 USC 3595; 5 USC 3596

CFR Citation: 5 CFR 359

Legal Deadline: None.

Abstract: Proposed regulations to add a new subpart to implement Pub. L. 97-35, August 13, 1981, as amended by Pub.L. 97-346, October 15, 1982, and Pub. L. 98-615, November 8, 1984, which added provisions to Title 5 to govern SES reduction-in-force actions affecting career executives. Regulations are needed to cover certain areas not in the law, such as notification to employees and retention of records, and to implement the provisions in the law dealing with OPM's responsibility to help place career executives identified for reduction in force and with "fallback" rights following a RIF.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Additional Information: Regulatory Program RIN 3206-AC81 combines this item with RINs 3206-AA09, 3206-AA21, 3206-AB29, and 3206-AA50.

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Office of Executive Administration, 1900 E St., NW; Washington, DC 20415, 202 632-4625

RIN: 3206-AA23

3113. TRAINING

Legal Authority: 5 USC 4118

CFR Citation: 5 CFR 410

Legal Deadline: None.

Abstract: Revision of training regulations to remove obsolete or unessential reporting requirements and remove or modify any other outmoded regulation.

OPM

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	

Small Entity: No

Agency Contact: Harold Segal, Chief, Policy and Oversight Branch, Office of Personnel Management, Training and Investigations Group, 1121 Vermont Avenue, NW; P.O. Box 7230, Washington, DC 20044, 202 632-5574

RIN: 3206-AD06

3114. PERFORMANCE MANAGEMENT SYSTEM

Significance: Regulatory Program

Legal Authority: 5 USC Ch 43; 5 USC Ch 45; 5 USC Ch 53; 5 USC Ch 54

CFR Citation: 5 CFR 430

Legal Deadline: None.

Abstract: Establishes requirements for the Performance Management Systems for General Schedule, Prevailing Rate, and SES employees. Regulations will be streamlined to eliminate impediments to management flexibility while still assuring pay-for-performance systems.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	06/00/88	

Small Entity: No

Agency Contact: C. Frank Carrick, Chief, Performance Management Division, Office of Personnel Management, Office of Pay and Performance, Personnel Systems and Oversight Group, 1900 E St., NW; Washington, DC 20415, 202 632-7630

RIN: 3206-AD22

3115. PRODUCTIVITY GAINSHARING

Significance: Regulatory Program

Legal Authority: 5 USC Ch 45; 5 USC Ch 54

CFR Citation: 5 CFR 451

Legal Deadline: None.

Abstract: The proposed regulation would provide a framework for encouraging agency efforts to establish productivity gainsharing programs.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	12/00/88	

Small Entity: No

Agency Contact: James P. Hellings, Chief, Policy and Information Division, Systems Innovation and Simplification, Office of Personnel Management, Personnel Systems and Oversight Group, 1900 E St., NW, Washington, DC 20415, 202 653-5835

RIN: 3206-AC71

3116. PAY UNDER THE GENERAL SCHEDULE; PREVAILING RATE SYSTEMS; GRADE AND PAY RETENTION

Legal Authority: 5 USC 5334(a); 5 USC 5338; 5 USC 5365

CFR Citation: 5 CFR 531; 5 CFR 532; 5 CFR 536

Legal Deadline: None.

Abstract: Under current regulations, numerous pay administration problems exist in movements between Federal pay systems. For example, the method of determining entitlement to grade retention in movements between pay systems results in unnecessary expenditures of Federal funds and false expectations for affected employees. Proposed regulations would revise definitions of "promotion" and "demotion" to improve pay administration and minimize the number of employees entitled to grade retention in movements between pay systems.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Agency Contact: Jan Karicher, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Performance, Personnel Systems and Oversight Group, 1900 E Street, NW; Washington, DC 20415, 202 632-5056

RIN: 3206-AC36

3117. PREVAILING RATE SYSTEMS

Significance: Regulatory Program

Legal Authority: 5 USC 5343; 5 USC 5346

CFR Citation: 5 CFR 532

Legal Deadline: None.

Abstract: Proposed rule changes would revise Monroney regulations so that only non-Department of Defense Federal Wage System positions would be covered. Legislation has removed DOD employees from Monroney.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Agency Contact: Jack Pokoyk, Chief, Wage Systems Division, Office of Personnel Management, Personnel Systems and Oversight Group, 1900 E St., NW; Washington, DC 20415, 202 632-7830

RIN: 3206-AC82

3118. PAY UNDER OTHER SYSTEMS (PAY UNDER THE SENIOR EXECUTIVE SERVICE)

Legal Authority: 5 USC 5383; 5 USC 5385

CFR Citation: 5 CFR 534, Subpart D

Legal Deadline: None.

Abstract: Proposed regulations on setting individual basic pay under the SES. Regulations are needed to clarify the intent and application of 5 USC 5383(a) on changes in SES pay rates and to implement provisions in Pub. L. 98-615, November 8, 1984, on aggregate compensation.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Additional Information: Regulatory Program RIN 3206-AC81 combines this item with RINs 3206-AA09, 3206-AA21, 3206-AA23, and 3206-AA50.

Agency Contact: Neal Harwood, Personnel Management Specialist, Office of Personnel Management, Office of Executive Personnel, Office of Executive Administration, 1900 E St., NW; Washington, DC 20415, 202 632-4625

RIN: 3206-AB29

3119. PAY ADMINISTRATION (GENERAL); SEVERANCE PAY

Legal Authority: 5 USC 5595; EO 11228

CFR Citation: 5 CFR 550, Subpart G

Legal Deadline: None.

Abstract: Proposed regulations would make eligibility for involuntary retirement and severance pay parallel, since the same circumstances give rise to both. Proposed regulations also would clarify severance pay coverage for certain employees serving under time-limited appointments.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: Jan Karicher, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Performance, Personnel Systems and Oversight Group, 1900 E St., NW; Washington, DC 20415, **202 632-5056**

RIN: 3206-AC41

3120. PAY ADMINISTRATION UNDER THE FLSA: COMPLIANCE

Legal Authority: 29 USC 204(f); 5 USC 1103(a)(5)

CFR Citation: 5 CFR 551, Subpart F

Legal Deadline: None.

Abstract: Proposed new regulation covering the FLSA Compliance Program and simplifying the FLSA claims handling process.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Jack Tapping, Personnel Management Specialist, Office of Personnel Management, Personnel and Systems and Oversight Group, Agency Compliance and Evaluation, 1900 E St., NW, Washington, DC 20415, **202 632-4530**

RIN: 3206-AA40

3121. PROCESSING GARNISHMENT ORDERS FOR CHILD SUPPORT AND/OR ALIMONY

Legal Authority: 42 USC 659; 42 USC 661 to 662; 15 USC 1673; EO 12105

CFR Citation: 5 CFR 581

Legal Deadline: None.

Abstract: Update regulation in response to ongoing suggestions and corrections, especially changes to Appendix A which contains an obsolete list of agents designated to accept legal process.

Timetable:

Action	Date	FR Cite
NPRM	04/28/86	51 FR 15787
NPRM	09/00/88	

Small Entity: No

Agency Contact: Murray Meeker, Attorney, Office of Personnel Management, Office of the General Counsel, 1900 E Street, NW, Room 7544, Washington, DC 20415, **202 632-5090**

RIN: 3206-AB42

3122. ● ABSENCE AND LEAVE; RESTORATION OF ANNUAL LEAVE

Legal Authority: 5 USC 6311

CFR Citation: 5 CFR 630

Legal Deadline: None.

Abstract: As part of a continuing effort to simplify and deregulate the Federal personnel system, the proposed regulations would permit the head of each agency to delegate to an appropriate administrative level within the agency the responsibility for determining that an exigency of the public business has prevented an employee from using annual leave that otherwise would be subject to forfeiture under 5 U.S.C. 6304.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	07/00/88	

Small Entity: No

Agency Contact: James E. Matteson, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Performance Management, Personnel Systems and Oversight Group, 1900 E St., NW., Washington, DC 20415, **202 632-5056**

RIN: 3206-AD42

3123. POLITICAL ACTIVITY OF FEDERAL EMPLOYEES

Legal Authority: 5 USC 1308; 5 USC 3301; 5 USC 3302; 5 USC 7301; 5 USC 7321 to 7325; 5 USC 7327; 42 USC 2729; EO 10577 3 CFR, 1954-1958 Comp. p. 218; 5 USC 7701 et seq; EO 12107

CFR Citation: 5 CFR 733

Legal Deadline: None.

Abstract: Prescribes (1) regulations under the Hatch Act and related provisions of law that restrict the political activity of Federal employees; (2) definitional and structural revisions; and (3) possible addition and/or recision of partial exceptions by the Director for municipalities or political subdivisions.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Agency Contact: JoAnn Chabot, Attorney, Office of Personnel Management, Office of the General Counsel, 1900 E St., NW, Room 7538, Washington, DC 20415, **202 632-5030**

RIN: 3206-AA47

3124. EMPLOYEE RESPONSIBILITIES AND CONDUCT

Legal Authority: EO 11222; PL 95-521

CFR Citation: 5 CFR 735

Legal Deadline: None.

Abstract: Amends portions of final regulation, 5 CFR Part 735, to clarify and update general provisions dealing with employee conduct.

Timetable:

Action	Date	FR Cite
NPRM	06/02/88	
Final Action	10/02/88	

Small Entity: No

Agency Contact: Jane Ley, Staff Attorney, Office of Personnel Management, Office of Government Ethics, P.O. Box 14108, Washington, DC 20044, **202 632-7642**

RIN: 3206-AB66

3125. POST EMPLOYMENT CONFLICT OF INTEREST

Legal Authority: 18 USC 207; PL 95-521

CFR Citation: 5 CFR 737

Legal Deadline: None.

Abstract: Proposed technical and conforming regulations to clarify the post employment rules.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	

Small Entity: No

OPM

Proposed Rule Stage

Agency Contact: Jane Ley, Staff Attorney, Office of Personnel Management, Office of Government Ethics, P.O. Box 14108, Washington, DC 20044, 202 632-7642

RIN: 3206-AB12

3126. RETIREMENT; CREDIT AND DEPOSITS FOR MILITARY SERVICE

Legal Authority: PL 97-253, Sec 306(b); PL 98-94, Sec 1257; PL 98-369, Sec 2205

CFR Citation: 5 CFR 831, Subparts C and U

Legal Deadline: None.

Abstract: Public Laws 97-253, 98-94, and 98-369 amend the provisions of the retirement law that deal with crediting military service and making deposits for military service. Proposed regulations would revise the affected regulations to implement these laws.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	04/00/89	

Small Entity: No

Agency Contact: Patricia Rochester, Paralegal Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., N.W., Washington, D.C. 20415, 202 632-4682

RIN: 3206-AB73

3127. RETIREMENT; DISABILITY RETIREMENT

Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831, Subpart L

Legal Deadline: None.

Abstract: Comprehensive revision of disability retirement regulations to clarify (1) OPM'S authority to find a disability annuitant recovered from a disability when the annuitant is reemployed in the Federal service in a position equivalent in grade to the one from which he or she retired, and (2) the rules used to determine whether a disability annuitant has been restored to earning capacity.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	
Final Action	02/00/89	

Small Entity: No

Agency Contact: Gay Gardner, Paralegal Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, 202 632-4682

RIN: 3206-AB77

3128. RETIREMENT; RECOVERY OF ANNUITY OVERPAYMENTS

Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831, Subpart M

Legal Deadline: None.

Abstract: Proposed regulations to add further guidelines on debt collection activities under the Debt Collection Act of 1982. Current regulations need to be expanded to (1) exclude collections made by Treasury under 31 CFR 210.10 from OPM procedures for recovery of debts, and (2) add provisions for collecting debts due the Civil Service Retirement Fund from a deceased debtor.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	04/00/89	

Small Entity: No

Agency Contact: Patricia A. Rochester, Paralegal Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., N.W.; Washington, D.C. 20415, 202 632-4682

RIN: 3206-AB78

3129. FEDERAL EMPLOYEES GROUP LIFE INSURANCE

Legal Authority: 5 USC 8716

CFR Citation: 5 CFR 870; 5 CFR 871; 5 CFR 872; 5 CFR 873

Legal Deadline: None.

Abstract: Technical and conforming amendments to bring current regulations up to date by correcting reference errors, deleting obsolete provisions, etc.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Agency Contact: Bonnie Rose, Pay and Benefits Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, D.C. 20415, 202 632-4634

RIN: 3206-AB80

3130. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; TECHNICAL CORRECTIONS

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890

Legal Deadline: None.

Abstract: Technical and conforming amendments to bring current regulations up to date by correcting errors, deleting obsolete provisions, etc.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Agency Contact: Barbara Myers, Pay and Benefits Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, 202 632-4634

RIN: 3206-AB83

3131. FEDERAL EMPLOYEES HEALTH BENEFITS FOR FORMER SPOUSES OF CIA AND FOREIGN SERVICE EMPLOYEES

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890

Legal Deadline: None.

Abstract: This regulation will implement Sections 302 and 303 of the Intelligence Authorization Act of 1986 and Sections 831 and 832 of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989. The regulation describes the conditions under which two groups of former spouses of Central Intelligence Agency and Foreign Service employees or former employees previously omitted from spouse equity legislation may enroll in the Federal Employees Health Benefits (FEHB) Program.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	09/00/88	

Small Entity: No

Agency Contact: Mary Ann Mercer, Pay and Benefits Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, 202 632-4634

RIN: 3206-AD28

3132. ● FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM/WITHDRAWAL OF CARRIER AND PLAN APPROVAL

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890

Legal Deadline: None.

Abstract: Regulations to clarify OPM's minimum standards for a plan's or carrier's participation in FEHB and OPM's right to withdraw approval, with due process.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	
Final Action	11/00/88	

Small Entity: No

Agency Contact: Mary Ann Mercer, Pay and Benefits Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW., Washington, DC 20415, 202 632-4634

RIN: 3206-AD37

3133. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; CONTINUATION OF ENROLLMENT

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890, Subpart C

Legal Deadline: None.

Abstract: Proposed regulations to reflect established OPM practice of allowing surviving family members to continue FEHBP participation under multiple enrollments in split-award survivor annuity cases. If multiple enrollments are not allowed, certain eligible family members might lose FEHBP coverage.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Eleanor Goodwin, Pay and Benefits Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, 202 632-4634

RIN: 3206-AB88

3134. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; REENROLLMENT OF CERTAIN ANNUITANTS

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890, Subpart C

Legal Deadline: None.

Abstract: Proposed regulations to permit reenrollment of annuitants who cancelled FEHB enrollment to enroll in a Health Maintenance Organization or Competitive Medical Plan under a Medicare risk contract and need to return to FEHB coverage.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: Barbara Myers, Pay and Benefits Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, 202 632-4634

RIN: 3206-AD23

3135. ● FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM (FEHBP) PLAN ADVERTISING IN VIOLATION OF FEHBP CONTRACT PROVISIONS

Legal Authority: 5 USC 8913; 40 USC 486(c)

CFR Citation: 48 CFR Ch 16

Legal Deadline: None.

Abstract: Regulations to require any plan that violates the advertising provisions in its Federal Employees Health Benefits Program contract to correct the violation in the media that the advertising occurred.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
Final Action	03/00/89	

Small Entity: No

Agency Contact: Mary Ann Mercer, Pay & Benefits Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW., Washington, DC 20415, 202 632-4634

RIN: 3206-AD36

3136. OPM PROCUREMENT REGULATIONS

Legal Authority: 48 CFR Chapter 1

CFR Citation: 48 CFR 17

Legal Deadline: None.

Abstract: Regulations to implement and supplement the Federal Acquisition Regulations (FAR). The FAR were effective April 1, 1984.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Undetermined

Agency Contact: Robert Lawshe, Chief, Acquisition Division, Office of Personnel Management, Administration Group, 1900 E Street, NW, Washington, DC 20415, 202 632-5476

RIN: 3206-AB28

OFFICE OF PERSONNEL MANAGEMENT (OPM)

Final Rule Stage

3137. EXCEPTED SERVICE -- SCHEDULE B AUTHORITY TO APPOINT AND CONVERT COOPERATIVE EDUCATION STUDENTS

Significance: Regulatory Program

Legal Authority: EO 12015

CFR Citation: 5 CFR 213.3202

Legal Deadline: None.

Abstract: Current regulations unnecessarily limit agencies' ability to make full use of cooperative education programs. Changes under consideration would increase program flexibility and effectiveness and eliminate a number of current restrictions.

Timetable:

Action	Date	FR Cite
NPRM	01/22/88	53 FR 1789
Final Action	04/00/88	

Small Entity: No

Agency Contact: Ken Bates, Personnel Staffing Specialist, Office of Personnel Management, Recruiting and Intake Programs Division, Career Entry Group, 1900 E St., NW; Washington, DC 20415, 202 632-0496

RIN: 3206-AD20

3138. ORGANIZATION OF THE GOVERNMENT FOR PERSONNEL MANAGEMENT; PERSONNEL MANAGEMENT IN AGENCIES

Legal Authority: 5 USC 1104; 5 USC 1302; 5 USC 3301; 5 USC 3302; EO 10577

CFR Citation: 5 CFR 230; 5 CFR 250

Legal Deadline: None.

Abstract: Deletes Part 230 and transfers its regulations to Part 250, to maintain parallel structure with 5 U.S.C. Combines material formerly in Part 230 with regulations now found in Part 250 to present all regulations on agencies' authorities for personnel management in a single part of the Code of Federal Regulations. Changes improve the technical integrity of the CFR by eliminating redundancies and improving the efficiency of OPM's regulations. No change in the coverage or substance of affected regulations.

Timetable:

Action	Date	FR Cite
NPRM	05/20/83	48 FR 22728
Final Action	05/30/89	

Small Entity: No

Agency Contact: Walter Townsend, Program Analyst, Office of Personnel Management, Analysis and Evaluation Division, Administration Group, 1900 E St., NW, Washington, DC 20415, 202 653-6341

RIN: 3206-AA66

3139. AVAILABILITY OF OFFICIAL INFORMATION

Legal Authority: 5 USC 552

CFR Citation: 5 CFR 294

Legal Deadline: Statutory, April 25, 1987.

Abstract: Pursuant to the promulgation of new guidelines by the Director of the Office of Management and Budget, the Freedom of Information Reform Act of 1986 requires each agency to specify (a) the schedule of fees applicable to the processing of FOIA requests and (b) procedures and guidelines for determining when fees should be waived or reduced.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/22/87	52 FR 13215
Final Action	04/00/88	

Small Entity: No

Agency Contact: William C. Duffy, Chief, Information Plans and Policies Division, Office of Personnel Management, Administration Group, 1900 E Street, NW; Room 6410, Washington, DC 20415, 202 632-7714

RIN: 3206-AD05

3140. PROCEDURES FOR SELECTING CANDIDATES FOR APPOINTMENT

Legal Authority: 5 USC 1302; 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 302; 5 CFR 333

Legal Deadline: None.

Abstract: Permits agencies to rank and refer candidates for either excepted appointments or appointments outside registers in one of two ways: (1) in the same way as in the competitive service (i.e., numerical scores from 70 to 100, extra points for veterans preference, and rule of three); or (2) referral in order of veterans preference without ranking. (Currently, the first method is required for all excepted appointments, and the second method is required for all appointments outside registers.)

Timetable:

Action	Date	FR Cite
NPRM	12/29/87	52 FR 49023
Final Action	05/00/88	

Small Entity: No

Agency Contact: Tracy Spencer, Personnel Staffing Specialist, Office of Personnel Management, Staffing Policy Division, Career Entry Group, 1900 E St., NW; Washington, DC 20415, 202 632-6817

RIN: 3206-AD18

3141. GENERAL RECRUITMENT/PLACEMENT PRINCIPLES

Legal Authority: 5 USC 1302; 5 USC 3302; 5 USC 3315; 5 USC 8151

CFR Citation: 5 CFR 330; 5 CFR 351

Legal Deadline: None.

Abstract: Proposed regulations based on review of Reemployment Priority List and Displaced Employee Program authorities. Regulations would focus on the need to provide assistance to employees in cutbacks.

Timetable:

Action	Date	FR Cite
NPRM	01/07/88	53 FR 408
Final Action	09/00/88	

Small Entity: No

Agency Contact: Donald L. Holum, Chief, Staffing Policy Division, Office of Personnel Management, Career Entry Group, 1900 E Street, NW, Washington, D.C. 20415, 202 632-6817

RIN: 3206-AC07

3142. PROMOTION AND INTERNAL PLACEMENT

Significance: Regulatory Program

Legal Authority: 5 USC 3301; 5 USC 3302

CFR Citation: 5 CFR 335

Legal Deadline: None.

Abstract: Proposed regulations to revise the Federal Merit Promotion Program to strengthen management rights, and clarify important concepts.

Timetable:

Action	Date	FR Cite
NPRM	11/07/86	51 FR 40436
Analyze comments	02/28/87	

OPM — **Final Rule Stage**

Action	Date	FR Cite
Final Action	04/00/88	

Small Entity: No

Agency Contact: Raleigh M. Neville, Personnel Staffing Specialist, Office of Personnel Management, Staffing Policy Division, Career Entry Group, 1900 E Street, NW, Washington, DC 20415, 202 632-6817

RIN: 3206-AA90

3143. REDUCTION IN GRADE AND REMOVAL BASED ON UNACCEPTABLE PERFORMANCE

Legal Authority: 5 USC 4303; 5 USC 4305

CFR Citation: 5 CFR 432

Legal Deadline: None.

Abstract: Proposed regulations would clarify the procedures agencies must follow in removing or reducing in-grade employees whose performance is unacceptable. These changes are necessary due to changing legal requirements brought about by court decisions and OPM interpretations of 5 U.S.C. chapter 43 requirements.

Timetable:

Action	Date	FR Cite
NPRM	02/23/87	52 FR 5463
Final Action	04/00/88	

Small Entity: No

Agency Contact: Tim Dirks, Chief, Employee Relations Division, Office of Personnel Management, Personnel Systems and Oversight Group, 1900 E Street, NW, Washington, DC 20415, 202 653-8551

RIN: 3206-AB21

3144. ● SPECIAL SALARY RATES FOR RECRUITMENT AND RETENTION

Significance: Regulatory Program

Legal Authority: 5 USC 5303

CFR Citation: 5 CFR 530

Legal Deadline: None.

Abstract: Public Law 100-202 enlarges the scope of 5 U.S.C. 5303 for FY 1988 to cover recruitment and retention problems caused by higher pay in State and local governments or in other pay systems within the executive branch or the Federal Government; remoteness or undesirability of work location or conditions; or other circumstances identified by President (or his designee).

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	

Small Entity: No

Agency Contact: Clarence Mathews, Chief, Special Rates Branch, Office of Personnel Management, Office of Pay and Performance Management, Personnel Systems and Oversight Group, 1900 E St., NW., Washington, DC 20415, 202 632-4614

RIN: 3206-AD38

3145. PREVAILING RATE SYSTEMS

Legal Authority: 5 USC 5343; 5 USC 5346

CFR Citation: 5 CFR 532

Legal Deadline: None.

Abstract: Proposed rule changes would revise Monroney regulations to limit the use of private sector specialized industry data obtained outside a wage area in setting pay rates for positions in that area.

Timetable:

Action	Date	FR Cite
NPRM	10/08/85	50 FR 40979
Final Action	04/00/88	

Small Entity: No

Agency Contact: Jack Pokoyk, Chief, Wage Systems Division, Office of Personnel Management, Personnel Systems and Oversight Group, 1900 E St., NW; Washington, DC 20415, 202 632-7830

RIN: 3206-AC59

3146. ● PAY ADMINISTRATION (GENERAL); BACK PAY

Significance: Regulatory Program

Legal Authority: 5 USC 5596

CFR Citation: 5 CFR 550

Legal Deadline: None.

Abstract: Public Law 100-202 amended 5 U.S.C. 5596 to provide for the payment of interest in all back pay cases. The interim regulations would establish procedures for implementing this change in law.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	
Final Action	07/00/88	

Small Entity: No

Agency Contact: John Cahill, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Performance Management, Personnel Systems and Oversight Group, 1900 E St., NW., Washington, DC 20415, 202 632-5056

RIN: 3206-AD39

3147. PAY ADMINISTRATION (GENERAL); OVERTIME PAY COMPUTATION

Legal Authority: 5 USC 5548

CFR Citation: 5 CFR 550, Subpart A

Legal Deadline: None.

Abstract: Final regulations would clearly distinguish between overtime work in excess of 8 hours in a day outside the basic 40-hour workweek and overtime work in excess of 8 hours in a day within the basic 40-hour workweek. This change would correct a recent Comptroller General decision that results in an improper payment for overtime work for employees on unusual work schedules.

Timetable:

Action	Date	FR Cite
NPRM	05/12/87	52 FR 17762
Final Action	04/00/88	

Small Entity: No

Agency Contact: Edward I. Magee, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Performance, Personnel Systems and Oversight Group, 1900 E St., NW; Washington, DC 20415, 202 632-5056

RIN: 3206-AC98

3148. ● PAY ADMINISTRATION UNDER THE FAIR LABOR STANDARDS ACT

Legal Authority: 29 USC 204(f)

CFR Citation: 5 CFR 551

Legal Deadline: None.

Abstract: As a result of a recen decision of the Court of Appeals for the Federal Circuit in the case of Lanehart v. Horner, it is necessary to revise the

regulations on pay administration under the Fair Labor Standards Act so as to consider periods of paid absence as "hours of work" for certain employees.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/16/87	52 FR 47687
Final Action	05/00/88	

Small Entity: No

Agency Contact: James E. Matteson, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Performance Management, Personnel Systems and Oversight Group, 1900 E St., NW., Washington, DC 20415, **202 632-5056**

RIN: 3206-AD40

3149. ALLOWANCES AND DIFFERENTIALS; COST OF LIVING ALLOWANCE AND POST DIFFERENTIAL--NONFOREIGN AREAS

Legal Authority: 5 USC 5941; EO 10000

CFR Citation: 5 CFR 591, Subpart B

Legal Deadline: None.

Abstract: Comprehensive revision of regulations to reflect revised methodology used to establish nonforeign cost-of-living allowances. (See Alaniz v. Office of Personnel Management, 728 F. 2d 1460 (Fed. Cir. 1984).)

Timetable:

Action	Date	FR Cite
NPRM	10/21/85	50 FR 42531
Final Action	12/00/88	

Small Entity: No

Agency Contact: Allan Hearne, Economist, Office of Pay and Performance, Office of Personnel Management, Personnel Systems and Oversight Group, 1900 E Street, NW, Washington, DC 20415, **202 632-7184**

RIN: 3206-AB34

3150. ABSENCE AND LEAVE; COVERAGE OF D.C. GOVERNMENT EMPLOYEES

Legal Authority: 5 USC 6311; DC Law 2-139, as amended

CFR Citation: 5 CFR 630

Legal Deadline: None.

Abstract: Current regulations contain obsolete references to certain D.C. government employees who are no longer covered by chapter 63 of title 5 of the United States Code. Final regulations would delete these obsolete references.

Timetable:

Action	Date	FR Cite
NPRM	02/27/85	50 FR 7922
Final Action	09/00/88	

Small Entity: No

Agency Contact: Frank Derby, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Performance, Personnel Systems and Oversight Group, 1900 E St., NW; Washington, DC 20415, **202 632-5056**

RIN: 3206-AC47

3151. ● ABSENCE AND LEAVE; TEMPORARY LEAVE TRANSFER PROGRAM

Significance: Regulatory Program

Legal Authority: 5 USC 6311; PL 100-202

CFR Citation: 5 CFR 630

Legal Deadline: None.

Abstract: Public Law 100-202 authorized the Office of Personnel Management to establish a program under which Federal employees may transfer annual leave to other employees who need such leave because of a "personal emergency." The interim regulations would establish the administrative procedures for Federal agencies to permit the transfer of annual leave for this purpose. The statutory authority for this program expires at the end of FY 88.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/08/88	53 FR 7325
Next Action Pending Legislation	04/00/88	
Expires	09/30/88	

Small Entity: No

Agency Contact: Martha Hoehn, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Performance Management, Personnel Systems and Oversight Group, 1900 E St., NW., Washington, DC 20415, **202 632-5056**

RIN: 3206-AD41

3152. EXECUTIVE PERSONNEL FINANCIAL DISCLOSURE REQUIREMENTS

Significance: Regulatory Program

Legal Authority: 5 USC App 207(a); PL 95-521

CFR Citation: 5 CFR 735

Legal Deadline: None.

Abstract: Proposed new regulation to supersede portions of 5 CFR Part 735 dealing with confidential financial disclosure for grades below GS-16.

Timetable:

Action	Date	FR Cite
NPRM	12/02/86	51 FR 43359
Analyze comments	05/31/87	
Final Action	04/01/88	

Small Entity: No

Agency Contact: Jane Ley, Staff Attorney, Office of Government Ethics, Office of Personnel Management, P.O. Box 14108, Washington, DC 20044, **202 632-7642**

RIN: 3206-AA93

3153. POST EMPLOYMENT CONFLICT OF INTEREST; 1987 DESIGNATION OF CERTAIN POSITIONS AND AGENCIES

Legal Authority: 18 USC 207(b)(1)(c); PL 95-521

CFR Citation: 5 CFR 737

Legal Deadline: None.

Abstract: Final regulation to meet the annual requirement to designate senior employees (for CY 1987) who are subject to the conflict-of-interest provisions of the Ethics in Government Act.

Timetable:

Action	Date	FR Cite
Final Action	07/00/88	

Small Entity: No

Agency Contact: Nancy Janes/Bob Flynn, Staff Attorney/Management Analyst, Office of Personnel Management, Office of Government Ethics, P.O. Box 14108, Washington, DC 20044, **202 632-7642**

RIN: 3206-AD04

3154. ADVERSE ACTIONS

Legal Authority: 5 USC 7504; 5 USC 7514

OPM

Final Rule Stage

CFR Citation: 5 CFR 752

Legal Deadline: None.

Abstract: Revisions to current regulations would clarify agency authorities and obligations in taking adverse actions by incorporating recent decisions of the courts and further explaining existing policy in regard to agencies and employees' responsibilities and rights in situations involving adverse actions.

Timetable:

Action	Date	FR Cite
NPRM	03/27/87	52 FR 9867
Final Action	04/00/88	

Small Entity: No

Agency Contact: Tim Dirks, Chief, Employee Relations Division, Office of Personnel Management, Personnel Systems and Oversight Group, 1900 E Street, N.W., Washington, D.C. 20415, 202 653-8551

RIN: 3206-AC23

3155. RETIREMENT; UNDERDEDUCTIONS OF RETIREMENT CONTRIBUTIONS

Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831, Subpart A

Legal Deadline: None.

Abstract: Regulations to establish procedures for correcting errors resulting in underdeductions of civil service retirement contributions. Agencies would be required to submit the agency's contribution and employees would have the option to make a deposit at any time prior to retirement.

Timetable:

Action	Date	FR Cite
NPRM	05/21/87	52 FR 19150
Final Action	06/00/88	

Small Entity: No

Agency Contact: Patricia Rochester, Paralegal Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, 202 632-4682

RIN: 3206-AC96

3156. RETIREMENT; PROCESSING COURT ORDERS FOR APPORTIONMENT OF CIVIL SERVICE RETIREMENT SYSTEM ANNUITY AND COMPETING CLAIMS FOR SURVIVOR BENEFITS

Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831, Subparts A and Q

Legal Deadline: None.

Abstract: Regulations to establish streamlined procedures for handling court orders for apportionment of civil service retirement annuity and competing claims for survivor benefits.

Timetable:

Action	Date	FR Cite
NPRM	12/30/86	51 FR 47021
Final Action	06/00/88	

Small Entity: No

Agency Contact: Patricia A. Rochester, Paralegal Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, 202 632-4682

RIN: 3206-AC93

3157. RETIREMENT; CREDIT FOR SERVICE; FOOD SERVICE EMPLOYEES OF THE HOUSE OF REPRESENTATIVES MAY RETAIN CSRS OR FERS

Legal Authority: 5 USC 8347; PL 99-500

CFR Citation: 5 CFR 831, Subpart C

Legal Deadline: None.

Abstract: Food service employees of the House of Representatives who lose their Federal jobs but remain employed by the private contractor assuming the House food services operations may elect to retain retirement coverage under CSRS or FERS. OPM must, in consultation with the Architect of the Capitol, prescribe implementing regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/19/87	52 FR 5069
Final Action	03/29/88	
Final Action Effective	04/28/88	

Small Entity: No

Agency Contact: Harold Siegelman, Paralegal Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, 202 632-4682

RIN: 3206-AD14

3158. RETIREMENT; CREDIT FOR SERVICE; EMPLOYEES WHO TRANSFER TO AIRPORTS AUTHORITY

Legal Authority: 5 USC 8347; PL 99-500

CFR Citation: 5 CFR 831, Subpart C

Legal Deadline: None.

Abstract: The Metropolitan Airports Transfer Act of 1986 provides that any Federal employee who transfers to the Airports Authority and who on the day before the date the lease takes effect is subject to CSRS or FERS may retain that coverage so long as continually employed by the Airports Authority. The regulations implement the new provisions of law.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/21/87	52 FR 19125
Final Action	03/29/88	
Final Action Effective	04/29/88	

Small Entity: No

Agency Contact: Harold Siegelman, Paralegal Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, 202 632-4682

RIN: 3206-AD15

3159. RETIREMENT; IMPLEMENTING REGULATIONS FOR CIVIL SERVICE RETIREMENT SPOUSE EQUITY ACT OF 1984

Legal Authority: 5 USC 8347; PL 98-615

CFR Citation: 5 CFR 831, Subparts F, Q, and T

Legal Deadline: None.

Abstract: The Civil Service Retirement Spouse Equity Act of 1984 includes provisions for new benefits available to former spouses of deceased Federal employees and provisions governing survivor benefits for current spouses. These regulations are necessary to implement the Act.

OPM

Final Rule Stage

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/13/85	50 FR 20064
Interim Final Rule -- Revised	09/08/86	51 FR 31927
Final Action	09/00/88	

Small Entity: No

Agency Contact: Harold Siegelman, Paralegal Specialist, Retirement and Insurance Group, Office of Personnel Management, 1900 E Street, NW, Washington, DC 20415, 202 632-4682

RIN: 3206-AB75

3160. RETIREMENT; DEPOSITS FOR MILITARY SERVICE

Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 831, Subpart U

Legal Deadline: None.

Abstract: Final regulations to extend eligibility to make deposits for military service to separated individuals who were prevented from making a timely deposit due to administrative error or misinformation.

Timetable:

Action	Date	FR Cite
Interim Final Rule	05/16/84	49 FR 20631
Final Action	04/00/89	

Small Entity: No

Agency Contact: Patricia Rochester, Paralegal Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, 202 632-4682

RIN: 3206-AB35

3161. ● RETIREMENT; ALTERNATIVE FORM OF ANNUITY

Legal Authority: 5 USC 8347; 5 USC 8461

CFR Citation: 5 CFR 831; 5 CFR 842

Legal Deadline: None.

Abstract: Interim final regulations to implement section 6001 of Public Law 100-203 providing for partial deferral of lump sum payments for retirees who elect an alternative form of annuity.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	
Final Action	07/00/88	

Small Entity: No

Agency Contact: Robert M. Rosenblatt, Paralegal Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW., Washington, DC 20415, 202 632-4682

RIN: 3206-AD35

3162. RETIREMENT; FEDERAL EMPLOYEES' RETIREMENT SYSTEM ACT OF 1986

Legal Authority: 5 USC 8347

CFR Citation: 5 CFR 841 to 846

Legal Deadline: None. New system took effect January 1, 1987.

Abstract: Final regulations to implement the statutory provision for a new Federal Employees' Retirement System and conforming changes to the current Civil Service Retirement System.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/31/86	51 FR 47185
Interim Final Rule	01/16/87	52 FR 2056
Interim Final Rule	02/11/87	52 FR 4472
Final Action	09/00/88	

Small Entity: No

Agency Contact: Robert M. Rosenblatt, Paralegal Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, 202 632-5560

RIN: 3206-AC94

3163. CONTINUATION OF FEDERAL EMPLOYEES' GROUP LIFE INSURANCE COVERAGE DURING MILITARY SERVICE

Legal Authority: 5 USC 8716

CFR Citation: 5 CFR 870

Legal Deadline: None.

Abstract: Interim regulations, with a period of time provided for comments, to specify that coverage under the Federal Employees' Group Life Insurance Program may now be continued for up to 12 months for an employee who enters the military on active duty or active duty for training in the same way coverage is continued in other types of non-pay status. This change was effected by Public Law 99-335, enacted on June 6, 1986.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/15/87	52 FR 12133
Final Action	05/00/88	

Small Entity: No

Agency Contact: Barbara Myers, Pay and Benefits Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, 202 632-4634

RIN: 3206-AD10

3164. ● CONTINUATION OF HEALTH AND LIFE INSURANCE COVERAGE DURING RETIREMENT

Legal Authority: 5 USC 8716; 5 USC 8913

CFR Citation: 5 CFR 870; 5 CFR 890

Legal Deadline: None.

Abstract: These regulations would specify that the minimum participation requirements set forth in the FEHB and FEGLI laws for continuing either health benefits or life insurance during retirement must be met as of the commencing date of the affected individual's annuity.

Timetable:

Action	Date	FR Cite
NPRM	02/29/88	53 FR 5984
Final Action	12/00/88	

Small Entity: No

Agency Contact: John Ray, Pay and Benefits Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW., Washington, DC 20415, 202 632-4634

RIN: 3206-AD34

OPM

Final Rule Stage

3165. CONTINUATION OF FEDERAL EMPLOYEES HEALTH BENEFITS AND FEDERAL EMPLOYEES GROUP LIFE INSURANCE COVERAGE UNDER FERS

Legal Authority: 5 USC 8913; 5 USC 8716

CFR Citation: 5 CFR 890; 5 CFR 870

Legal Deadline: None.

Abstract: Regulations to specify that individuals entitled to immediate or survivor annuities under the new Federal Employees Retirement System (FERS) and former spouses entitled to annuity payments under FERS may continue their coverage under the Federal Employees Health Benefits and the Federal Employees Group Life Insurance Programs under the same conditions as apply to individuals under the traditional Civil Service Retirement System. This is provided under Public Law 99-335, enacted on June 6, 1986.

Timetable:

Action	Date	FR Cite
NPRM	10/22/87	52 FR 39493
Final Action	05/00/88	

Small Entity: No

Agency Contact: Mary Ann Mercer, Pay and Benefits Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, **202 632-4634**

RIN: 3206-AD11

3166. CREDIT FOR CHAMPUS COVERAGE FOR THE PURPOSE OF CONTINUING AN FEHB ENROLLMENT DURING RETIREMENT

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890

Legal Deadline: None.

Abstract: These regulations would clarify OPM's intention to no longer allow credit for time spent under CHAMPUS when considering whether a retiring employee has been enrolled or covered by an FEHB plan for a sufficient period of time prior to retirement. CHAMPUS time would not be credited for individuals retiring on or after January 1, 1993.

Timetable:

Action	Date	FR Cite
NPRM	05/21/87	52 FR 19151
Final Action	04/00/88	

Small Entity: No

Agency Contact: John Ray, Pay and Benefits Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, **202 632-4634**

RIN: 3206-AD26

3167. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; REGISTRATION AND ENROLLMENT

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890, Subpart C

Legal Deadline: None.

Abstract: Regulations to allow an employee or annuitant to change to self and family coverage if a non-federally employed spouse or former spouse loses non-Federal health insurance coverage under certain conditions.

Timetable:

Action	Date	FR Cite
NPRM	06/12/87	52 FR 22475
Final Action	04/00/88	

Small Entity: No

Agency Contact: Barbara Myers, Pay and Benefits Specialist, Office of Personnel Management, Office of Pay and Benefits Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, **202 632-4634**

RIN: 3206-AB87

3168. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; CONTINUATION OF COVERAGE DURING MILITARY SERVICE

Legal Authority: 5 USC 8913

CFR Citation: 5 CFR 890, Subpart C

Legal Deadline: None.

Abstract: Proposed regulations to permit employees who enter military service on active duty or active duty for training to continue their FEHB coverage for up to one year.

Timetable:

Action	Date	FR Cite
NPRM	03/10/88	53 FR 7763
Final Action	07/31/88	

Small Entity: No

Agency Contact: Eleanor Goodwin, Pay and Benefits Specialist, Office of Personnel Management, Office of Retirement and Insurance Policy, Retirement and Insurance Group, 1900 E St., NW; Washington, DC 20415, **202 632-4634**

RIN: 3206-AD24

3169. ● COMPUTER SECURITY TRAINING

Legal Authority: PL 100-235

CFR Citation: 5 CFR 930, Subpart C

Legal Deadline: Statutory, July 10, 1988.

Abstract: Regulations for government-wide training requirement in computer security.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/10/88	

Small Entity: No

Agency Contact: Harold Segal, Chief, Policy and Oversight Branch, Training and Investigations Group, Office of Personnel Management, 1121 Vermont Ave., NW., P.O. Box 7230, Washington, DC 20044, **202 632-5574**

RIN: 3206-AD43

OFFICE OF PERSONNEL MANAGEMENT (OPM)

Completed Actions

3170. EXCEPTED SERVICE -- SCHEDULE A AUTHORITY FOR EMPLOYMENT OF STUDENTS

CFR Citation: 5 CFR 213

Completed:

Reason	Date	FR Cite
Final Action	09/25/87	52 FR 36009
Final Action Effective	09/25/87	

Small Entity: No

Agency Contact: Tracy Spencer 202 632-6817

RIN: 3206-AD17

3171. EXCEPTED SERVICE -- SCHEDULE A AUTHORITY TO APPOINT AND CONVERT PRESIDENTIAL MANAGEMENT INTERNS

CFR Citation: 5 CFR 213.3101; 5 CFR 315.708

Completed:

Reason	Date	FR Cite
Withdrawn	01/31/88	

Small Entity: No

Agency Contact: Ken Bates 202 632-0496

RIN: 3206-AD21

3172. PROTECTION OF PRIVACY AND PERSONNEL RECORDS

CFR Citation: 5 CFR 297

Completed:

Reason	Date	FR Cite
Final Action	01/26/88	53 FR 1997
Final Action Effective	02/25/88	

Small Entity: No

Agency Contact: John Sanet 202 632-4455

RIN: 3206-AA70

3173. OVERSEAS EMPLOYMENT

CFR Citation: 5 CFR 301

Completed:

Reason	Date	FR Cite
Withdrawn	01/25/88	

Small Entity: No

Agency Contact: Ed McHugh 202 632-6817

RIN: 3206-AA71

3174. NONCOMPETITIVE APPOINTMENT OF CERTAIN FORMER OVERSEAS EMPLOYEES

CFR Citation: 5 CFR 315

Completed:

Reason	Date	FR Cite
Final Action	11/16/87	52 FR 38219
Final Action Effective	11/16/87	

Small Entity: No

Agency Contact: Ellen Russell 202 632-6817

RIN: 3206-AD16

3175. RESTORATION TO DUTY FROM MILITARY SERVICE AND INJURY COMPENSATION

CFR Citation: 5 CFR 353

Completed:

Reason	Date	FR Cite
Final Action	01/14/88	53 FR 857
Final Action Effective	02/16/88	

Small Entity: No

Agency Contact: Raleigh Neville 202 632-6817

RIN: 3206-AC34

3176. PAY UNDER THE GENERAL SCHEDULE; DETERMINING RATE OF BASIC PAY

CFR Citation: 5 CFR 531, Subpart B

Completed:

Reason	Date	FR Cite
Withdrawn	01/22/88	

Small Entity: No

Agency Contact: Jan Karicher 202 632-5056

RIN: 3206-AA32

3177. ELIGIBILITY OF DISTRICT OF COLUMBIA GOVERNMENT EMPLOYEES FOR SUPERIOR QUALIFICATIONS APPOINTMENTS

CFR Citation: 5 CFR 531

Completed:

Reason	Date	FR Cite
Withdrawn	02/19/88	53 FR 4986

Small Entity: No

Agency Contact: Tracy Spencer 202 632-6817

RIN: 3206-AD19

3178. POST EMPLOYMENT CONFLICT OF INTEREST; 1986 DESIGNATION OF CERTAIN POSITIONS AND AGENCIES

CFR Citation: 5 CFR 737

Completed:

Reason	Date	FR Cite
Final Action	11/12/87	52 FR 43442
Final Action Effective	11/12/87	

Small Entity: No

Agency Contact: Nancy Janes/Bob Flynn 202 632-7642

RIN: 3206-AD00

3179. ADVERSE ACTIONS (REGULATORY REQUIREMENTS FOR TAKING ADVERSE ACTIONS UNDER THE SENIOR EXECUTIVE SERVICE)

CFR Citation: 5 CFR 752, Subpart F

Completed:

Reason	Date	FR Cite
Final Action	09/14/87	52 FR 34623
Final Action Effective	10/14/87	

Small Entity: No

Agency Contact: Neal Harwood 202 632-4625

RIN: 3206-AA50

3180. RETIREMENT; ORDER OF PRECEDENCE FOR STATUTORY WITHHOLDINGS FROM ANNUITY

CFR Citation: 5 CFR 831, Subpart A

Completed:

Reason	Date	FR Cite
Final Action	08/27/87	52 FR 32287
Final Action Effective	09/28/87	

Small Entity: No

Agency Contact: Ray Kirk 202 632-4682

RIN: 3206-AB70

3181. RETIREMENT; PART-TIME EMPLOYEES

CFR Citation: 5 CFR 831, Subpart A

Completed:

Reason	Date	FR Cite
Final Action	06/12/87	52 FR 22433
Final Action Effective	04/07/86	

Small Entity: No

Agency Contact: Robert Rosenblatt 202 632-4682

RIN: 3206-AC95

3182. RETIREMENT; CREDIT FOR SERVICE UNDER CSRS FOR CERTAIN SERVICE AS NATIONAL GUARD TECHNICIANS, CADET NURSE, AND NONAPPROPRIATED FUND EMPLOYEES

CFR Citation: 5 CFR 831, Subpart C

Completed:

Reason	Date	FR Cite
Final Action	11/09/87	52 FR 43047
Final Action Effective	12/09/87	

Small Entity: No

Agency Contact: Patricia Rochester 202 632-4682

RIN: 3206-AD13

3183. RETIREMENT; LAW ENFORCEMENT OFFICERS AND FIREFIGHTERS

CFR Citation: 5 CFR 831, Subpart I

Completed:

Reason	Date	FR Cite
Final Action	12/17/87	52 FR 47893
Final Action Effective	01/19/88	

Small Entity. No

Agency Contact: Ray Kirk 202 632-4682

RIN: 3206-AB09

3184. CIVIL SERVICE RETIREMENT, FEGLI, AND FEHBP COVERAGE FOR D.C. GOVERNMENT EMPLOYEES HIRED AFTER SEPTEMBER 30, 1987

CFR Citation: 5 CFR 831; 5 CFR 870; 5 CFR 890

Completed:

Reason	Date	FR Cite
Final Action	10/15/87	52 FR 38219
Final Action Effective	10/15/87	

Small Entity: No

Agency Contact: John Ray 202 632-4634

RIN: 3206-AD09

3185. STANDARDIZATION OF TERMS USED UNDER THE FEDERAL EMPLOYEES GROUP LIFE INSURANCE PROGRAM

CFR Citation: 5 CFR 870; 5 CFR 874

Completed:

Reason	Date	FR Cite
Final Action	12/07/87	52 FR 46343
Final Action Effective	01/06/88	

Small Entity: No

Agency Contact: John Ray 202 632-4634

RIN: 3206-AD27

3186. AN ADDITIONAL OPPORTUNITY FOR ANNUITANTS TO ENROLL FOR FEDERAL EMPLOYEES' HEALTH BENEFITS COVERAGE

CFR Citation: 5 CFR 890

Completed:

Reason	Date	FR Cite
Final Action	09/14/87	52 FR 34625
Final Action Effective	09/14/87	

Small Entity: No

Agency Contact: John Ray 202 632-4634

RIN: 3206-AD12

3187. FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM; TERMINATION OF ENROLLMENT

CFR Citation: 5 CFR 890, Subpart A

Completed:

Reason	Date	FR Cite
Final Action	01/04/88	53 FR 1
Final Action Effective	02/03/88	

Small Entity: No

Agency Contact: Eleanor Goodwin 202 632-4634

RIN: 3206-AB84

3188. PROGRAMS FOR SPECIFIC POSITIONS AND EXAMINATIONS (MISCELLANEOUS) ADMINISTRATIVE LAW JUDGES

CFR Citation: 5 CFR 930, Subpart B

Completed:

Reason	Date	FR Cite
Final Action	09/10/87	52 FR 34201
Final Action Effective	10/13/87	

Small Entity: No

Agency Contact: Craig B. Pettibone 202 632-5677

RIN: 3206-AB91

[FR Doc. 88-5097 Filed 04-22-88; 8:45 am]

BILLING CODE 6325-01-T

federal register

Monday
April 25, 1988

Part XXXIII

Panama Canal Commission

Semiannual Regulatory Agenda

PANAMA CANAL COMMISSION (PANAMA)

PANAMA CANAL COMMISSION

35 CFR Ch. I

Unified Agenda of Federal Regulations

AGENCY: Panama Canal Commission.

ACTION: Publication of semiannual agenda of regulations.

SUMMARY: The purpose of this agenda is to report the proposed rulemaking activities of the Panama Canal Commission. This information will allow the public to participate in the rulemaking process.

FOR FURTHER INFORMATION CONTACT: For information about a particular regulatory project, contact the person listed in the subheading "Agency Contact" for that project. For general information, contact Michael Rhode, Jr., Secretary, Panama Canal Commission, 2000 L Street, NW., Suite 550, Washington, DC 20036-4996, (202) 634-6441 TDD; or John L. Haines, Jr., Esquire, General Counsel, Panama Canal Commission, APO Miami 34011-5000.

SUPPLEMENTARY INFORMATION: Executive Order 12291, Federal Regulation, and the Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* require that executive agencies publish in the **Federal Register** a semiannual notice of regulations which are under development or review or for which action has been completed. The Panama Canal Commission agenda contains certain regulations which are limited in public impact, but they are included to increase public awareness of Commission activities and to allow for increased public participation in the agency's regulatory review and development process. This agenda was prepared under the guidelines established by OMB Bulletin No. 88-1.

Dated: February 25, 1988.

Michael Rhode, Jr.,

Secretary, Panama Canal Commission.

PANAMA CANAL COMMISSION (PANAMA)

Prerule Stage

3189. TOLLS FOR USE OF CANAL

Significance: Agency Priority

Legal Authority: PL 96-70, Sec 1601

CFR Citation: 35 CFR 133, (Revision)

Legal Deadline: None.

Abstract: Due to operating cost increases, including inflation, since the last toll rate increase (March 1983), the Panama Canal Commission is currently considering increasing the rates of tolls charged vessels transiting the Canal. An approximate 9% increase may be proposed effective in FY 1989 to achieve the Commission's regulatory requirement to recover from users all costs of operating and maintaining the waterway.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Michael Rhode, Jr., Secretary, Panama Canal Commission, 2000 L Street NW, Suite 550, Washington, DC 20036-4996, 202 634-6441

RIN: 3207-AA04

3190. ● TOLLS FOR USE OF CANAL RULES FOR MEASUREMENT OF VESSELS

Significance: Agency Priority

Legal Authority: PL 96-70, Sec 1601

CFR Citation: 35 CFR 133.32; 35 CFR 133.34; 35 CFR 135.285(a); 35 CFR 135.352

Legal Deadline: None.

Abstract: The proposed changes correct authority to issue Panama Canal Tonnage Certificate (no financial impact); eliminate the "125 percent of engine room as measured" limitation for ballast rate (negligible negative impact on canal revenues); increase size limitation on manholes to water ballast spaces from 30 to 34 inch diameter, to align our rules with I.M.O's (small negative impact on canal revenues); allow deductible items located in the engine room to be deducted as part of engine room rather than separately, to streamline the method by which propulsion power deduction is determined (negligible impact on canal revenues).

These changes will not impact on most vessels already measured for Panama Canal tonnages. Vessels that qualify for increased deductions may choose to be remeasured.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Michael Rhode, Jr., Secretary, Panama Canal Commission, 2000 L Street NW, Suite 550, Washington, DC 20036-4996, 202 634-6441

RIN: 3207-AA17

3191. ● INSPECTION AND REGISTRATION OF VESSELS

Significance: Agency Priority

Legal Authority: 22 USC 3811; EO 12215; 44 USC 3501

CFR Citation: 35 CFR 121.2, (Revision); 35 CFR 121.3, (Revision); 35 CFR 121.41, (Revision); 35 CFR 121.43, (Revision); 35 CFR 121.45, (Revision); 35 CFR 121.47, (Revision); 35 CFR 121.58(a)(b), (Revision); 35 CFR 121.63, (Revision); 35 CFR 121.65(a)(b), (Revision); 35 CFR 121.66, (Revision); 35 CFR 121.67, (Revision); 35 CFR 121.68, (Revision); 35 CFR 121.69, (Revision); 35 CFR 121.70, (Revision); 35 CFR 121.71, (Revision); ...

Legal Deadline: None.

Abstract: The Panama Canal Commission proposes to make procedural changes to bring its regulations into conformity with internal reorganization which changed units responsible for inspection and registration of vessels and to bring vessel equipment requirements into compliance with International Regulations for Preventing Collisions at Sea, 1972.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Capt. William V. Clark II, Assistant to Marine Director, (Marine Safety), Panama Canal

PANAMA

Prerule Stage

Commission, Marine Bureau, APO Miami, FL 34011-5000, **202 634-6441**

RIN: 3207-AA18

3192. ● DANGEROUS CARGOES RADIO COMMUNICATION

Significance: Agency Priority

Legal Authority: 22 USC 3811; EO 12215

CFR Citation: 35 CFR 113.3(a), (Revision); 35 CFR 113.4(a), (Revision); 35 CFR 113.5, (Revision); 35 CFR 113.21, (Revision); 35 CFR 113.22, (Revision); 35 CFR 113.26(a), (Revision); 35 CFR 113.29(b), (Revision); 35 CFR 113.29(c), (Revision); 35 CFR 113.42, (Revision); 35 CFR 113.43(c), (Revision); 35 CFR 113.45, (Revision); 35 CFR 113.49(b)(c), (Revision); 35 CFR 113.50(c)(e)(1)(2), (Revision); 35 CFR 123.4(a), (Revision)

Legal Deadline: None.

Abstract: The Panama Canal Commission proposes to amend its regulations to make minor technical changes and clarifications.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Capt. William V. Clark II, Assistant to Marine Director, (Marine Safety), Panama Canal Commission, Marine Bureau, APO Miami, FL 34011-5000, **202 634-6441**

RIN: 3207-AA19

3193. ● ARRIVING AND DEPARTING VESSELS: VARIOUS COMMUNICATION, DOCUMENTATION, SANITATION AND ADMEASUREMENT REQUIREMENTS

Significance: Agency Priority

Legal Authority: 22 USC 3811

CFR Citation: 35 CFR 101.10(e), (Revision); 35 CFR 101.10(f), (Revision)

Legal Deadline: None.

Abstract: The purpose of the proposed changes is to make minor technical corrections by requiring that cargo manifests and loading plans show international Maritime Organization Division in addition to class.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Capt. William V. Clark, II, Assistant to Marine Director, (Marine Safety), Panama Canal Commission, Marine Bureau, APO Miami, FL 34011-5000, **202 634-6441**

RIN: 3207-AA20

PANAMA CANAL COMMISSION (PANAMA)

Proposed Rule Stage

3194. CLASSIFIED INFORMATION

Legal Authority: EO 12356

CFR Citation: 35 CFR 60, (Revision)

Legal Deadline: None.

Abstract: The Panama Canal Commission proposes to revise 35 CFR 60 which governs its use of security information to incorporate certain provisions of Presidential Executive Order 12356.

Timetable:

Action	Date	FR Cite
NPRM	04/01/88	
Final Action Effective	00/00/00	

Small Entity: No

Agency Contact: Thomas C. Duty, Chief, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000, **202 634-6441**

RIN: 3207-AA01

3195. PANAMA CANAL COMMISSION ACQUISITION REGULATION

Significance: Agency Priority

Legal Authority: 40 USC 486(c)

CFR Citation: 48 CFR Chapter 35

Legal Deadline: None.

Abstract: The proposed regulation sets forth policies and procedures of the Panama Canal Commission for the acquisition of supplies and services, including construction. The regulation implements and supplements the Federal Acquisition Regulation.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: Undetermined

Agency Contact: R. D. Morgan, Procurement Executive, Panama Canal Commission, APO Miami 34011-5000, **202 634-6441**

RIN: 3207-AA10

PANAMA CANAL COMMISSION (PANAMA)

Final Rule Stage

3196. IMPLEMENTATION OF THE FOI REFORM ACT OF 1986 AND REVISIONS TO THE FEE SCHEDULE OF THE FOIA

Legal Authority: 5 USC 552

CFR Citation: 35 CFR 9A, (Revision)

Legal Deadline: None.

Abstract: The Panama Canal Commission proposes to amend its regulations to implement the Freedom of Information Reform Act of 1986 and to update its fee schedule for Freedom of Information and Privacy Act requests. These proposed changes would identify different types of requestors and bring the fees into conformance with current costs incurred by the agency in processing requests.

PANAMA

Final Rule Stage

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/20/87	
Interim Final Rule Comment Period Ends	10/19/87	
Final Action	05/00/88	

Small Entity: No

Agency Contact: Thomas C. Duty, Chief, Administrative Services Division, Panama Canal Commission, APO Miami 34011, 202 634-6441

RIN: 3207-AA13

3197. EMPLOYEE RESPONSIBILITIES AND CONDUCT

Legal Authority: 22 USC 3622

CFR Citation: 35 CFR 255, (Revision)

Legal Deadline: None.

Abstract: The Panama Canal Commission proposes to amend its regulations to implement the Ethics in Government Act, the Commission's Code of Conduct as approved by its Board of Directors, and supplementary regulations that clarify certain provisions of the Code of Conduct.

Timetable:

Action	Date	FR Cite
NPRM	02/01/88	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Thomas C. Duty, Chief, Administrative Services Division, Panama Canal Commission, APO Miami 34011-5000, 202 634-6441

RIN: 3207-AA16

PANAMA CANAL COMMISSION (PANAMA)

Completed Actions

3198. PRIVACY ACT SYSTEMS OF RECORDS

CFR Citation: 35 CFR 10, (Revisions)

Completed:

Reason	Date	FR Cite
Final Action	12/31/87	52 FR 251

Small Entity: No

Agency Contact: Thomas C. Duty 202 634-6441

RIN: 3207-AA15

[FR Doc. 88-5098 Filed 04-22-88; 8:45 am]
BILLING CODE 3640-04-T

federal register

Monday
April 25, 1988

Part XXXIV

Peace Corps

Semiannual Regulatory Agenda

PEACE CORPS (PEACE)

PEACE CORPS

22 CFR Ch. III

Executive Order 12291, Federal Regulations, Semiannual Agenda of Regulations

AGENCY: Peace Corps.

ACTION: Publication of semiannual agenda.

SUMMARY: This agenda announces the regulations the Peace Corps will have under development during the 12-month period from April 1, 1988 through March 31, 1989. The purpose for publishing this agenda is to give notice of any regulatory activity by the Agency in order to allow the public an opportunity to participate in the rulemaking process.

FOR FURTHER INFORMATION CONTACT: The public is encouraged to contact the Agency official listed for the particular agenda item. For other information concerning Peace Corps' regulations or this semiannual agenda, contact Robert Martin, Associate General Counsel, Peace Corps, 806 Connecticut Avenue, NW., Washington, DC 20526, (202) 254-3114.

SUPPLEMENTARY INFORMATION: In accordance with Executive Order 12291, Federal Regulations, and the Regulatory Flexibility Act (5 U.S.C. 605) executive agencies are required to publish in the **Federal Register** semiannual regulatory agendas in April and October of each year.

The regulations being considered by Peace Corps are not "major" rules within the meaning of E.O. 12291 and no Regulatory Impact Analysis is required. Peace Corps has determined that the regulations under consideration will not impose compliance costs or reporting burdens on the public; and that the regulations will not have a significant economic impact on a substantial number of small entities. Accordingly, no Regulatory Analysis is required under 5 U.S.C. 602.

Margaret H. Thome,

Associate Director for Management.

PEACE CORPS (PEACE) — Proposed Rule Stage

3199. EMPLOYEE DISCRIMINATION COMPLAINT PROCEDURE

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 22 CFR 310

Legal Deadline: None.

Abstract: Comprehensive regulations for processing individual and class EEO complaints of Peace Corps employees. Under development.

Timetable:

Action	Date	FR Cite
NPRM	02/00/89	

Small Entity: Not Applicable

Agency Contact: H. Zeke Rodriguez, Equal Opportunity Manager, Peace Corps, 806 Connecticut Avenue, NW, Washington, DC 20526, **202 254-8320**

RIN: 0420-AA01

3200. VOLUNTEER DISCRIMINATION COMPLAINT PROCEDURES

Legal Authority: 42 USC 2000e-16 Title VII of the Civil Rights Act; 29 USC 701 Rehabilitation Act of 1973, as amended; 29 USC 621 et seq Age Discrimination in Employment Act

CFR Citation: 22 CFR 306

Legal Deadline: None.

Abstract: Comprehensive regulations for processing individual and class EEO complaints of Peace Corps Volunteers. Under development.

Timetable:

Action	Date	FR Cite
NPRM	02/00/89	

Small Entity: Not Applicable

Agency Contact: H. Zeke Rodriguez, Equal Opportunity Manager, Peace Corps, 806 Connecticut Avenue, NW, Room M-1107, Washington, DC 20526, **202 254-8320**

RIN: 0420-AA02

3201. IMPLEMENTATION OF REHABILITATION ACT OF 1973, PART 504 - HANDICAPPED DISCRIMINATION PROHIBITION

Legal Authority: 29 USC 794

CFR Citation: 22 CFR 311

Legal Deadline: None.

Abstract: The regulation implements section 504 of the Rehabilitation Act of 1973 (29 U.S.C. 794) which prohibits discrimination on the basis of handicap in programs or activities conducted by Executive agencies or the Postal Service.

Timetable:

Action	Date	FR Cite
NPRM	04/30/88	

Small Entity: No

Agency Contact: John Scales, General Counsel, Peace Corps, 806 Connecticut Avenue, NW, Room M-1207, Washington, DC 20526, **202 254-3114**

RIN: 0420-AA03

[FR Doc. 88-5099 Filed 04-22-88; 8:45 am]

BILLING CODE 6051-01-T

federal register

Monday
April 25, 1988

Part XXXV

Pennsylvania Avenue Development Corporation

Semiannual Regulatory Agenda

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION (PADC)

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION

36 CFR Ch. IX

Unified Agenda of Federal Regulations

AGENCY: Pennsylvania Avenue Development Corporation.

ACTION: Unified Agenda of Federal Regulations.

SUMMARY: This document sets forth the Pennsylvania Avenue Development Corporation's regulatory agenda issued under Executive Order 12291 and the Regulatory Flexibility Act. The Agenda lists regulations currently under rulemaking review that PADC expects to have as a final rule during the next twelve months.

FOR FURTHER INFORMATION CONTACT: Talbot J. Nicholas II, Attorney, Office of the General Counsel, Pennsylvania Avenue Development Corporation, Suite 1220 North, 1331 Pennsylvania Avenue, NW., Washington, DC 20004; (202) 724-9088.

Dated: March 16, 1988.

M. J. Brodie,

Executive Director, Pennsylvania Avenue Development Corporation.

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION (PADC) — Prerule Stage

3202. DEVELOPMENT POLICIES AND PROCEDURES

Legal Authority: 40 USC 875(5)

CFR Citation: 36 CFR 911, (New)

Legal Deadline: None.

Abstract: The Corporation is studying ways to apply past experience to update its Development Policies and Procedures.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Madeleine B. Schaller, Deputy General Counsel, Pennsylvania Avenue Development Corporation, 1331 Pennsylvania Avenue, NW, Suite 1220 North, Washington, DC 20004, 202 724-9088

RIN: 3208-AA06

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION (PADC) — Proposed Rule Stage

3203. PROCEDURES AND UNIFORM STANDARDS FOR PUBLIC USE OF PARKS AND PLAZAS

Legal Authority: 40 USC 875(5)

CFR Citation: 36 CFR 912

Legal Deadline: None.

Abstract: The Pennsylvania Avenue Development Corporation (PADC) has received an increasing number of requests for public use of parks and plazas within the Pennsylvania Avenue Development Area. The proposed regulations would ensure equality of opportunity for use of PADC parks and plazas while protecting public property, safety, and tranquility.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Madeleine B. Schaller, Deputy General Counsel, Pennsylvania Avenue Development Corporation, Suite 1220 North, 1331 Pennsylvania Avenue, NW, Washington, DC 20004, 202 724-9088

RIN: 3208-AA01

PENNSYLVANIA AVENUE DEVELOPMENT CORPORATION (PADC) — Completed Actions

3204. PRIVACY ACT UPDATE; DISCLOSURES OF PERSONAL INFORMATION DURING LITIGATION

CFR Citation: 36 CFR 903

Completed:

Reason	Date	FR Cite
Final Action	10/21/87	52 FR 39223
Final Action Effective	10/13/87	

Small Entity: No

Agency Contact: Talbot J. Nicholas II 202 724-9088

RIN: 3208-AA04

3205. ● UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS

Legal Authority: 42 USC 4601

CFR Citation: 36 CFR 904

Legal Deadline: None.

Abstract: This interim final rule provides for the partial implementation

PADC **Completed Actions**

of the Uniform Relocation Act Amendments of 1987. The Pennsylvania Avenue Development Corporation has determined that it is able to comply with the provisions of the 1987 Amendments and the provisions of the interim final rule on this subject published by DOT at 52 FR 47994 (Dec. 17, 1987). Therefore, after January 19, 1988, PADC will be governed by the DOT Regulations.

Timetable:

Action	Date	FR Cite
Interim Final Rule effective 01/19/88	12/17/87	52 FR 48021

Small Entity: Yes

Additional Information: Until April 2, 1989 the provisions of the prior existing regulations are applicable only to those program activities which were undertaken prior to January 19, 1988, and which therefore were unable to comply with the Surface Transportation and Uniform Relocation Assistance Act of 1987 (42 USC 4601).

Agency Contact: Reginald Robinson, Director, Business Relations, Pennsylvania Avenue Development Corporation, 1331 Pennsylvania Avenue, NW, Suite 1220N, Washington, DC 20004, **202 724-9068**

RIN: 3208-AA08

[FR Doc. 88-6928 Filed 04-22-88; 8:45 am]
BILLING CODE 7630-01-T

federal register

Monday
April 25, 1988

Part XXXVI

Pension Benefit Guaranty Corporation

Semiannual Regulatory Agenda

PENSION BENEFIT GUARANTY CORPORATION (PBGC)

PENSION BENEFIT GUARANTY CORPORATION

29 CFR Ch. XXVI

Agenda of Regulations Under Development

AGENCY: Pension Benefit Guaranty Corporation.

ACTION: Agenda of regulations.

SUMMARY: This document sets forth the Pension Benefit Guaranty Corporation's regulatory agenda issued under Executive Order 12291 and the Regulatory Flexibility Act. The agenda lists regulations that are currently under development or that PBGC expects to have under development during the next twelve months. The effect of this agenda is to advise the public of PBGC's current and future regulatory activities.

ADDRESS: Office of the General Counsel, Code 22500, Pension Benefit Guaranty Corporation, 2020 K Street, NW., Washington, DC 20006.

FOR FURTHER INFORMATION CONTACT: For further information on the agenda in general, contact J. Ronald Goldstein, Attorney, Office of the General Counsel, 202-778-8850. For information about a specific regulation project listed on the agenda, contact the person designated in the agenda for that regulation.

SUPPLEMENTARY INFORMATION: Under the President's Order on Federal Regulation, Executive Order 12291, 46 FR 13193, each agency is required to publish in April and October an agenda of regulations currently or soon to be under development. The Executive Order requires that the agenda also include those currently effective regulations that are being reviewed by the agency pursuant to the Executive Order. The Regulatory Flexibility Act, Pub. L. 98-354, 5 U.S.C. 601, has a similar agenda requirement. Under that law, the agenda must list any regulation that is likely to have a significant economic impact on a substantial number of small entities.

The Office of Management and Budget has issued guidelines (OMB Bulletin No. 88-1) prescribing the form and content of the regulatory agenda. Under those guidelines, the agenda must list all regulatory activities being conducted or reviewed in the next twelve months and provide certain specified information on each regulation. All of the items on this agenda are current or projected rulemakings.

Kathleen P. Utgoff,

Executive Director, Pension Benefit Guaranty Corporation.

PENSION BENEFIT GUARANTY CORPORATION (PBGC) — Proposed Rule Stage

3206. TRANSFERS FROM MULTIEMPLOYER PLANS TO SINGLE-EMPLOYER PLANS

Legal Authority: 29 USC 1302(b)(3); 29 USC 1412; 29 USC 1414

CFR Citation: 29 CFR 2678

Legal Deadline: None.

Abstract: Sections 4232 and 4234 of ERISA prescribe rules governing the transfer of liabilities and assets from a multiemployer plan to a single-employer plan and prohibit certain transfers unless approved by PBGC. The regulation will establish procedures for requesting and criteria for PBGC approval of transfers which require approval and guidelines for satisfying the statutory requirements pertaining to other transfers. The regulation will also establish standards for the PBGC's waiver of a multiemployer plan's contingent liability arising from the transfer of unfunded vested benefits to a single-employer plan.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	
NPRM Comment Period End	11/00/88	

Small Entity: No

Additional Information: Publication of this proposed regulation has been delayed because of the need to revise the portions dealing with waiver of a multiemployer plan's contingent liability to reflect certain changes in related statutory provisions made by the Single-Employer Pension Plan Amendments Act of 1986.

Agency Contact: Mr. John Foster, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, **202 778-8850**

RIN: 1212-AA20

3207. PLAN RULES FOR REDUCTION OR WAIVER OF COMPLETE WITHDRAWAL LIABILITY

Significance: Regulatory Program

Legal Authority: 29 USC 1302(b)(3); 29 USC 1387(b)

CFR Citation: 29 CFR 2647 (Amendment)

Legal Deadline: None.

Abstract: Under section 4207(a) of ERISA, the PBGC has issued a regulation (29 CFR Part 2647) providing for the reduction or waiver of an employer's liability for complete withdrawal upon the employer's resumption of participation under the plan from which it withdrew. The statute also requires the PBGC to prescribe procedures and standards under which multiemployer plans may adopt their own rules abating complete withdrawal liability upon an employer's return to the plan (section 4207(b)).

The purpose of letting plans adopt their own abatement rules is obvious: a specific rule adopted by a plan may well work better under the facts and circumstances of that particular plan than the broad rules adopted by the PBGC. This regulation will permit a plan to fashion the rules it needs to encourage the return of withdrawn employers, while at the same time protecting the plan from the loss of withdrawal liability payments without a compensating resumption of contributions to the plan by a formerly withdrawn employer. The PBGC is unable to (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
NPRM Comment Period End	12/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: quantify the benefits and costs of this regulation because it cannot

PBGC

Proposed Rule Stage

predict how many plans will exercise the authority conferred by this regulation.

Agency Contact: Mr. John Foster, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, 202 778-8850

RIN: 1212-AA38

3208. ALLOCATING UNFUNDED VESTED BENEFITS: FULLY FUNDED PLANS

Legal Authority: 29 USC 1302(b)(3); 29 USC 1341(c)

CFR Citation: 29 CFR 2642

Legal Deadline: None.

Abstract: In a notice published in the FEDERAL REGISTER on December 31, 1986 (51 FR 47342), the PBGC issued its interpretation that ERISA section 4211 does not permit the assessment of withdrawal liability against an employer by a multiemployer plan that had no unfunded vested benefits as of the end of the plan year preceding the employer's withdrawal. This interpretation raises certain questions as to the proper manner of applying the allocation methods prescribed in section 4211(b) and (c)(2) by a plan that at one time was fully funded, but is no longer. The PBGC plans to issue a proposed amendment to its regulation on allocating unfunded vested benefits dealing with this issue.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	
NPRM Comment Period End	02/00/89	

Small Entity: No

Agency Contact: Ms. Deborah Murphy, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, 202 778-8850

RIN: 1212-AA51

3209. PAYMENT OF BENEFITS IN PBGC-TRUSTEED PLANS

Legal Authority: 29 USC 1302(b)(3); 29 USC 1322; 29 USC 1342

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: When the PBGC assumes trusteeship of a terminated pension plan pursuant to sections 4041 and 4042 of ERISA, it pays benefits to participants pursuant to plan provisions and section 4022 of ERISA. This regulation will contain rules and policies relating to the payment of such benefits. The regulation will enable the PBGC to process and administer PBGC-trusteed plans more efficiently with resultant cost savings. It also will reduce costs to the public and the PBGC by providing payment rules, thereby reducing the number of requests for administrative review.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
NPRM Comment Period End	12/00/88	

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, 202 778-8850

RIN: 1212-AA35

3210. EMPLOYER LIABILITY FOR WITHDRAWALS FROM AND TERMINATIONS OF SINGLE-EMPLOYER PLANS: INTEREST RATE

Legal Authority: 29 USC 1302(b); 29 USC 1362 to 1364; 29 USC 1367 to 1368

CFR Citation: 29 CFR 2622

Legal Deadline: None.

Abstract: The PBGC's employer liability regulation incorporates by reference the interest rate charged under section 6601 of the Internal Revenue Code as the interest rate charged, or credited, on late payments, or overpayments, of employer liability. The Tax Reform Act of 1986 significantly changed the way in which the section 6601 rate is established and creates two interest rates: one for underpayments and another, lower rate for overpayments. Because of these changes, the PBGC plans to conduct a new rulemaking proceeding to determine whether it should continue to use the section 6601 interest rates under the employer liability regulation or whether it should adopt a new rate(s) for this purpose.

Timetable:

Action	Date	FR Cite
NPRM	11/00/88	
NPRM Comment Period End	01/00/89	

Small Entity: No

Agency Contact: Ms. Therese Cleary, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, 202 778-8823

RIN: 1212-AA48

PENSION BENEFIT GUARANTY CORPORATION (PBGC)

Final Rule Stage

3211. RULES UNDER SECTIONS 4041A AND 4281 FOR PLANS TERMINATED BY MASS WITHDRAWAL

Legal Authority: 29 USC 1302(b)(3) ERISA; 29 USC 1341A ERISA; 29 USC 1441 ERISA

CFR Citation: 29 CFR 2675

Legal Deadline: None.

Abstract: Section 4041A of ERISA provides rules with respect to the termination of multiemployer plans and the payment of benefits under those plans. Under section 4041A(f)(2), PBGC is authorized to prescribe rules for the administration of those plans that are appropriate to protect the interests of plan participants and beneficiaries or to prevent unreasonable loss to the insurance system. Under section 4281(b), the plan sponsor of a plan that has terminated by mass withdrawal is required annually to determine the value of the plan's nonforfeitable benefits and assets. If the value of the benefits exceeds the value of the assets, the sponsor must amend the plan to eliminate benefits not eligible for PBGC's guarantee under section 4022A(b), to the extent necessary to insure that the plan assets are sufficient

to pay all nonforfeitable benefits. This determination of sufficiency is to be made in accordance with rules prescribed by PBGC. This regulation would establish the rules for administering plans that have terminated by mass withdrawal, including the rules for determining sufficiency in the circumstances described above. The primary purpose (cont)

Timetable:

Action	Date	FR Cite
NPRM	07/07/86	51 FR 24536
NPRM Comment Period End	09/05/86	
Final Action	06/00/88	
Final Action Effective	07/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: and benefit of this regulation will be to establish rules that encourage the efficient administration of these plans. By thus helping to preserve plan assets, these rules will, in the first instance, benefit plan participants and beneficiaries and secondarily, the multiemployer insurance system and premium payers. PBGC lacks adequate data to be able to quantify these benefits.

Agency Contact: J. Ronald Goldstein, Senior Counsel, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, **202 778-8850**

RIN: 1212-AA19

3212. REDUCTION OR WAIVER OF PARTIAL WITHDRAWAL LIABILITY

Significance: Regulatory Program

Legal Authority: 29 USC 1302(b)(3); 29 USC 1388(e)(3)

CFR Citation: 29 CFR 2646

Legal Deadline: None.

Abstract: Section 4208 of ERISA provides for the reduction or elimination under certain circumstances of an employer's partial withdrawal liability arising from a 70 percent reduction in contribution base units. That section also authorizes the PBGC to prescribe rules for the reduction or elimination of partial withdrawal liability under other conditions. The regulation will provide for the abatement of partial withdrawal liability arising from the cessation of the obligation to contribute under a collective bargaining agreement or with respect to a facility. Section 4208 also requires the PBGC to issue a regulation under which a multiemployer plan may adopt rules for the reduction or elimination of partial withdrawal liability. This regulation will allow plans to ease the statutory partial withdrawal liability rules where, for example, the rules are harmful to the plan because they discourage an employer from increasing its participation under the plan, or where the statutory rules create administrative burdens which outweigh the protections afforded by the rules.

Timetable:

Action	Date	FR Cite
NPRM	06/05/87	52 FR 21319
NPRM Comment Period End	08/04/87	
Final Action	09/00/88	

Small Entity: No

Agency Contact: Ms. Debra Bisco, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, **202 778-8824**

RIN: 1212-AA22

3213. ADJUSTMENT OF WITHDRAWAL LIABILITY FOR A WITHDRAWAL SUBSEQUENT TO A PARTIAL WITHDRAWAL

Significance: Regulatory Program

Legal Authority: 29 USC 1302(b)(3); 29 USC 1386(b)

CFR Citation: 29 CFR 2649

Legal Deadline: None.

Abstract: Under section 4206(b) of ERISA, if an employer partially or completely withdraws from a multiemployer plan subsequent to an earlier partial withdrawal from that plan, the employer's liability for the second withdrawal must be reduced by the amount of its liability for the earlier partial withdrawal. The purpose of this credit is to avoid plans double-charging employers for the same unfunded liabilities. Section 4206(b) also requires the PBGC to prescribe regulations adjusting this credit to ensure that the employer's liability for its second withdrawal properly reflects the employer's share of liability with respect to the plan. The need for this adjustment to the credit can be seen from the following example. In a plan that uses the rolling-5 allocation method, an employer's withdrawal liability is based on its last five years' participation in the plan. If an employer's second withdrawal occurs more than five years after its partial withdrawal, the liability for the second withdrawal is based solely on plan participation subsequent to the partial (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/06/87	52 FR 37329
NPRM Comment Period End	12/07/87	
Final Action	10/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: withdrawal. Thus, there is no double-charging with respect to the old liabilities and no reason to give the employer a credit against its liability for the second withdrawal. However, without this regulation, the employer would get that credit under the statute. There are many other possible situations in which the employer's credit should similarly be reduced in order to ensure equitable treatment of the withdrawing employer vis-a-vis the other employers still contributing to the plan.

This regulation will result in some shifting of liabilities among employers contributing to a multiemployer plan. An employer that has another withdrawal following a partial withdrawal may incur greater liability for the second withdrawal because of the reduction in the credit for the prior partial withdrawal. However, this increase in liability would reduce the unfunded vested benefits allocable to other employers that withdraw thereafter. In the aggregate, the regulation will impose no new costs.

Agency Contact: Ms. Debra Bisco, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, **202 778-8824**

RIN: 1212-AA37

3214. DETERMINATION OF WITHDRAWAL LIABILITY FOLLOWING A MERGER

Significance: Regulatory Program

PBGC

Final Rule Stage

Legal Authority: 29 USC 1302(b)(3); 29 USC 1391(f)

CFR Citation: 29 CFR 2642 (Amendment)

Legal Deadline: None.

Abstract: The merger of two multiemployer plans creates a problem as to how the successor plan's unfunded vested benefits are to be allocated in order to determine withdrawal liability for post-merger withdrawals. Frequently, the two plans will have been using different allocation methods prior to the merger. Even if they were using the same method, if they had different plan years, that would create different allocations.

For this reason, section 4211(f) of ERISA requires the PBGC to issue regulations prescribing rules for the post-merger allocation of unfunded vested benefits. The PBGC proposes to establish rules that parallel the statutory allocation methods: i.e., there would be a presumptive allocation method that would apply to plans unless they chose otherwise, and plans would be permitted to adopt certain modifications to this presumptive method without the PBGC's approval and other more significant modifications with the PBGC's approval. (cont)

Timetable:

Action	Date	FR Cite
NPRM	11/09/87	52 FR 43082
NPRM Comment Period End	01/08/88	
Final Action	11/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: This regulation will remove a significant impediment to multiemployer plan mergers by eliminating employers' concern and confusion over how their withdrawal liability would be calculated after a merger. Plan mergers are generally to be encouraged since a larger plan is typically a stronger plan because of its broader contribution base, and because portability of benefits is increased. This regulation will impose no new costs.

Agency Contact: Mr. John Foster, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, 202 778-8850

RIN: 1212-AA39

3215. PAYMENT OF PREMIUMS

Significance: Regulatory Program

Legal Authority: 29 USC 1302(b)(3); 29 USC 1306; 29 USC 1307; PL 100-203, Sec 9331

CFR Citation: 29 CFR 2610

Legal Deadline: None.

Abstract: The Pension Protection Act substantially altered the rules pertaining to single-employer plan premiums that are paid to the PBGC. Under the Act, there is a flat per capita charge (increased from that under prior law) plus a new variable rate charge tied to the value of a plan's unfunded vested benefits. The new premium rules are effective for plan years beginning after December 31, 1987.

The PBGC's premium payment regulation establishes the procedures, including the due dates, for the payment of premiums. In order to reduce the costs associated with paying the variable rate assessment, the PBGC plans to adjust the premium due dates so that plans can use the data used for preparing Form 5500 and Schedule B in order to compute unfunded vested benefits for premium purposes. The regulation must also be revised to reflect the new premium rates ($16 per participant plus the variable rate amount) and to prescribe rules for determining a plan's unfunded vested benefits. (The calculation of unfunded vested benefits for premium purposes is not the same as for funding purposes.) (CONT)

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/00/88	
NPRM	07/00/88	
NPRM Comment Period End	09/00/88	

Small Entity: Not Applicable

Additional Information: ABSTRACT CONT:

Because of the need to have rules in place quickly so that plans will have the necessary guidance for paying premiums due during 1988, the PBGC plans to issue an interim final rule. Shortly thereafter the PBGC will issue a notice of proposed rulemaking that will be very similar to the interim rule, but will also raise several new issues not addressed in the interim rule. The interim rule will be in effect until completion of the public rulemaking.

Agency Contact: Mr. Harold Ashner, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, D.C. 20006, 202 778-8823

RIN: 1212-AA53

3216. ● RETIREMENT EQUITY ACT AMENDMENTS - VALUATION OF PLAN BENEFITS

Significance: Regulatory Program

Legal Authority: 29 USC 1302(b)(3); 29 USC 1341

CFR Citation: 29 CFR 2619

Legal Deadline: None.

Abstract: The Retirement Equity Act of 1984 ("REA") requires plans to provide certain benefits, prohibits the elimination of benefit options and certain early retirement benefits and retirement- type subsidies, and mandates the range of interest rates that may be used in calculating the amount of a non-consensual lump sum benefit. The Tax Reform Act of 1986 ("TRA '86") slightly modified the interest rate restrictions and extended them to the calculation of all lump sum benefits.

These rules necessitate several amendments to the PBGC's valuation of benefits regulation (29 CFR Part 2619). The major changes will address the rules on determining the form of benefit to be valued on plan termination and the interest rate rules for lump sum payments in standard terminations.

Because the valuation of benefits is an essential part of the plan termination process, the PBGC plans to issue these amendments both as a notice of proposed rulemaking and as an interim final rule at or about the same time it issues the final distress termination and standard termination regulations. (cont)

Timetable:

Action	Date	FR Cite
Interim Final Rule and NPRM	09/00/88	
NPRM Comment Period End	11/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT:

PBGC **Final Rule Stage**

This project reflects the merger of two items carried in previous agendas: Retirement Equity Act Amendments, RIN 1212-AA36, and Valuation of Plan Benefits (lump sum payments in standard terminations), RIN 1212-AA26. Because of delays in the lump sum amendments, the PBGC determined that it would be more efficient to combine those amendments with the valuation amendments included in the REA project. The portion of the REA project dealing with amendments to the PBGC's Guaranteed Benefits and Allocation of Assets regulations (29 CFR Parts 2613 and 2618) has been deferred, because the need for those amendments was reduced by the enactment of the Pension Protection Act.

Agency Contact: Ms. Deborah Murphy, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, **202 778-8824**

RIN: 1212-AA55

3217. DISTRESS TERMINATIONS OF SINGLE-EMPLOYER PLANS

Significance: Regulatory Program

Legal Authority: PL 99-272, Sec 11007; PL 99-272, Sec 11009; PL 100-203, Sec 9312(c) to 9312(d); PL 100-203, Sec 9313(b) to 9313(c); PL 100-203, Sec 9314(a)

CFR Citation: 29 CFR 2616

Legal Deadline: None.

Abstract: The Single-Employer Pension Plan Amendments Act of 1986 substantially revised ERISA section 4041 dealing with the voluntary termination of single-employer pension plans. Under amended section 4041, a plan may voluntarily terminate only if the termination satisfies the statutory conditions for a standard or distress termination. These rules were further modified by the 1987 Pension Protection Act, which increased the benefits that must be provided, or for which the employer maintaining the plan is liable, upon plan termination. Thus, under current law, unless a plan has sufficient assets to satisfy all plan benefit liabilities, it may voluntarily terminate only in a "distress" termination; i.e., a termination in which the plan sponsor and all members of its controlled group are able to demonstrate either such financial hardship or unduly burdensome pension costs that, as a practical matter, they are unable to continue to maintain the plan. CONT.

Timetable:

Action	Date	FR Cite
NPRM	09/02/87	52 FR 33318
NPRM Comment Period End	11/02/87	
Final Action	09/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT:

The statutory rules and procedures for distress terminations are substantially different from the prior rules and procedures for terminating insufficient plans. Therefore, it is necessary to revise the PBGC's plan termination regulations to reflect these new rules and procedures. This regulation covering distress terminations and a companion rule covering standard terminations (to be codified in Part 2617) will replace the PBGC's principal termination regulations on notices of intent to terminate and termination of sufficient plans (existing Parts 2616 and 2617).

Although the notice of proposed rulemaking for this regulation was issued prior to enactment of the Pension Protection Act, the final rule will reflect the relevant statutory changes from that Act.

Agency Contact: J. Ronald Goldstein, Senior Counsel, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, **202 778-8850**

RIN: 1212-AA41

3218. STANDARD TERMINATIONS OF SINGLE-EMPLOYER PLANS

Significance: Regulatory Program

Legal Authority: PL 99-272, Sec 11007; PL 99-272, Sec 11008; PL 100-203, Sec 9311; PL 100-203, Sec 9313(a); PL 100-203, Sec 9313(c); PL 100-203, Sec 9314(a)

CFR Citation: 29 CFR 2617

Legal Deadline: None.

Abstract: Under ERISA Section 4041, as amended by the Single-Employer Pension Plan Amendments Act of 1986 and the Pension Protection Act, absent a showing of financial hardship or unduly burdensome pension costs that would satisfy the requirements for a distress termination, a single-employer plan may be voluntarily terminated only if it is sufficient for all benefit liabilities (i.e., all benefits provided under the plan on the termination date, whether or not vested). This is referred to as a "standard" termination. SEPPAA also modified many of the termination rules and procedures that applied under prior law, both to increase the protections afforded plan participants and beneficiaries and to simplify and expedite the PBGC's processing of these sufficient plan terminations. It is, therefore, necessary to promulgate this new regulation implementing the new rules and procedures for standard terminations. This regulation and its companion regulation covering distress terminations (to be codified in Part 2616) will replace the PBGC's principal termination regulations on notices of intent to terminate and termination of sufficient plans (existing Parts 2616 and 2617) (CONT)

Timetable:

Action	Date	FR Cite
NPRM	09/02/87	52 FR 33318
NPRM Comment Period End	11/02/87	
Final Action	09/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT:

Although the notice of proposed rulemaking for this regulation was issued prior to enactment of the Pension Protection Act, the final rule will reflect the relevant statutory changes from that Act.

Agency Contact: J. Ronald Goldstein, Senior Counsel, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, **202 778-8850**

RIN: 1212-AA47

3219. MISCELLANEOUS SEPPAA AMENDMENTS

Significance: Regulatory Program

Legal Authority: 29 USC 1302(b); 29 USC 1322; 29 USC 1343; 29 USC 1344; 29 USC 1362 to 1364; 29 USC 1367 to 1368; PL 99-272, Sec 11008 to 11011; PL 99-272, Sec 11016; PL 100-203, Sec 9311 to 9314; PL 100-203, Sec 9331

CFR Citation: 29 CFR 2606; 29 CFR 2615; 29 CFR 2622; 29 CFR 2623

Legal Deadline: None.

Abstract: The Single-Employer Pension Plan Amendments Act of 1986

PBGC

Final Rule Stage

("SEPPAA") and the Pension Protection Act ("PPA") made several changes in Title IV rules and procedures that affect and, in some cases, override portions of several PBGC regulations. For this reason, these regulations - administrative review of agency decisions, benefit reductions in terminated plans, reportable events and employer liability - must be amended to conform them to the current law. For example, because SEPPAA altered the determinations that the PBGC may make with respect to voluntary plan terminations, the list in 29 CFR 2606.1(b) of determinations subject to agency review must be amended.

Similarly, SEPPAA contained, for distress terminations, specific benefit cutback rules. These rules differ somewhat from those set forth in 29 CFR Part 2623 and, therefore, conforming amendments to Part 2623 are required. SEPPAA and the PPA significantly changed the rules on employer liability to the PBGC in distress and involuntary terminations. Now, an employer is liable to the PBGC for the total plan underfunding, (CONT)

Timetable:

Action	Date	FR Cite
Final Action	12/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: i.e., for all unfunded benefit liabilities. Further, the 30 percent of net worth limitation is now relevant only in determining the amount subject to PBGC's statutory lien and the status of PBGC's claim in bankruptcy. The employer liability regulation needs to be amended to reflect these changes.

Agency Contact: Mr. Stephen Schreiber, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, 202 778-8824

RIN: 1212-AA50

PENSION BENEFIT GUARANTY CORPORATION (PBGC)

Completed Actions

3220. ALLOCATING UNFUNDED VESTED BENEFITS

Legal Authority: 29 USC 1302(b)(3); 29 USC 1391(c)

CFR Citation: 29 CFR 2642

Legal Deadline: None.

Abstract: On January 19, 1981, PBGC issued an interim regulation dealing with alternative methods for allocating unfunded vested benefits in multiemployer pension plans. PBGC now plans to re-promulgate that regulation in order to correct ambiguities that have arisen under it, to conform the procedures contained in it to other PBGC regulations, and to reduce the information reporting requirements in the regulation. The regulation will impose no new costs on the public and may reduce costs for plans adopting certain alternative allocation rules by reducing the reporting requirements.

Timetable:

Action	Date	FR Cite
NPRM	09/09/85	50 FR 36603
NPRM Comment Period End	11/08/85	
Final Action	10/26/87	52 FR 39912
Final Action Effective	11/25/87	

Small Entity: No

Agency Contact: Deborah Murphy, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, 202 778-8850

RIN: 1212-AA21

3221. VALUATION OF PLAN BENEFITS IN SINGLE-EMPLOYER PLANS

Legal Authority: 29 USC 1302; 29 USC 1341; 29 USC 1344; 29 USC 1362

CFR Citation: 29 CFR 2619

Legal Deadline: None.

Abstract: This rule would amend PBGC's regulation on Valuation of Plan Benefits in Single-Employer Plans, 29 CFR Part 2619. That regulation sets forth the rules for valuing benefits in terminating plans that are covered by the insurance program under ERISA, which valuation is needed to determine if plan assets are sufficient to provide for plan benefits and to properly allocate assets to those benefits. After review of this regulation pursuant to Executive Order 12291, the PBGC is amending the rules for valuing benefits payable as lump sums upon termination. The effect of this amendment is to prescribe a new standard for the interest rates used to value lump sums that are paid in lieu of annuities, and to require that in valuing involuntary lump sums, pre-retirement mortality is to be disregarded. The amendment is needed to protect recipients of lump sum distributions from loss of benefit value resulting from the use of inappropriate valuation methods.

Timetable:

Action	Date	FR Cite
Merged with RIN 1212-AA36 to form new item, RIN 1212-AA55	01/04/88	

Small Entity: No

Agency Contact: Ms. Deborah Murphy, Attorney, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, 202 778-8850

RIN: 1212-AA26

3222. RETIREMENT EQUITY ACT AMENDMENTS

Significance: Regulatory Program

Legal Authority: 29 USC 1302(b)(3); 29 USC 1322; 29 USC 1341; 29 USC 1344

CFR Citation: 29 CFR 2613; 29 CFR 2618; 29 CFR 2619

Legal Deadline: None.

Abstract: Part 2613 of the PBGC's regulations defines "nonforfeitable" and "guaranteed" benefits for the purposes of Title IV of ERISA. Part 2618 implements the statutory rules for allocating plan assets to pay benefits upon plan termination. Part 2619 prescribes rules for valuing plan benefits, including rules for determining the form of benefit to be valued. Each of these regulations is effected by the Retirement Equity Act of 1984 ("REA").

REA provides that certain early retirement benefits and retirement-type

subsidies and optional benefit forms will be treated as accrued benefits, and that their elimination will be treated as an impermissible reduction in accrued benefits. These amendments will conform PBGC's regulations to the provisions of REA. The amendments will impose no new costs on plans and may alleviate administrative burdens by providing definitive rules.

Timetable:

Action	Date	FR Cite
Merged with RIN 1212-AA26 to form new item, RIN 1212-AA55	01/04/88	

Small Entity: No

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, 202 778-8850

RIN: 1212-AA36

3223. THE RETIREMENT EQUITY ACT AMENDMENTS: CASH-OUT LIMITATION

Legal Authority: 29 USC 1302(b); 29 USC 1341; 29 USC 1344; 29 USC 1362; PL 99-272, Sec 11008 to 11009; PL 99-272, Sec 11011

CFR Citation: 29 CFR 2613; 29 CFR 2617; 29 CFR 2619

Legal Deadline: None.

Abstract: The PBGC's guaranteed benefits regulation (29 CFR Part 2613) provides that the PBGC will not pay lump sum benefits under insufficient plans unless the value of the benefit is $1,750 or less. Similarly, the plan sufficiency and valuation of benefits regulations (29 CFR Parts 2617 and 2619) permit plan administrators of terminating sufficient plans to pay lump sum benefits without a participant's consent if the value of the benefit is $1,750 or less. This $1,750 limit corresponds to the "cash-out" provisions in ERISA section 204(d) and Internal Revenue Code section 411(b)(7)(B). These provisions were amended by the Retirement Equity Act of 1984 to raise the cash-out limit to $3,500, in recognition of the effects of inflation on the value of small pension benefits. The PBGC believes that the same consideration supports its raising the lump sum limitation in these several regulations.

Timetable:

Action	Date	FR Cite
NPRM	12/12/86	51 FR 44798
NPRM Comment Period End	02/10/87	
Final Action	12/15/87	52 FR 47561
Final Action Effective	01/14/88	

Small Entity: No

Additional Information: This amendment had previously been included in RIN 1212-AA36, "Retirement Equity Act Amendments". However, that project is large and complex, and therefore, those amendments will not be issued for some time. The PBGC believes that the interest of plan participants is best served by splitting out this one amendment so that it may be issued more quickly.

Agency Contact: Mrs. Renae R. Hubbard, Special Counsel, Pension Benefit Guaranty Corporation, Office of the General Counsel, (22500), 2020 K St., NW, Washington, DC 20006, 202 778-8850

RIN: 1212-AA49

[FR Doc. 88-5100 Filed 04-22-88; 8:45 am]

BILLING CODE 7708-01-T

federal register

Monday
April 25, 1988

Part XXXVII

Railroad Retirement Board

Semiannual Regulatory Agenda

RAILROAD RETIREMENT BOARD (RRB)

RAILROAD RETIREMENT BOARD

20 CFR Ch. II

Semiannual Agenda of Regulations Under Development or Review

AGENCY: Railroad Retirement Board.

ACTION: Agenda of regulations under development or review.

SUMMARY: This agenda contains lists of regulations that the Board is developing or proposes to develop in the next twelve months, and regulations that are scheduled to be reviewed in that period.

ADDRESS: 844 Rush Street, Chicago, Illinois 60611.

FOR FURTHER INFORMATION CONTACT: Steven A. Bartholow, Deputy General Counsel, Railroad Retirement Board, (312) 751-4935, (FTS 386-4935).

SUPPLEMENTARY INFORMATION: Regulations that are routine in nature or pertain solely to internal agency management have not been included in the agenda. Current regulations that are proposed to be modified based on a completed review of the regulations are listed in the agenda.

Dated: February 25, 1988.
By Authority of the Board.
For the Board.

Beatrice Ezerski,
Secretary to the Board.

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3224	Part 220 Disability Determinations	3220-AA01
3225	Annuity Beginning and Ending Dates	3220-AA13
3226	Evidence Required for Payment	3220-AA14
3227	Eligibility for an Annuity	3220-AA15
3228	Application for Annuity or Lump Sum	3220-AA16
3229	Transfer, Assignment, or Waiver of Payments	3220-AA43
3230	Erroneous Payments	3220-AA44
3231	Sickness Benefits and Maternity Benefits	3220-AA45
3232	Recovery of Debts Owed to the United States Government by Employees	3220-AA49
3233	Employer Status	3220-AA51
3234	Employee Status	3220-AA52
3235	Employment Relation	3220-AA53
3236	Employee Representative	3220-AA55
3237	Disclosure of Information	3220-AA56
3238	Family Relationships	3220-AA57
3239	Computing Employee, Spouse, and Divorced Spouse Annuities	3220-AA58
3240	Survivor Annuity Computations	3220-AA59
3241	Social Security Overall Minimum Annuity	3220-AA60
3242	Deductions on Account of Work	3220-AA61
3243	Paying Social Security Benefits	3220-AA62
3244	Incompetence	3220-AA63

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3245	Primary Insurance Amount Determinations	3220-AA02
3246	Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Railroad Retirement Board	3220-AA22
3247	Railroad Employers Reports and Responsibilities	3220-AA25
3248	Creditable Railroad Service	3220-AA26
3249	Creditable Railroad Compensation	3220-AA27

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3250	Initial Determinations Under the Railroad Unemployment Insurance Act and Reviews of and Appeals from such Determinations	3220-AA11

RRB

Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
3251	Debt Collection	3220-AA47

RAILROAD RETIREMENT BOARD (RRB)

Proposed Rule Stage

3224. PART 220 DISABILITY DETERMINATIONS

Significance: Regulatory Program

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 220

Legal Deadline: None.

Abstract: The Board's regulations with respect to disability determinations have not been updated for several years and they are, in certain respects, obsolete. When revised, this regulation should ease the administration of disability benefits and result in greater consistency in disability determinations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Not Applicable

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Grace Koester, Regulations Project Director, Railroad Retirement Board, Bureau of Hearings and Appeals, 844 Rush Street, Chicago, IL 60611, 312 751-4793

RIN: 3220-AA01

3225. ANNUITY BEGINNING AND ENDING DATES

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 218

Legal Deadline: None.

Abstract: Part 218 is being revised to incorporate changes required as a result of amendments to the Railroad Retirement Act of 1974 made by the Omnibus Budget Reconciliation Act of 1981 and the Railroad Retirement Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Not Applicable

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA13

3226. EVIDENCE REQUIRED FOR PAYMENT

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 219

Legal Deadline: None.

Abstract: Part 219 is being revised to incorporate changes required as a result of amendments to the Railroad Retirement Act of 1974 made by the Omnibus Budget Reconciliation Act of 1981 and the Railroad Retirement Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Not Applicable

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA14

3227. ELIGIBILITY FOR AN ANNUITY

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 216

Legal Deadline: None.

Abstract: Part 216 is being revised to incorporate changes required as a result of amendments to the Railroad Retirement Act of 1974 made by the Omnibus Budget Reconciliation Act of 1981 and the Railroad Retirement Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: Not Applicable

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Thomas W.Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA15

3228. APPLICATION FOR ANNUITY OR LUMP SUM

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 217

Legal Deadline: None.

Abstract: Part 217 is being revised to incorporate changes required as a result of amendments to the Railroad Retirement Act of 1974 made by the Omnibus Budget Reconciliation Act of 1981 and the Railroad Retirement Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: Not Applicable

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law,

Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA16

3229. TRANSFER, ASSIGNMENT, OR WAIVER OF PAYMENTS

Legal Authority: 45 USC 231f

CFR Citation: 20 CFR 243; 20 CFR 295; 20 CFR 262.5; 20 CFR 350

Legal Deadline: None.

Abstract: Currently, regulations concerning this subject matter appear in several parts of the Board's regulations. The new Part 243 will bring together or cross-reference the several related regulatory sections.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Not Applicable

Government Levels Affected: State, Federal

Agency Contact: Michael C. Litt, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4929

RIN: 3220-AA43

3230. ERRONEOUS PAYMENTS

Legal Authority: 45 USC 231f

CFR Citation: 20 CFR 255

Legal Deadline: None.

Abstract: Part 255 is being revised to clarify when and how erroneous payments under the Railroad Retirement Act must be recovered.

Timetable:

Action	Date	FR Cite
NPRM	02/00/89	

Small Entity: Not Applicable

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA44

3231. SICKNESS BENEFITS AND MATERNITY BENEFITS

Legal Authority: 45 USC 362; 45 USC 355

CFR Citation: 20 CFR 335

Legal Deadline: None.

Abstract: Part 335 will be amended to delete obsolete provisions and to simplify and clarify the language of that part.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: Not Applicable

Agency Contact: Walter Witkovich, Regulations and Legal Specialist, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4750

RIN: 3220-AA45

3232. RECOVERY OF DEBTS OWED TO THE UNITED STATES GOVERNMENT BY EMPLOYEES

Legal Authority: 5 USC 5514(b)(1)

CFR Citation: 20 CFR 361

Legal Deadline: None.

Abstract: The Railroad Retirement Board is proposing regulations to provide for the administration of its authority under the Debt Collection Act of 1982, 5 USC 5514, to recover debts owed to the United States by installment collections from the current pay account of Federal employees.

Timetable:

Action	Date	FR Cite
NPRM	01/05/88	53 FR 143
NPRM Comment Period End	05/04/88	53 FR 143
Final Action	07/00/88	

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA49

3233. EMPLOYER STATUS

Legal Authority: 45 USC 231f; 45 USC 362(l)

CFR Citation: 20 CFR 202

Legal Deadline: None.

Abstract: The Board's regulations with respect to Employer Status have not been updated in recent years and may, in some respects, be obsolete. Part 202 will be amended to conform it to current law, delete obsolete provisions, and to simplify and clarify the language of this part.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: Not Applicable

Affected Sectors: 40 Railroad Transportation

Government Levels Affected: State, Federal

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA51

3234. EMPLOYEE STATUS

Legal Authority: 45 USC 231f; 45 USC 362(l)

CFR Citation: 20 CFR 203

Legal Deadline: None.

Abstract: The Board's regulations with respect to Employee Status have not been updated in recent years and may, in some respects, be obsolete. Part 203 will be amended to conform it to current law, delete obsolete provisions, and to simplify and clarify the language of this part.

Timetable:

Action	Date	FR Cite
NPRM	02/00/89	

Small Entity: Not Applicable

Affected Sectors: 40 Railroad Transportation

Government Levels Affected: State, Federal

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA52

3235. EMPLOYMENT RELATION

Legal Authority: 45 USC 231f

CFR Citation: 20 CFR 204

Legal Deadline: None.

Abstract: The Board's regulations with respect to Employment Relation have not been updated in recent years and may, in some respects, be obsolete. Part 204 will be amended to conform it to current law, delete obsolete provisions,

and to simplify and clarify the language of this part.

Timetable:

Action	Date	FR Cite
NPRM	02/00/89	

Small Entity: Not Applicable

Affected Sectors: 40 Railroad Transportation

Government Levels Affected: State, Federal

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA53

3236. EMPLOYEE REPRESENTATIVE

Legal Authority: 45 USC 231f; 45 USC 362(l)

CFR Citation: 20 CFR 205

Legal Deadline: None.

Abstract: The Board's regulations with respect to Employee Representative have not been updated in recent years and may, in some respects, be obsolete. Part 205 will be amended to conform it to current law, delete obsolete provisions, and to simplify and clarify the language of this part.

Timetable:

Action	Date	FR Cite
NPRM	02/00/89	

Small Entity: Not Applicable

Affected Sectors: 40 Railroad Transportation

Government Levels Affected: State, Federal

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA55

3237. ● DISCLOSURE OF INFORMATION

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 200; 20 CFR 262

Legal Deadline: None.

Abstract: The Railroad Retirement Board (Board) proposes to amend 20 CFR Part 200 to move sections of Part 262 into Part 200 to place these regulations more appropriately under General Administration.

Timetable:

Action	Date	FR Cite
NPRM	02/00/89	

Small Entity: Not Applicable

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA56

3238. ● FAMILY RELATIONSHIPS

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 222

Legal Deadline: None.

Abstract: The Railroad Retirement Board (Board) proposes to add 20 CFR Part 222 to define any family relationship requirements needed to establish eligibility and entitlement for any monthly annuity or lump-sum payment under the Railroad Retirement Act of 1974.

Timetable:

Action	Date	FR Cite
NPRM	03/00/89	

Small Entity: Not Applicable

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA57

3239. ● COMPUTING EMPLOYEE, SPOUSE, AND DIVORCED SPOUSE ANNUITIES

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 226

Legal Deadline: None.

Abstract: The Railroad Retirement Board's regulations on the computation of employee, spouse, and divorced spouse annuities must be updated to conform to the Railroad Retirement Act of 1974 and to amendments to the Act made by the Omnibus Budget Reconciliation Act of 1981 and the Railroad Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	06/00/89	

Small Entity: Not Applicable

Agency Contact: Karl T. Blank, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4941

RIN: 3220-AA58

3240. ● SURVIVOR ANNUITY COMPUTATIONS

Legal Authority: 45 USC 231f(f)(5)

CFR Citation: 20 CFR 228

Legal Deadline: None.

Abstract: The Railroad Retirement Board (Board) proposes to add 20 CFR Part 228 to describe how survivor annuities are computed in accordance with the Railroad Retirement Act of 1974, and amendments to that Act made in 1981 and 1983.

Timetable:

Action	Date	FR Cite
NPRM	07/00/89	

Small Entity: Not Applicable

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA59

3241. ● SOCIAL SECURITY OVERALL MINIMUM ANNUITY

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 229

Legal Deadline: None.

Abstract: The Railroad Retirement Board (Board) proposes to add 20 CFR Part 229 to describe when the social security overall minimum annuity computation applies and how it is computed for retirement annuities under the Railroad Retirement Act of 1974.

Timetable:

Action	Date	FR Cite
NPRM	08/00/89	

Small Entity: Not Applicable

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA60

3242. ● DEDUCTIONS ON ACCOUNT OF WORK

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 230

RRB — **Proposed Rule Stage**

Legal Deadline: None.

Abstract: The Railroad Retirement Board (Board) proposes to amend 20 CFR Part 230 to explain how annuity deductions on account of work are assessed in accordance with current law.

Timetable:

Action	Date	FR Cite
NPRM	07/00/89	

Small Entity: Not Applicable

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA61

3243. ● PAYING SOCIAL SECURITY BENEFITS

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 235

Legal Deadline: None.

Abstract: The Railroad Retirement Board (Board) proposes to add 20 CFR Part 235 to describe when and to whom the Board pays social security benefits as required by the Railroad Retirement Act of 1974.

Timetable:

Action	Date	FR Cite
NPRM	02/00/89	

Small Entity: Not Applicable

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA62

3244. ● INCOMPETENCE

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 266

Legal Deadline: None.

Abstract: The Railroad Retirement Board (Board) proposes to amend 20 CFR Part 266 to incorporate certain internal procedures not currently contained in this Part.

Timetable:

Action	Date	FR Cite
NPRM	05/00/89	

Small Entity: Not Applicable

Agency Contact: Thomas W. Sadler, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4513

RIN: 3220-AA63

RAILROAD RETIREMENT BOARD (RRB) — Final Rule Stage

3245. PRIMARY INSURANCE AMOUNT DETERMINATIONS

Legal Authority: 45 USC 231f(b)(5)

CFR Citation: 20 CFR 225

Legal Deadline: None.

Abstract: The computation of benefits under the Railroad Retirement Act of 1974 is quite complex and is not easily understood by beneficiaries. This proposed regulation would explain primary insurance amount determinations in a manner that will enable claimants and beneficiaries to more easily understand this phase of benefit computations.

Timetable:

Action	Date	FR Cite
NPRM	09/07/83	48 FR 40390
Final Action	05/00/88	

Small Entity: Not Applicable

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Karl T. Blank, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4941

RIN: 3220-AA02

3246. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE RAILROAD RETIREMENT BOARD

Legal Authority: 29 USC 791; 29 USC 792; 29 USC 794 Rehabilitation Act of 1973; 42 USC 4151 to 4157; EO 12067; EO 12250; PL 95-602, Sec 119

CFR Citation: 20 CFR 365; 28 CFR 41; 28 CFR 41.3(f); 28 CFR 41.5(b)(2); 28 CFR 41.31; 28 CFR 41.32; 28 CFR 41.51; 28 CFR 41.56 to 41.58; 29 CFR 1613; 41 CFR 101-19.600 to 101-19.607

Legal Deadline: None.

Abstract: This regulation provides for the enforcement of Section 504 of the Rehabilitation Act of 1973, as amended (29 USC 794), which prohibits discrimination on the basis of handicap, as it applies to programs or activities conducted by the Railroad Retirement Board.

Timetable:

Action	Date	FR Cite
NPRM	12/15/87	52 FR 47601
NPRM Comment Period End	02/16/88	52 FR 47601
Final Action	04/00/88	

Small Entity: Not Applicable

Additional Information: The CFR citation was changed from 364 to 365. Part 364 was used to develop a regulation covering Use of Penalty Mail to Assist in the Location and Recovery of Missing Children. 52 FR 527, 01/07/87.

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Michael C. Litt, General Attorney, Bureau of Law, Railroad Retirement Board, 844 Rush Street, Chicago, IL 60611, 312 751-4929

RIN: 3220-AA22

3247. RAILROAD EMPLOYERS REPORTS AND RESPONSIBILITIES

Legal Authority: 45 USC 231f(b)(5) to 231f(b)(6); 45 USC 231h; 45 USC 231l

CFR Citation: 20 CFR 209

Legal Deadline: None.

Abstract: The Railroad Retirement Board proposes to amend 20 CFR 209 to comply with changes required by the Railroad Retirement Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	01/23/87	52 FR 2553
NPRM Comment Period End	02/23/87	52 FR 2553
Final Action	04/00/88	

RRB

Final Rule Stage

Small Entity: Not Applicable

Affected Sectors: None

Agency Contact: Ann T. Alden, Chief of Coverage and Procedures, Railroad Retirement Board, Compensation and Certification, 844 Rush Street, Chicago, IL 60611, 312 751-3369

RIN: 3220-AA25

3248. CREDITABLE RAILROAD SERVICE

Legal Authority: 45 USC 231(d) to 231(f); 45 USC 231(i); 45 USC 231f(b)(5)

CFR Citation: 20 CFR 210

Legal Deadline: None.

Abstract: The Railroad Retirement Board proposes to amend 20 CFR 210 to comply with changes required by the Railroad Retirement Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	01/23/87	52 FR 2553
NPRM Comment Period End	02/23/87	52 FR 2553
Final Action	04/00/88	

Small Entity: Not Applicable

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Ann T. Alden, Chief of Coverage and Procedures, Railroad Retirement Board, Compensation and Certification, 844 Rush Street, Chicago, IL 60611, 312 751-3369

RIN: 3220-AA26

3249. CREDITABLE RAILROAD COMPENSATION

Legal Authority: 45 USC 231f

CFR Citation: 20 CFR 211

Legal Deadline: None.

Abstract: The Railroad Retirement Board proposes to amend 20 CFR 211 to comply with the changes required by the Railroad Retirement Solvency Act of 1983.

Timetable:

Action	Date	FR Cite
NPRM	01/23/87	52 FR 2553
NPRM Comment Period End	02/23/87	52 FR 2553
Final Action	04/00/88	

Small Entity: Not Applicable

Affected Sectors: None

Government Levels Affected: Federal

Agency Contact: Ann T. Alden, Chief of Coverage and Procedures, Railroad Retirement Board, Compensation and Certification, 844 Rush Street, Chicago, IL 60611, 312 751-3369

RIN: 3220-AA27

RAILROAD RETIREMENT BOARD (RRB)

Completed Actions

3250. INITIAL DETERMINATIONS UNDER THE RAILROAD UNEMPLOYMENT INSURANCE ACT AND REVIEWS OF AND APPEALS FROM SUCH DETERMINATIONS

CFR Citation: 20 CFR 320; 20 CFR 340

Completed:

Reason	Date	FR Cite
Final Action	01/28/88	53 FR 2485
Final Action Effective	03/01/88	53 FR 2485

Small Entity: Not Applicable

Agency Contact: Steven A. Bartholow 312 751-4935

RIN: 3220-AA11

3251. DEBT COLLECTION

CFR Citation: 4 CFR 102.13; 20 CFR 200

Completed:

Reason	Date	FR Cite
Final Action	10/29/87	52 FR 41558
Final Action Effective	10/29/87	52 FR 41558

Small Entity: Not Applicable

Agency Contact: Stanley Jay Shuman 312 751-4568

RIN: 3220-AA47

[FR Doc. 88-5101 Filed 04-22-88; 8:45 am]

BILLING CODE 7905-01-T

federal register

Monday
April 25, 1988

Part XXXVIII

Selective Service System

Semiannual Regulatory Agenda

SELECTIVE SERVICE SYSTEM (SSS)

SELECTIVE SERVICE SYSTEM

32 CFR Ch. XVI

Regulatory Agenda

AGENCY: Selective Service System.

ACTION: Regulatory agenda.

SUMMARY: The purpose of this agenda is to report the proposed rulemaking activities of the Selective Service System that might affect the processing of registrants under the Military Selective Service Act (50 U.S.C. App. 451 *et seq.*). This information will allow the public to participate in the System's decision-making at an early stage.

FOR FURTHER INFORMATION CONTACT: Henry N. Williams, General Counsel, Selective Service System, Washington, DC 20435, telephone (202) 724-1167.

SUPPLEMENTARY INFORMATION: The agenda is published in accord with the requirements of E.O. 12291. Selective Service Regulations appear in 32 CFR Chapter XVI.

Dated: February 10, 1988.

Samuel K. Lessey Jr.,

Director of Selective Service.

SELECTIVE SERVICE SYSTEM (SSS) — Prerule Stage

3252. SELECTIVE SERVICE REGULATIONS

Legal Authority: 50 USC App. 451 et seq Military Selective Service Act

CFR Citation: 32 CFR Chapter XVI

Legal Deadline: None.

Abstract: Various sections of 32 CFR Chapter XVI will be revised to increase clarity of expression or change procedures for registrant processing.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Henry N. Williams, General Counsel, Selective Service System, 1023 31st Street, NW, Washington, DC 20435, 202 724-1167

RIN: 3240-AA01

[FR Doc. 88-5102 Filed 04-22-88; 8:45 am]

BILLING CODE 8015-01-T

Federal Register

Monday
April 25, 1988

Part XXXIX

Small Business Administration

Semiannual Regulatory Agenda

SMALL BUSINESS ADMINISTRATION (SBA)

SMALL BUSINESS ADMINISTRATION

13 CFR Ch. I

Improving Government Regulations; Semiannual Agenda

AGENCY: Small Business Administration.

ACTION: Publication of the semiannual agenda of regulations under review or development by the Small Business Administration.

SUMMARY: This is SBA's 18th semiannual agenda of regulations. Although not a regulatory Agency, SBA has attempted to draft agendas that met both the criteria and the spirit of the regulatory review process. This agenda is published pursuant to Executive Order 12291 and the Regulatory Flexibility Act, 5 U.S.C. 601 *et seq.*, Pub. L. 96-354, effective January 1, 1981.

FOR FURTHER INFORMATION CONTACT: For further information on agenda items, the public is encouraged to contact the individual Agency official listed for the particular item.

For information concerning SBA overall Regulatory Review and Development Program or general semiannual agenda questions, contact Martin D. Teckler, Deputy General Counsel, Small Business Administration, 1441 L Street, NW., Washington, DC 20416, 202/653-6644.

SUPPLEMENTARY INFORMATION: The SBA agenda will contain many regulations which are limited in public impact, but they are included to increase public knowledge of all SBA regulatory activities and allow for increased public participation in the review and development process.

Public comments on SBA's previous agendas have been general, and all were positive. None were directed at specific contents, nor were any changes suggested or recommended.

The agenda format has four parts. Part I, Pre-Rulemakings, includes investigations and reviews to be conducted prior to deciding whether or not to propose a rule or rule change. Part II, Proposed Rules, includes rulemaking which will be proposed during the six-month period covered by the agenda. Part III, Final Rules, includes proposed rules which will be finalized during the period covered by the agenda. Part IV, Completed Actions, includes regulations completed or withdrawn, and reviews completed since the preceding agenda.

Publication of this agenda does not impose any binding obligation on SBA with regard to any specific item in the agenda. Additional regulatory action not listed on the agenda is not precluded.

Dated: March 3, 1988.

James Abdnor,

Administrator.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3253	Definition of Small Business for Dredging	3245-AB23
3254	Size Standards: Timber Industry	3245-AB34
3255	Small Business Size Standards: Hazards Waste Treatment	3245-AB53
3256	Small Business Size Standards: Naval Architecture and Marine Engineering	3245-AB54
3257	Small Business Size Standards: Ship Hull Cleaning	3245-AB55
3258	Small Business Size Standards: Mobile and Modular Building	3245-AB56
3259	Small Business Size Standards: Refuse Systems and Surveying and Mapping	3245-AB61

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3260	Certificate of Competency	3245-AA74
3261	Size Standards, Export Trading Companies	3245-AA83
3262	Small Business Investment Company Regulations: Compliance Audits	3245-AB07
3263	Minority Small Business	3245-AB26
3264	Small Business Investment Companies	3245-AB29
3265	Small Business Lending Companies	3245-AB30
3266	Minority Small Business and Capital Ownership Development Assistance	3245-AB31
3267	Small Business Institutes - Counseling Fees	3245-AB32
3268	Loans to State and Local Development Companies	3245-AB35
3269	Nondiscrimination in Federally-Assisted Programs	3245-AB36
3270	Nondiscrimination in Financial Assistance Programs	3245-AB37
3271	User Fees for SBA Programs	3245-AB44
3272	Procurement: Subcontracting Limitations	3245-AB62
3273	Revolving Line of Credit	3245-AB65

SBA

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3274	Surety Bond Guarantee Regulations	3245-AA20
3275	Civil Rights Compliance: Discrimination on the Basis of Handicap	3245-AA21
3276	Size Standards; Travel Agencies	3245-AA58
3277	Regulations Applying Small Business Size Standards	3245-AA84
3278	Size Standard: Real Estate Agents	3245-AA88
3279	Loans to State and Local Development Companies	3245-AB10
3280	Small Business Investment Companies	3245-AB12
3281	Small Business Development Centers	3245-AB17
3282	Small Business Size Standards; Modification of Size Standards to Make Existing Size Standards Compatible with New Standard Industrial Classification System (SIC)	3245-AB19
3283	Program Fraud Civil Remedies Regulations	3245-AB27
3284	Small Business Size Standards for Construction and Surveying Services Industries and Subcontracting Limitations	3245-AB38
3285	Business Loans; Small Business Lending Companies	3245-AB40
3286	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments; Proposed Revision of Circular A-102	3245-AB41
3287	Business Loan Policy	3245-AB48
3288	Small Business Size Standards: Residual Size Standards	3245-AB57
3289	Small Business Size Standards: Nonmanufacturers	3245-AB58
3290	Small Business Size Standards: Aircraft, Guided Missiles, and Space Vehicle Research and Development	3245-AB59
3291	Small Disadvantaged Business Status Appeals Procedures	3245-AB63

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3292	Size Standards: Construction	3245-AA95
3293	Small Business Size Standards: Commercial Fishing	3245-AB00
3294	Size Standards; Certain Retail and Service Industries	3245-AB03
3295	Size Rule for Small Business Innovation Research Program Time of Size Determination	3245-AB15
3296	Procurement Assistance: User Fees for PASS	3245-AB20
3297	Freedom of Information Act Fee and Fee Waivers Regulations	3245-AB25
3298	Loans to State and Local Development Companies	3245-AB33
3299	Size Standards: Manufacturing	3245-AB43
3300	Standards of Conduct	3245-AB46
3301	Delegation of Authority to Conduct Program Activities in Field Offices	3245-AB47
3302	Administrative Claims Under Federal Tort Claims Act	3245-AB49
3303	Debt Collection	3245-AB50
3304	Disaster Home Loans; Debt Collection	3245-AB51
3305	Small Business Investment Companies	3245-AB52
3306	Small Business Size Standards: Regular Dealers	3245-AB60
3307	Debt Collection; Income Tax Refund Offset	3245-AB64
3308	Small Business Investment Companies	3245-AB66

SMALL BUSINESS ADMINISTRATION (SBA) — Prerule Stage

3253. DEFINITION OF SMALL BUSINESS FOR DREDGING

Significance: Regulatory Program

Legal Authority: 15 USC 632(a); 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: Judicial, November 3, 1986. This change is in response to an order from the District Court for the District of Columbia which set aside the current dredging size standard ($13.5 million) but left in place the previous size standard ($9.5 million).

Abstract: To clarify for the public and others who use SBA size standards that as of November 3, 1986, the applicable size standard for the dredging industry will be $9.5 million average annual receipts.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/08/86	51 FR 44036
Begin Review	10/15/87	

SBA **Prerule Stage**

Action	Date	FR Cite
End Review	04/00/88	
Final Action	05/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Room 601, Washington, D.C. 20416, **202 653-6373**

RIN: 3245-AB23

3254. SIZE STANDARDS: TIMBER INDUSTRY

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Study related to natural resources sales program to determine whether rule change is needed.

Timetable:

Action	Date	FR Cite
Begin Review	10/15/87	
End Review	04/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Room 601, Washington, D.C. 20416, **202 653-6373**

RIN: 3245-AB34

3255. ● SMALL BUSINESS SIZE STANDARDS: HAZARDS WASTE TREATMENT

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Study of hazardous waste treatment industry.

Timetable:

Action	Date	FR Cite
Begin Review	03/01/88	
End Review	07/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Washington, DC 20416, **202 653-6373**

RIN: 3245-AB53

3256. ● SMALL BUSINESS SIZE STANDARDS: NAVAL ARCHITECTURE AND MARINE ENGINEERING

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Study of Naval architecture and Marine engineering for size standards purposes.

Timetable:

Action	Date	FR Cite
Begin Review	01/15/88	
End Review	06/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Room 601, Washington, DC 20416, **202 653-6373**

RIN: 3245-AB54

3257. ● SMALL BUSINESS SIZE STANDARDS: SHIP HULL CLEANING

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Review Ship Hull Cleaning Industry for Size Standards purposes.

Timetable:

Action	Date	FR Cite
Begin Review	01/15/88	
End Review	07/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Room 601, Washington, DC 20416, **202 653-6373**

RIN: 3245-AB55

3258. ● SMALL BUSINESS SIZE STANDARDS: MOBILE AND MODULAR BUILDING

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Review of mobile and modular building industry for size standards purposes.

Timetable:

Action	Date	FR Cite
Begin Review	01/15/88	
End Review	06/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Room 601, Washington, DC 20416, **202 653-6373**

RIN: 3245-AB56

3259. ● SMALL BUSINESS SIZE STANDARDS: REFUSE SYSTEMS AND SURVEYING AND MAPPING

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Review of refuse systems and surveying and mapping industries for size standard purposes.

Timetable:

Action	Date	FR Cite
Begin Review	04/00/88	
End Review	10/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Room 601, Washington, DC 20416, **202 653-6373**

RIN: 3245-AB61

SMALL BUSINESS ADMINISTRATION (SBA) Proposed Rule Stage

3260. CERTIFICATE OF COMPETENCY

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 125.5

Legal Deadline: None.

Abstract: Overall revision to Certificate of Competency regulations.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

SBA

Proposed Rule Stage

Small Entity: Yes

Agency Contact: Robert Moffitt, Deputy Associate Administrator for, Procurement Assistance, Small Business Administration, 1441 L Street, NW, Room 626, Washington, DC 20416, 202 653-6582

RIN: 3245-AA74

3261. SIZE STANDARDS, EXPORT TRADING COMPANIES

Significance: Regulatory Program

Legal Authority: 15 USC 634(b)(6); 15 USC 632

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Propose size standard for Export Trading Companies.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, NW, Washington, DC 20416, 202 653-6373

RIN: 3245-AA83

3262. SMALL BUSINESS INVESTMENT COMPANY REGULATIONS: COMPLIANCE AUDITS

Legal Authority: 15 USC 687(b)

CFR Citation: 13 CFR 107

Legal Deadline: None.

Abstract: Establishment of new system of periodic compliance audits of small business investment companies by independent certified public accountants.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	
NPRM Comment Period End	09/00/88	

Small Entity: No

Agency Contact: Daniel Peyser, Counsel to the Inspector General, Small Business Administration, 1441 L Street, NW, Room 1018, Washington, DC 20416, 202 653-6370

RIN: 3245-AB07

3263. MINORITY SMALL BUSINESS

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 124

Legal Deadline: None.

Abstract: Regulations governing the participation of Indian tribes in the Section 8(a) program.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
NPRM Comment Period End	06/00/88	

Small Entity: Yes

Agency Contact: Wilfredo Gonzalez, Associate Administrator/Minority Small, Business/Capital Ownership Development, Small Business Administration, 1441 L Street, N.W., Room 602, Washington, D.C. 20416, 202 653-6407

RIN: 3245-AB26

3264. SMALL BUSINESS INVESTMENT COMPANIES

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 107

Legal Deadline: None.

Abstract: Major revision to Part 107 of title 13 governing Small Business Investment Companies. The regulation will cover changes to ownership or control of a licensee, definition of private capital, deposits and investments of idle funds, other permissible financing, leverage for Section 301(d) SBICs, definition of small business concerns, control of small concern, operational requirements, cost of money, funds to licensee, conflicts of interest redemption provisions, commitments, and the purchase, sale or guarantee of securities evidencing leverage.

Timetable:

Action	Date	FR Cite
NPRM	04/00/89	

Small Entity: No

Agency Contact: John Werner, Director, Office of Investment, Small Business Administration, 1441 L Street,N.W., Room 808, Washington, DC 20416, 202 653-6584

RIN: 3245-AB29

3265. SMALL BUSINESS LENDING COMPANIES

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 120.302

Legal Deadline: None.

Abstract: Cancellation of participation authority of Small Business Lending Companies that have not been active for five years or more.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Yes

Agency Contact: Danny J. Gibb, Director, Office of Financial Institutions, Small Business Administration, 1441 L Street, N.W., Room 804, Washington, DC 20416, 202 653-2585

RIN: 3245-AB30

3266. MINORITY SMALL BUSINESS AND CAPITAL OWNERSHIP DEVELOPMENT ASSISTANCE

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 124

Legal Deadline: None.

Abstract: Technical corrections to the regulation governing minority small business and capital ownership development. Substantive changes to provisions on program eligibility.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Yes

Agency Contact: Edward Neal, Deputy Associate Administrator/MSB-COD, Small Business Administration, 1441 L Street, N.W., Room 602, Washington, D.C. 20416, 202 653-6407

RIN: 3245-AB31

3267. SMALL BUSINESS INSTITUTES - COUNSELING FEES

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 129

Legal Deadline: None.

Abstract: User fees for training conducted by SBA cosponsors under Section 8(b)(1) of the Small Business Act for training (management and/or technical), and for training and

counseling provided by Small Business Institutes.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Yes

Additional Information: The Small Business Administration is prohibited under the FY 88 Continuing Resolution on Appropriations, PL 100-202, from using appropriated funds to establish or increase user fees. Therefore, no action will be taken on this rule during this fiscal year. Actions after this fiscal year will depend upon FY 89 Appropriations legislation.

Agency Contact: John Cox, Associate Administrator for Business, Development, Small Business Administration, 1441 L Street, N.W., Room 317, Washington, D.C. 20416, 202 653-6881

RIN: 3245-AB32

3268. LOANS TO STATE AND LOCAL DEVELOPMENT COMPANIES

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 108

Legal Deadline: None.

Abstract: Complete revision of the Section 502 local development company rules.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: Yes

Agency Contact: LeAnn Oliver, Financial Analyst, Small Business Administration, 1441 L Street, N.W., Room 720, Washington, D.C. 20416, 202 653-6416

RIN: 3245-AB35

3269. NONDISCRIMINATION IN FEDERALLY-ASSISTED PROGRAMS

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 112

Legal Deadline: None.

Abstract: Technical amendment to SBA's current regulation to clarify that if recipients of assistance under any of SBA's programs are found to have discriminated, SBA is authorized to take certain actions such as withholding further assistance.

Timetable:

Action	Date	FR Cite
NPRM	03/00/89	

Small Entity: Yes

Agency Contact: George Robinson, Director, Equal Employment Opportunity & Compliance, Small Business Administration, 1441 L Street, N.W., Room 501, Washington, D.C. 20416, 202 653-6050

RIN: 3245-AB36

3270. NONDISCRIMINATION IN FINANCIAL ASSISTANCE PROGRAMS

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 113

Legal Deadline: None.

Abstract: Technical amendment to SBA's current regulation to clarify that if a beneficiary of one of SBA's financial assistance programs is found to have discriminated, SBA is authorized to take certain actions such as withholding further assistance or accelerating a loan.

Timetable:

Action	Date	FR Cite
NPRM	03/00/89	

Small Entity: Yes

Agency Contact: George Robinson, Director, Equal Employment Opportunity & Compliance, Small Business Administration, 1441 L Street, N.W., Room 501, Washington, D.C. 20416, 202 653-6050

RIN: 3245-AB37

3271. USER FEES FOR SBA PROGRAMS

Legal Authority: 15 USC 687(c); 15 USC 687d; 15 USC 687g; 15 USC 694a; 15 USC 694b; 5 USC App 1; 15 USC 632(a); 15 USC 634(b)(6); 15 USC 637(a); 15 USC 631; 15 USC 637(b); 15 USC 636(i); 15 USC 636(j); PL 93-113

CFR Citation: 13 CFR 101; 13 CFR 107; 13 CFR 115; 13 CFR 121; 13 CFR 124; 13 CFR 125; 13 CFR 129

Legal Deadline: None.

Abstract: Establishment or modification of user fees for the following: use of SBA's Office of Advocacy database, guaranty of debentures issued by Small Business Investment Companies, guaranty of surety bonds, appeals of size determinations and and standard industrial classification code designations, application to the Minority Small Business (Section 8(a)) Program, training sponsored by the Service Corps of Retired Executives (SCORE), SBA's Office of Women's Business Ownership, and SBA's Office of Veterans Affairs, counseling by Small Business Institutes and application for a Certificate of Competency.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Yes

Additional Information: The Small Business Administration is prohibited under the FY 88 Continuing Resolution on Appropriations, PL 100-202, from using appropriated funds to establish or increase user fees. Therefore, no action will be taken on this rule during this fiscal year. Actions after this fiscal year will depend upon FY 89 Appropriations legislation.

Agency Contact: Ramona Powell, Attorney Adviser, Small Business Administration, 1441 L Street, N.W., Room 722, Washington, DC 20416, 202 653-6437

RIN: 3245-AB44

3272. ● PROCUREMENT: SUBCONTRACTING LIMITATIONS

Legal Authority: PL 99-591; PL 99-661; 15 USC 634(b)(6)

CFR Citation: 13 CFR 125

Legal Deadline: None.

Abstract: Guidelines for application of subcontracting limitations imposed by Public Laws 99-591 and 99-661.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: Yes

Agency Contact: Monika E. Harrison, Associate Administrator for Procurement, Assistance, Small Business Administration, 1441 L Street, N.W., Room 600, Washington, DC 20416, 202 653-6635

RIN: 3245-AB62

SBA — Proposed Rule Stage

3273. ● REVOLVING LINE OF CREDIT

Significance: Regulatory Program

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 120

Legal Deadline: None.

Abstract: Rule would establish a pilot program for the creation of an SBA-guaranteed revolving line of credit.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Agency Contact: Charles R. Hertzberg, Deputy Associate Administrator, Financial Assistance Division, Small Business Administration, 1441 L Street, N.W., Room 804, Washington, DC 20416, 202 653-6574

RIN: 3245-AB65

SMALL BUSINESS ADMINISTRATION (SBA) — Final Rule Stage

3274. SURETY BOND GUARANTEE REGULATIONS

Legal Authority: 15 USC 634(b)(6); 15 USC 694b(d)

CFR Citation: 13 CFR 115

Legal Deadline: None.

Abstract: Revision of the existing regulations for SBA's Surety Bond Guarantee Program. These changes will allow SBA to vary the percentage of its guarantee depending upon SBA's experience with the surety company requesting the guarantee. It also makes the fee which SBA charges for its guarantee negotiable.

Timetable:

Action	Date	FR Cite
ANPRM	08/19/83	48 FR 37658
ANPRM Comment Period End	10/19/83	
NPRM	08/21/85	50 FR 33766
NPRM Comment Period End	10/21/85	
Final Action Effective	05/00/88	

Small Entity: Yes

Agency Contact: Howard F. Huegel, Director, Office of Special Guarantees, Small Business Administration, 4040 N. Fairfax Drive, Arlington, VA 22203, 703 235-2900

RIN: 3245-AA20

3275. CIVIL RIGHTS COMPLIANCE: DISCRIMINATION ON THE BASIS OF HANDICAP

Legal Authority: 42 USC 2000d-1

CFR Citation: 13 CFR 136

Legal Deadline: None.

Abstract: Prohibition of discrimination in SBA programs on the basis of handicap.

Timetable:

Action	Date	FR Cite
NPRM	07/02/84	49 FR 27164
NPRM Comment Period End	10/30/84	
Final Action	04/00/88	

Small Entity: No

Agency Contact: George H. Robinson, Director, Small Business Administration, Office of EEO&C, 1441 L Street, NW, Washington, DC 20416, 202 653-6050

RIN: 3245-AA21

3276. SIZE STANDARDS; TRAVEL AGENCIES

Significance: Regulatory Program

Legal Authority: 15 USC 632; 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Review of Size Standards necessitated by GSA awards of travel contracts resulted in decision to modify proposed standard.

Timetable:

Action	Date	FR Cite
NPRM	07/30/86	51 FR 27192
NPRM Comment Period End	09/29/86	
Final Action Effective	04/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, NW, Room 601, Washington, DC 20416, 202 653-6373

RIN: 3245-AA58

3277. REGULATIONS APPLYING SMALL BUSINESS SIZE STANDARDS

Significance: Regulatory Program

Legal Authority: 15 USC 632(a)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Revision of substantive rules governing compliance with small business size standards.

Timetable:

Action	Date	FR Cite
NPRM	08/31/87	52 FR 32870
NPRM Comment Period End	10/30/87	
Final Action	08/00/88	

Small Entity: Yes

Agency Contact: David R. Kohler, Associate General Counsel, Small Business Administration, 1441 L Street, NW, Room 706, Washington, DC 20416, 202 653-6660

RIN: 3245-AA84

3278. SIZE STANDARD: REAL ESTATE AGENTS

Significance: Regulatory Program

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Establishing a size standard for the real estate agents industry for the first time.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/03/85	50 FR 27418
Final Action	08/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street,

NW, Room 601, Washington, DC 20416, 202 653-6373

RIN: 3245-AA88

3279. LOANS TO STATE AND LOCAL DEVELOPMENT COMPANIES

Significance: Agency Priority

Legal Authority: PL 99-272, Sec 18008

CFR Citation: 13 CFR 108

Legal Deadline: None.

Abstract: Rules for conducting a two year pilot program through which debentures guaranteed under section 503 of the Small Business Investment Act and interests in pools of debentures issued under section 504 of that Act are sold to investors through public sale or private placement.

Timetable:

Action	Date	FR Cite
Public comment period ends	08/05/86	
Interim Final Rule	07/23/87	52 FR 27672
Interim Final Rule	07/23/87	52 FR 27672
NPRM Comment Period End	09/21/87	
Final Action	04/00/88	

Small Entity: Yes

Agency Contact: LeAnn Oliver, Financial Analyst, Small Business Administration, 1441 L Street, NW, Room 720, Washington, DC 20416, 202 653-6416

RIN: 3245-AB10

3280. SMALL BUSINESS INVESTMENT COMPANIES

Significance: Agency Priority

Legal Authority: 15 USC 320

CFR Citation: 13 CFR 107

Legal Deadline: Statutory, June 7, 1986.

Abstract: Establishment of mechanism for selling to the public certificates of interest backed by pools of SBIC guaranteed debentures and of a system of registration of such sales.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/12/86	51 FR 21484
Final Action	10/00/88	

Small Entity: Yes

Agency Contact: Robert G. Lineberry, Deputy Associate Administrator/Investment, Small Business Administration, 1441 L Street, NW, Room 808, Washington, DC 20416, 202 653-6848

RIN: 3245-AB12

3281. SMALL BUSINESS DEVELOPMENT CENTERS

Significance: Agency Priority

Legal Authority: PL 96-302; PL 98-395

CFR Citation: 13 CFR 129

Legal Deadline: None.

Abstract: Comprehensive regulations governing the Small Business Development Center Program.

Timetable:

Action	Date	FR Cite
NPRM	10/23/86	51 FR 37580
Comment period extended to 1/21/87	11/24/86	51 FR 42255
NPRM Comment Period End	12/22/86	

Next Action Undetermined

Small Entity: Yes

Additional Information: The Fiscal Year (FY) 1988 Continuing Resolution on Appropriations prohibits the Small Business Administration from using appropriated funds to adopt or implement any rules or regulations for the Small Business Development Center program. Therefore, no action will be taken on this rule during this fiscal year. Actions after this fiscal year will depend upon FY 89 Appropriations legislation.

Agency Contact: Janice Wolf, Deputy Associate Administrator for Business Development, Small Business Administration, 1441 L Street, NW, Room 317, Washington, DC 20416, 202 653-6768

RIN: 3245-AB17

3282. SMALL BUSINESS SIZE STANDARDS; MODIFICATION OF SIZE STANDARDS TO MAKE EXISTING SIZE STANDARDS COMPATIBLE WITH NEW STANDARD INDUSTRIAL CLASSIFICATION SYSTEM (SIC)

Significance: Regulatory Program

Legal Authority: 15 USC 637(a); 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None. This deadline was created by OMB's publication of comprehensive changes to the Standard Industrial Classification Code System, effective 1/1/87.

Abstract: The SBA is modifying its size standards to conform with the newly revised SIC system which has been revised by the Office of Management and Budget effective January 1, 1987.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/06/87	52 FR 397
Final Action	04/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Room 601, Washington, D.C. 20416, 202 653-6373

RIN: 3245-AB19

3283. PROGRAM FRAUD CIVIL REMEDIES REGULATIONS

Legal Authority: PL 99-501, Sec 6103

CFR Citation: 13 CFR 141

Legal Deadline: Statutory, April 21, 1987.

Abstract: Regulations implementing the Program Fraud Civil Remedies

Timetable:

Action	Date	FR Cite
NPRM	05/21/87	52 FR 19156
NPRM Comment Period End	06/22/87	52 FR 19156
Final Action	04/00/88	

Small Entity: No

Agency Contact: Patricia R. Forbes, Chief Counsel for Legislation, Small Business Administration, 1441 L Street, N.W., Room 722, Washington, D.C. 20416, 202 653-6573

RIN: 3245-AB27

3284. SMALL BUSINESS SIZE STANDARDS FOR CONSTRUCTION AND SURVEYING SERVICES INDUSTRIES AND SUBCONTRACTING LIMITATIONS

Significance: Regulatory Program

Legal Authority: PL 99-591; PL 99-661

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Rule to amend size standards for the construction industry division (except heavy construction, not

elsewhere classified, and dredging), and for the surveying services industry. Will also set subcontracting limitations for construction industries in 8(a) and set-aside programs. Size standard amendments and subcontracting limitations are made pursuant to requirements in PL 99-591 and PL 99-661.

Timetable:

Action	Date	FR Cite
ANPRM	03/17/87	52 FR 08261
ANPRM Comment Period End	04/16/87	52 FR 08261
NPRM	12/17/87	52 FR 47937
NPRM Comment Period End	02/16/88	
Final Action	06/00/88	
Final Action Effective	06/00/88	

Small Entity: Yes

Agency Contact: Gene VanArsdale, Director, Office of Procurement Policy and Liaison, Small Business Administration, 1441 L Street, N.W., Room 600, Washington, D.C. 20416, 202 653-6588

RIN: 3245-AB38

3285. BUSINESS LOANS; SMALL BUSINESS LENDING COMPANIES

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 120

Legal Deadline: None.

Abstract: This proposed rule change would treat a Small Business Lending Company (SBLC) as other lenders which participate with the Small Business Administration in making SBA guaranteed loans. It would also clarify that an SBLC could participate in the secondary market and could assemble pools comprised of SBA guaranteed portions of loans made by others as well as pools of loans it has generated.

Timetable:

Action	Date	FR Cite
NPRM	05/21/87	52 FR 19155
NPRM Comment Period End	06/22/87	52 FR 19155
Final Action	10/00/88	

Small Entity: Yes

Agency Contact: Danny Gibb, Director, Office of Financial Institutions, Small Business Administration, 1441 L Street, N.W., Room 800, Washington, D.C. 20416, 202 653-2585

RIN: 3245-AB40

3286. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS; PROPOSED REVISION OF CIRCULAR A-102

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 143

Legal Deadline: None.

Abstract: The regulation establishes a uniform administrative rule for the Small Business Administration's cooperative agreements and State grants.

Timetable:

Action	Date	FR Cite
NPRM	06/09/87	52 FR 21824
NPRM Comment Period End	08/10/87	52 FR 21820
Final Action	04/00/88	

Small Entity: Yes

Agency Contact: Patricia R. Forbes, Chief Counsel for Legislation, Small Business Administration, 1441 L Street, N.W., Room 722, Washington, D.C. 20416, 202 653-6573

RIN: 3245-AB41

3287. ● BUSINESS LOAN POLICY

Significance: Regulatory Program

Legal Authority: 15 USC 634(b)(6); 15 USC 636(a); 15 USC 636(h)

CFR Citation: 13 CFR 120

Legal Deadline: None.

Abstract: Would permit SBA to suspend or revoke privilege of lenders, brokers, dealers and registered holders to sell or otherwise deal in section 7(a) secondary market loan or pool certificates for significant violations of secondary market rules and regulations and for certain other offenses. Would also clarify disclosure requirements and modify requirements for pool assembler eligibility.

Timetable:

Action	Date	FR Cite
NPRM	11/04/87	52 FR 42305
NPRM Comment Period End	12/04/87	52 FR 42305
Final Action	04/00/88	

Small Entity: Yes

Agency Contact: Alan S. Mandel, Assistant Deputy Associate Administrator, for Financial Assistance, Small Business Administration, 1441 L Street, N.W., Room 804, 202 653-6696

RIN: 3245-AB48

3288. ● SMALL BUSINESS SIZE STANDARDS: RESIDUAL SIZE STANDARDS

Legal Authority: 15 USC 632(a); 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Establishes size standard for industries for which no size standard has been previously established.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Room 601, Washington, DC 20416, 202 653-6373

RIN: 3245-AB57

3289. ● SMALL BUSINESS SIZE STANDARDS: NONMANUFACTURERS

Significance: Agency Priority

Legal Authority: 15 USC 632(a); 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Establishes size standard for nonmanufacturers.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Room 601, Washington, DC 20416, 202 653-6373

RIN: 3245-AB58

SBA

Final Rule Stage

3290. ● SMALL BUSINESS SIZE STANDARDS: AIRCRAFT, GUIDED MISSILES, AND SPACE VEHICLE RESEARCH AND DEVELOPMENT

Significance: Agency Priority

Legal Authority: 15 USC 632(a); 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Establishes small business size standard for aircraft, guided missiles and space vehicles.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Room 601, Washington, DC 20416, 202 653-6373

RIN: 3245-AB59

3291. ● SMALL DISADVANTAGED BUSINESS STATUS APPEALS PROCEDURES

Significance: Agency Priority

Legal Authority: 15 USC 634(b)(6); PL 99-66, Sec 1207(a)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Procedural rules to be used whenever SBA is asked to make a determination concerning disadvantaged status of a small business concern.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	

Small Entity: Yes

Agency Contact: Wilfredo Gonzalez, Associate Administrator for Minority Small, Business & Capital Ownership Development, Small Business Administration, 1441 L Street, N.W., Room 602, Washington, DC 20416, 202 653-6407

RIN: 3245-AB63

SMALL BUSINESS ADMINISTRATION (SBA)

Completed Actions

3292. SIZE STANDARDS: CONSTRUCTION

Significance: Regulatory Program

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Establishing an updated size standard for the construction industry.

Timetable:

Action	Date	FR Cite
Begin Review	10/15/86	
End Review	11/30/87	
Merged with AB38	02/22/88	

Small Entity: Yes

Additional Information: Construction industry size standard along with other size standards has been reviewed and is proposed to be amended pursuant to PL 99-591 and PL 99-661. Thus, the subject matters of RIN AA95 is more appropriately addressed in RIN AB38.

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, NW, Room 601, Washington, DC 20416, 202 653-6373

RIN: 3245-AA95

3293. SMALL BUSINESS SIZE STANDARDS: COMMERCIAL FISHING

Significance: Regulatory Program

Legal Authority: 15 USC 634(b)(6); 15 USC 632

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Size standard for commercial fishing firms.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/15/85	50 FR 15411
Withdrawn	01/15/88	

Small Entity: Yes

Additional Information: Interim final rule was retroactive to cover El Nino disaster. Rule is no longer necessary and, therefore, has been withdrawn.

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, NW, Room 601, Washington, DC 20416, 202 653-6373

RIN: 3245-AB00

3294. SIZE STANDARDS; CERTAIN RETAIL AND SERVICE INDUSTRIES

Significance: Regulatory Program

Legal Authority: 15 USC 634(b)(6); 15 USC 632

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: To review and revise, as necessary, the small business size standards for certain retail and service industries.

Timetable:

Action	Date	FR Cite
Begin Review	10/15/86	
End Review	10/05/87	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, NW, Room 601, Washington, DC 20416, 202 653-6373

RIN: 3245-AB03

3295. SIZE RULE FOR SMALL BUSINESS INNOVATION RESEARCH PROGRAM TIME OF SIZE DETERMINATION

Legal Authority: 15 USC 632; 15 USC 638

CFR Citation: 13 CFR 121.7

Legal Deadline: None.

Abstract: Establishing the time a firm's size will be determined at the time of award of the funding agreement.

Timetable:

Action	Date	FR Cite
NPRM	08/10/87	52 FR 29532
NPRM Comment Period End	09/09/87	
Final Action	11/03/87	52 FR 42093
Final Action Effective	11/03/87	52 FR 42093

Small Entity: Yes

Agency Contact: Richard Shane, Associate Administrator for Innovation, Research and Technology, Small Business Administration, 1441 L Street, NW, Room 500, Washington, DC 20416, 202 653-7875

RIN: 3245-AB15

3296. PROCUREMENT ASSISTANCE: USER FEES FOR PASS

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 125

Legal Deadline: None.

Abstract: Increase user fee for PASS system to recoup costs of program.

Timetable:

Action	Date	FR Cite
NPRM	08/25/87	52 FR 32017
NPRM Comment Period End	09/24/87	
Final Action	12/22/87	52 FR 48391
Final Action	12/22/87	52 FR 48391
Final Action	02/01/88	53 FR 4008
Final Action Effective	02/01/88	53 FR 4008

Small Entity: No

Additional Information: 2/1/88 final rule amended 12/22/87 final rule to reduce fee from $50 to $24 pursuant to PL 100-202, prohibiting SBA from using appropriated funds to impose or increase user fees.

Agency Contact: Monika Harrison, Associate Administrator for Procurement, Assistance, Small Business Administration, 1441 L Street, N.W., Room 600, Washington, D.C. 20416, 202 653-6635

RIN: 3245-AB20

3297. FREEDOM OF INFORMATION ACT FEE AND FEE WAIVERS REGULATIONS

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 102.6

Legal Deadline: Statutory, April 26, 1987.

Abstract: Amendments to Fee and Fee Waiver provisions to conform to the Freedom of Information Reform Act of 1986.

Timetable:

Action	Date	FR Cite
NPRM	05/18/87	52 FR 18570
NPRM Comment Period End	06/17/87	
Final Action	12/16/87	52 FR 47699
Final Action Effective	12/16/87	52 FR 47699

Small Entity: No

Agency Contact: Nicholas Kalcounos, Director, Freedom of Information/Privacy Acts, Small Business Administration, 2100 K Street, N.W., Room 300, Washington, D.C. 20416, 202 653-6460

RIN: 3245-AB25

3298. LOANS TO STATE AND LOCAL DEVELOPMENT COMPANIES

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 108

Legal Deadline: None.

Abstract: Institution of a 2 percent guarantee fee for debentures sold by development companies through the 504 program.

Timetable:

Action	Date	FR Cite
Withdrawn	12/30/87	

Small Entity: Yes

Additional Information: The Small Business Administration is prohibited under the FY 88 Continuing Resolution on Appropriations from using appropriated funds to establish or increase user fees. Therefore, this rule, which would impose a user fee, has been withdrawn.

Agency Contact: LeAnn Oliver, Financial Analyst, Small Business Administration, 1441 L Street, N.W., Room 720, Washington, D.C. 20416, 202 653-6986

RIN: 3245-AB33

3299. SIZE STANDARDS: MANUFACTURING

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: To review and revise, as necessary, the small business size standards for certain manufacturing industries.

Timetable:

Action	Date	FR Cite
Begin Review	10/15/86	
End Review	10/05/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Room 601, Washington, D.C. 20416, 202 653-6373

RIN: 3245-AB43

3300. ● STANDARDS OF CONDUCT

Legal Authority: 15 USC 634; EO 11222

CFR Citation: 13 CFR 105

Legal Deadline: None.

Abstract: Amends 13 CFR 105.511(g) to provide that financial disclosure statements required to be filed by EO 11222 may be disclosed to individuals who must have access to them in order to carry out responsibilities established by law.

Timetable:

Action	Date	FR Cite
Final Action	09/16/87	52 FR 34895
Final Action Effective	09/16/87	52 FR 34895

Small Entity: No

Agency Contact: Martin D. Teckler, Deputy General Counsel, Small Business Administration, 1441 L Street, N.W., Room 700, Washington, DC 20416, 202 653-6644

RIN: 3245-AB46

3301. ● DELEGATION OF AUTHORITY TO CONDUCT PROGRAM ACTIVITIES IN FIELD OFFICES

Legal Authority: 15 USC 633; 15 USC 687; 5 USC 552; PL 93-386, Sec 5(b)(11); 15 USC 634

CFR Citation: 13 CFR 101

Legal Deadline: None.

Abstract: Increases the authority of the Branch Manager in Sacramento to approve or decline section 7(a) Guaranty Business Loans to $500,000. Increases the authority of the Assistant Branch Manager for Finance and Investment in Sacramento to approve direct and immediate participation section 7(a) Business Loans up to $250,000 and to decline the same type of loans to $350,000.

SBA

Completed Actions

Timetable:

Action	Date	FR Cite
Final Action Effective	09/09/87	52 FR 35411
Final Action	09/21/87	52 FR 35411

Small Entity: No

Agency Contact: Georgia K. Cannady, Editor, Administrative Information Branch, Small Business Administration, 1441 L Street, N.W., Room 200, Washington, DC 20416, **202 653-8538**

RIN: 3245-AB47

3302. ● ADMINISTRATIVE CLAIMS UNDER FEDERAL TORT CLAIMS ACT

Significance: Regulatory Program

Legal Authority: 15 USC 634(b)(1); 15 USC 634(b)(6); 28 USC 2672

CFR Citation: 13 CFR 114

Legal Deadline: None.

Abstract: Permits SBA to indemnify an employee who suffers an adverse judgment, verdict, or monetary award. When the conduct gives rise to the verdict, judgment or award was taken within the scope of such individual's employment and when indemnification is in the interest of the SBA.

Timetable:

Action	Date	FR Cite
Final Action	08/28/87	52 FR 32533
Final Action Effective	08/28/87	52 FR 32533

Small Entity: No

Agency Contact: Eric S. Benderson, Associate General Counsel, Small Business Administration, 1441 L Street, N.W., Room 716, Washington, DC 20416, **202 653-6509**

RIN: 3245-AB49

3303. ● DEBT COLLECTION

Significance: Regulatory Program

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 140

Legal Deadline: None.

Abstract: Amendment makes regulations consistent with Office of Personnel Management regulations. Permits SBA to collect debts of employees of other Federal agencies via salary offset and makes other technical corrections.

Timetable:

Action	Date	FR Cite
Final Action	01/21/88	53 FR 1606

Small Entity: No

Agency Contact: Martin D. Teckler, Deputy General Counsel, Small Business Administration, 1441 L Street, N.W., Room 700, Washington, DC 20416, **202 653-6644**

RIN: 3245-AB50

3304. ● DISASTER HOME LOANS; DEBT COLLECTION

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 144

Legal Deadline: None.

Abstract: These regulations govern a one-time program to permit the prepayment at a discount of certain outstanding disaster home loans and provide for a methodology for computing the discounted value of the loan to be paid. Prepayment of disaster home loans is in keeping with the budgetary initiative of this Administration. A favorable monetary return can be obtained from these loans by prepayment at a discount.

Timetable:

Action	Date	FR Cite
NPRM	07/10/87	52 FR 26019
NPRM Comment Period End	08/10/87	52 FR 26019
Final Action	08/20/87	52 FR 31526
Final Action Effective	08/20/87	52 FR 31526

Small Entity: No

Agency Contact: James W. Hammersley, Financial Analyst, Small Business Administration, 1441 L Street, N.W., Room 800-C, Washington, DC 20416, **202 653-5954**

RIN: 3245-AB51

3305. ● SMALL BUSINESS INVESTMENT COMPANIES

Legal Authority: 15 USC 687(c); 15 USC 687b (b)

CFR Citation: 13 CFR 107

Legal Deadline: None.

Abstract: Rule would increase examination fees imposed upon small business investment companies.

Timetable:

Action	Date	FR Cite
NPRM	08/04/87	52 FR 28842
NPRM Comment Period End	10/03/87	52 FR 33598
Withdrawn	12/30/87	

Small Entity: No

Additional Information: Proposed rule withdrawn due to upcoming major changes in SBIC examination program. Rule no longer fits program.

Agency Contact: John L. Werner, Director, Office of Investment, Small Business Administration, 1441 L Street, N.W., Room 808, Washington, DC 20416, **202 653-6584**

RIN: 3245-AB52

3306. ● SMALL BUSINESS SIZE STANDARDS: REGULAR DEALERS

Legal Authority: 15 USC 634(b)(6)

CFR Citation: 13 CFR 121

Legal Deadline: None.

Abstract: Review of regular dealers for size standards purposes.

Timetable:

Action	Date	FR Cite
Begin Review	10/15/87	
Final Action	01/05/88	

Small Entity: Yes

Agency Contact: Gary Jackson, Director, Size Standards Staff, Small Business Administration, 1441 L Street, N.W., Room 601, Washington, DC 20416, **202 653-6373**

RIN: 3245-AB60

3307. ● DEBT COLLECTION; INCOME TAX REFUND OFFSET

Legal Authority: 31 USC 3720A; 15 USC 634(b)(6)

CFR Citation: 13 CFR 140

Legal Deadline: None.

Abstract: The Budget Reconciliation Act of 1987 extends authority of the Secretary of the Treasury to offset the income tax refund due a taxpayer who has a delinquent debt obligation to the Federal Government under section 2653 of the Deficit Reduction Act. Therefore, SBA republished this regulation which was scheduled to expire on December 31, 1987. The text is identical to that published in 51 FR 42547, November 25, 1986.

SBA

Completed Actions

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/88	53 FR 4112
Final Action	02/12/88	53 FR 4112

Small Entity: No

Agency Contact: Fred Hanus, Financial Analyst, Small Business Administration, 1441 L Street, N.W., Room 813, Washington, DC 20416, **202 653-6900**

RIN: 3245-AB64

3308. ● SMALL BUSINESS INVESTMENT COMPANIES

Legal Authority: 15 USC 687(c); 15 USC 687b(b)

CFR Citation: 13 CFR 107

Legal Deadline: None.

Abstract: Rule would increase examination fees imposed upon small business investment companies.

Timetable:

Action	Date	FR Cite
ANPRM	08/04/87	
Withdrawn See Additional Information	12/15/87	

Small Entity: No

Additional Information: See AB52.

Agency Contact: John L. Werner, Director, Office of Investment, Small Business Administration, 1441 L Street, N.W., Room 808, Washington, DC 20416, **202 653-6584**

RIN: 3245-AB66

[FR Doc. 88-5803 Filed 04-22-88; 8:45 am]

BILLING CODE 8025-01-T

federal register

Monday
April 25, 1988

Part XL

Tennessee Valley Authority

Semiannual Regulatory Agenda

TENNESSEE VALLEY AUTHORITY (TVA)

TENNESSEE VALLEY AUTHORITY

18 CFR Ch. XIII

Regulatory Agenda

AGENCY: Tennessee Valley Authority (TVA).

ACTION: Regulatory agenda.

SUMMARY: As a nonregulatory agency, TVA originates very few regulations. However, TVA has two regulations under development and has published final rules with regard to four other regulations. TVA has also published a notice of intent with regard to a seventh regulation. TVA is therefore publishing a regulatory agenda in voluntary compliance with Executive Order No. 12291.

FOR FURTHER INFORMATION CONTACT: For further information please contact the persons listed.

W. F. Willis,

General Manager.

TENNESSEE VALLEY AUTHORITY (TVA) — Proposed Rule Stage

3309. PROTECTION OF ARCHAEOLOGICAL RESOURCES

Legal Authority: 16 USC 470aa to 470ll

CFR Citation: 18 CFR 1312

Legal Deadline: None.

Abstract: The planned regulations will implement provisions of the Archaeological Resources Protection Act of 1979 by providing protection of archaeological resources on public lands in TVA custody and control. TVA will seek to protect such resources through permits authorizing excavation or removal of resources, through civil penalties for unauthorized excavation or removal, through preservation of archaeological resource collections and data, and through assuring confidentiality of information about resources when disclosure would threaten the resources. The planned regulations will supplement existing uniform regulations by assigning specific responsibilities within TVA.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Maxwell D. Ramsey, Program Manager, Cultural Resources, Tennessee Valley Authority, 238 Natural Resources Building, Norris, TN 37828, **615 632-1585**

RIN: 3316-AA02

3310. ALTERNATIVE PROGRAM FOR SHARING PATENT-RELATED INCOME

Legal Authority: 15 USC 3710, amended by PL 99-502

CFR Citation: 18 CFR Not yet determined

Legal Deadline: Statutory, October 1988.

Abstract: Pursuant to new section 14 of the Stevenson-Wydler Act, TVA has elected to promulgate regulations providing for an alternative program for sharing royalties and other patent-related income with its employee-inventors.

Timetable:

Action	Date	FR Cite
ANPRM	01/14/87	52 FR 1469
NPRM	00/00/00	

Small Entity: No

Agency Contact: George F. Dilworth, Jr., Manager of Technology Utilization, Tennessee Valley Authority, 400 West Summit Hill Drive, W12 D134 C-K, Knoxville, TN 37902, **615 632-2871**

RIN: 3316-AA05

3311. ● NONDISCRIMINATION ON THE BASIS OF SEX IN FEDERALLY ASSISTED EDUCATIONAL PROGRAMS

Legal Authority: 20 USC 1682; 16 USC 831 to 831dd

CFR Citation: 18 CFR Not yet determined

Legal Deadline: None.

Abstract: This regulation implements 20 USC 1681 which assures nondiscrimination on the basis of sex in educational programs or activities receiving financial assistance from Federal agencies.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	

Small Entity: No

Agency Contact: Wesley H. Motley, Chief, Program Asistance and Evaluation, Tennessee Valley Authority, E5 B30, 400 West Summit Hill Drive, Knoxville, TN 37902, **615 632-2665**

RIN: 3316-AA13

TENNESSEE VALLEY AUTHORITY (TVA) — Completed Actions

3312. ● REVISIONS TO FREEDOM OF INFORMATION ACT (FOIA) REGULATIONS

Legal Authority: 5 USC 552; 16 USC 831 to 831dd

CFR Citation: 18 CFR 1301.1

Legal Deadline: None.

Abstract: This rule revises one exemption from disclosure under the FOIA set out in TVA's regulations in order to conform that exemption with changes made by the Freedom of Information Reform Act of 1986. This rule also redesignates the positions responsible for handling and determining initial requests and administrative appeals under the FOIA to reflect TVA organizational changes.

Timetable:

Action	Date	FR Cite
NPRM	08/28/87	52 FR 32573
Final Action	01/07/88	53 FR 405
Final Action Effective	02/08/88	

Small Entity: No

Agency Contact: Craven Crowell, Manager, Office of Governmental and Public Affairs, Tennessee Valley Authority, E12 C31, 400 West Summit Hill Drive, Knoxville, TN 37902, **615 632-6315**

RIN: 3316-AA09

3313. ● UNIFORM RELOCATION ASSISTANCE AND REAL PROPERTY ACQUISITION FOR FEDERAL AND FEDERALLY ASSISTED PROGRAMS

Legal Authority: 42 USC 4601; 42 USC 4601 note; 16 USC 831 to 831dd

CFR Citation: 18 CFR 1306

Legal Deadline: None.

Abstract: The Uniform Relocation Act Amendments of 1987 provide for a single governmentwide rule (uniform regulations) implementing Titles I and II of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended. The uniform regulations applicable to those titles are contained in Subpart A and Subparts C through G of 49 CFR Part 24. Under the regulations that TVA published, relocation assistance for TVA program activities undertaken after January 19, 1988 are governed by those subparts.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/17/87	52 FR 48019
Final Action	12/17/87	52 FR 48019
Final Action Effective	04/02/89	

Small Entity: No

Agency Contact: Edward S. Christenbury, General Counsel, Tennessee Valley Authority, E11 B33, 400 West Summit Hill Drive, Knoxville, Tennessee 37902, **615 632-2241**

RIN: 3316-AA10

3314. ● ADMINISTRATIVE COST RECOVERY

Legal Authority: 16 USC 831 to 831dd; 31 USC 9701

CFR Citation: 18 CFR 1310.2(c); 18 CFR 1310.3(d)

Legal Deadline: None.

Abstract: Hunters at the Tennessee Valley Authority's (TVA) Land Between The Lakes (LBL) are required to hold a State hunting license for the State in which they are hunting (Kentucky or Tennessee) and a hunter use permit from TVA for which TVA charges a fee. Because of the large number of people desiring to hunt turkey at LBL, TVA has decided to limit participation in the turkey hunts during peak use days of the hunting season by random selection of applicants for special quota turkey hunt permits. The $2 application fee for LBL quota turkey hunt permits will recover administrative costs associated with processing forms, conducting a drawing, and notifying applicants of rejection or selection.

Timetable:

Action	Date	FR Cite
NPRM	12/16/87	52 FR 47728
Final Action	02/02/88	53 FR 2826
Final Action Effective	02/02/88	53 FR 2826

Small Entity: No

Agency Contact: Elizabeth E. Thach, Director, Land Between The Lakes, Tennessee Valley Authority, Golden Pond, KY 42231, **502 924-5602**

RIN: 3316-AA11

3315. ● PROTECTION OF ARCHAEOLOGICAL RESOURCES; UNIFORM REGULATIONS

Legal Authority: 16 USC 470aa to 470ll

CFR Citation: 18 CFR 1312.16(a)(1); 18 CFR 1312.16(a)(2)

Legal Deadline: None.

Abstract: This rule amends the standards for civil penalty amounts in the uniform regulations of 18 CFR Part 1312, to include determination of archaeological value.

Timetable:

Action	Date	FR Cite
NPRM	03/31/87	52 FR 10342
Final Action	12/16/87	52 FR 47720
Final Action Effective	03/15/88	

Small Entity: No

Agency Contact: Maxwell D. Ramsey, Program Manager, Cultural Resources, Tennessee Valley Authority, 238 Natural Resources Building, Norris, Tennessee 37828, **615 632-1585**

RIN: 3316-AA12

[FR Doc. 88-5804 Filed 04-22-88; 8:45 am]

BILLING CODE 8120-02-T

federal register

Monday
April 25, 1988

Part XLI

Veterans Administration

Semiannual Regulatory Agenda

VETERANS ADMINISTRATION (VA)

VETERANS ADMINISTRATION

38 CFR Ch. I

Agenda of Federal Regulations

AGENCY: Veterans Administration.

ACTION: Publication of agenda of regulations.

SUMMARY: This agenda announces the regulations that the Veterans Administration will have under review, development, or revision during the 12-month period from April 1988 to April 1989. The purpose in publishing this Agency's regulatory development activities is to allow all interested persons the opportunity to participate in the rulemaking process.

ADDRESSES: Interested persons are invited to comment on the regulations listed in the agenda by contacting the individual agency contact listed for each regulation, or by writing to: Paperwork Management and Regulations Service (731), Veterans Administration, 810 Vermont Avenue, NW., Washington, DC 20420.

FOR FURTHER INFORMATION CONTACT: 38 CFR: M'Liz McLendon, (202) 233-3770; 48 CFR, Chapter 8: Sunny Huff, (202) 233-4240.

SUPPLEMENTARY INFORMATION: Executive Order 12291, Federal Regulation, and the Regulatory Flexibility Act (Pub. L. 96-354) require that executive agencies publish in the **Federal Register** in April and October of each year an agenda of regulations under development and review.

The Veterans Administration has no regulations considered major under the terms of Executive Order 12291; however, all of this Agency's proposed rules and current rules under review, except those considered to be internal agency policy management or routine regulations, have been listed in accordance with section 5(a) of the Executive Order.

This agenda incorporates those categories of information required pursuant to 5 U.S.C. 602(a) and 610(c) of the Regulatory Flexibility Act.

This agenda has been prepared in accordance with OMB Bulletin 88-1.

Dated: February 25, 1988.
By direction of the Administrator.
David A. Cox,
Associate Deputy Administrator for Management.

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3316	Community Residential Care	2900-AB32
3317	Disposition of Veteran's Personal Funds and Effects on Facility upon Death, or Discharge, or Unauthorized Absence, and of Funds and Effects Found on Facility	2900-AB61
3318	Confidential Quality Assurance Program Records and Documents	2900-AC27
3319	Veterans Administration Health Professional Scholarship Program	2900-AC66
3320	Contract Medical Care	2900-AC69
3321	Automobile Allowance and Adaptive Equipment Eligibility; Devices to Overcome the Handicap of Deafness	2900-AD08
3322	Grants to States for State Extended Care Facilities	2900-AD16
3323	Employee Fiduciaries	2900-AB50
3324	1. Veterans Services Officer to Select and Appoint or Recommend for Appointment the Person or Legal Entity to Receive Veterans Administration Benefits in a Fiduciary Capacity 2. Direct Payment	2900-AB75
3325	1. Payment to the Wife or Husband of an Incompetent Veteran 2. Legal Custodian	2900-AB76
3326	Increased Coverage for Servicemen's and Veteran's Group Life Insurance	2900-AC06
3327	Computation of Entitlement Under Chapter 31	2900-AC08
3328	Nonduplication - Federal Programs	2900-AC41
3329	Providing an Initial Evaluation for a Veteran not Residing in a State	2900-AC46
3330	Veterans Education; Federal Equal Opportunity Laws	2900-AC52
3331	Procedural Due Process	2900-AC54
3332	Systemic Diseases, et al	2900-AC57
3333	Extension of Time Limit for Claims	2900-AC61
3334	Compliance with Civil Rights Provisions	2900-AC72
3335	Training Outside of State Under 38 CFR 21.130	2900-AC73
3336	Veterans Education; Amendments Needed to Implement Pub. L. 99-576	2900-AC76
3337	Extension of the Independent Living Services Program	2900-AC82
3338	Suspension of Individual Employees of Manufactured Home Dealers	2900-AC83
3339	Loans to Purchase Manufactured Homes	2900-AC85
3340	VA Home Loan Credit Standards; New SAH Grant	2900-AC90
3341	Veterans Education; Effect of Internal VA Reorganization	2900-AD04
3342	Definition of Fraud	2900-AD19
3343	Veterans Education; Homeless Claimants	2900-AD21
3344	Veterans Education; Increase in Rates Payable in the EATP	2900-AD23
3345	Due Process	2900-AD27
3346	Homeless Claimants for Vocational Rehabilitation	2900-AD28
3347	Placing Use of the Vocational Rehabilitation Panel on a Discretionary Basis	2900-AD29
3348	Assumption of VA Guaranteed Loans	2900-AD30
3349	Processing of VA Appraisals by Designated Lenders	2900-AD31
3350	Qualification Requirements for VA Fee Appraisers	2900-AD32
3351	Requirements for Nonsupervised Automatic Lenders	2900-AD33

VA

Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
3352	Allowable Fees and Charges for VA Guaranteed Loans	2900-AD34
3353	Full Disclosure of Beneficiary's Income and Assets	2900-AD35
3354	Payment of Guaranty Claims	2900-AD39
3355	Appeals Regulations and Rules of Practice- Status of Legal Interns, Law Students and Paralegals	2900-AC11
3356	Appeals Regulations and Rules of Practice - Hearing Date	2900-AC88
3357	Appeals Regulations and Rules of Practice; Cutoff Date for Acceptance of Evidence	2900-AD14
3358	Equal Access to Justice; Procedural Rules	2900-AC33
3359	Nondiscrimination on the Basis of Sex Under Federally Assisted Education Programs and Activities	2900-AB51
3360	Nondiscrimination on the Basis of Handicap in Federally Assisted Programs and Activities	2900-AB87
3361	Effect of General Counsel Opinions	2900-AB22
3362	Claims Under the Federal Tort Claims Act	2900-AD15
3363	Protection of Archaeological Resources	2900-AC26
3364	Parking Fees at VA Medical Facilities	2900-AD05
3365	Disclosure of Confidential Commercial Information	2900-AD09

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3366	Use of Community Nursing Home Facilities	2900-AB21
3367	Reservists Education; New Education Program for Members of the Selected Reserve	2900-AB69
3368	Investments by Legal Custodians	2900-AB77
3369	1. Veterans Services Officer's Action When Veteran's Estate Equals or Exceeds $1,500 2. Determination of Value of Estate; 38 USC 3203(b)(1)	2900-AB78
3370	Employment Services for Certain Eligible Veterans	2900-AB89
3371	Amendment of Forfeiture Regulations	2900-AC01
3372	Interest and Penalties on Untimely Submission of Funding Fees by Lenders	2900-AC03
3373	1. Apportionment of Benefits to Dependents 2. Payment of Cost of Veteran's Maintenance in Institution 3. Recommendation for Payment	2900-AC10
3374	Use of Credit Reports for Refinancing and Rescheduling of VA-Guaranteed Loans and Claim Submissions	2900-AC19
3375	Evaluations for Diplopia (Double Vision)	2900-AC58
3376	Vocational Rehabilitation Panel	2900-AC75
3377	Veterans Education; Amendments to VEAP Required by the Veterans Benefits Improvement and Health Care Authorization Act of 1986	2900-AC81
3378	Improvements in Veterans' Benefits	2900-AC99
3379	Homeless Claimants	2900-AD00
3380	Loan Guaranty: Increase in Maximum Allowable Amount the VA Will Reimburse a Loan Holder for Legal Services Incurred in Terminating a Loan	2900-AD01
3381	Veterans Education; Revision of Delimiting Dates	2900-AD02
3382	Veterans Education; Clarification of Administrative Error	2900-AD22
3383	Veterans Education; Clarification of Mitigating Circumstances	2900-AD24
3384	Acquisition Regulations Relating to Cost Comparisons	2900-AC37
3385	Veterans Administration Acquisition Regulation - Consulting Service	2900-AC86
3386	Veterans Administration Acquisition Regulation - Construction and Architect-Engineer Contracts	2900-AC87
3387	Enforcement of Nondiscrimination on the Basis of Handicap in VA Programs	2900-AA87
3388	Recognition of Organizations, Representatives, Agents, and Attorneys	2900-AC89
3389	Standards Implementing the Program Fraud Civil Remedies Act	2900-AC92
3390	Nonprocurement Debarment and Suspension	2900-AD06
3391	Uniform Relocation Assistance Act for Real Property Acquisition and Federally Assisted Programs	2900-AD37
3392	Release of VA Lists of Names and Addresses and Penalty Procedures for Unauthorized Use	2900-AC63

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3393	Bereavement Counseling	2900-AC68
3394	Transportation of Claimants and Beneficiaries	2900-AD07

VA

Completed Actions—Continued

Sequence Number	Title	Regulation Identifier Number
3395	Acquisition of Property	2900-AB34
3396	Temporary Program of Vocational Training for Certain New Pension Recipients	2900-AB53
3397	Veterans Education; All Volunteer Force Educational Assistance Program	2900-AB70
3398	Payments to Dependents of Veterans in Training	2900-AC18
3399	Veterans Education; Deficiency Course Measurement	2900-AC42
3400	Veterans Mortgage Life Insurance - Maximum Amount of Insurance	2900-AC43
3401	Veterans Education; Disenrollment from VEAP and Other Technical Amendments	2900-AC49
3402	Nomenclature and Descriptive Terms for Mental Disorders	2900-AC60
3403	Decrease in Amount of Time VA Will Allow Loan Holder to Begin Terminating Defaulted Loan	2900-AC71
3404	Election of Benefits	2900-AC74
3405	Veterans Education; Entitlement Charges for Overpayments Under VEAP	2900-AC77
3406	Veterans Education; Transfer of Entitlement Under 38 USC Ch. 107	2900-AC78
3407	Certification of Continued Eligibility	2900-AC79
3408	Veterans Education; Nonpunitive Grades	2900-AC80
3409	Dependents' Education; Effect of the 85-15% Ratio Requirement	2900-AD03
3410	Evaluation of Hearing Loss	2900-AD10
3411	Frequency of Payment of Improved Pension	2900-AD20
3412	Veterans Education; Amendments to Veterans' Job Training Act	2900-AD25
3413	Veterans Education; Administrative Review for Employers	2900-AD38
3414	Veterans Administration Acquisition Regulation - Specifications	2900-AC38
3415	Standards for Claims Collection; Committee on Waivers and Compromises	2900-AC96
3416	Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments	2900-AC97
3417	Fees Charged When Responding to Requests for Records	2900-AB18
3418	Exemptions from Public Access to Agency Records	2900-AC94
3419	Veterans Administration Acquisition Regulation - Small Business Concerns	2900-AC36

VETERANS ADMINISTRATION (VA)

Proposed Rule Stage

DEPARTMENT OF MEDICINE AND SURGERY

3316. COMMUNITY RESIDENTIAL CARE

Legal Authority: 38 USC 630

CFR Citation: 38 CFR 17.51h to 17.51q

Legal Deadline: None.

Abstract: These regulations will clarify the legal status of the Community Residential Care program, setting standards and criteria for health and safety, facility resources, guidelines for costs of care, conditions under which the agency may cease referrals to non-complying facilities.

Timetable:

Action	Date	FR Cite
NPRM	03/25/88	53 FR 9778
NPRM Comment Period End	04/25/88	53 FR 9778
Final Action	12/00/88	

Small Entity: No

Agency Contact: James R. Kelly, Chief, Community Care Programs, Veterans Administration, Department of Medicine & Surgery (181), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3692

RIN: 2900-AB32

3317. DISPOSITION OF VETERAN'S PERSONAL FUNDS AND EFFECTS ON FACILITY UPON DEATH, OR DISCHARGE, OR UNAUTHORIZED ABSENCE, AND OF FUNDS AND EFFECTS FOUND ON FACILITY

Legal Authority: 38 USC 210c

CFR Citation: 38 CFR 12.0 to 12.24

Legal Deadline: None.

Abstract: Section 208 of Public Law 94-581 provides that unclaimed property or funds and effects left by a dependent or survivor of a veteran receiving medical care at a VA facility as a CHAMPVA beneficiary will be disposed of in the same or similar manner as such property left by a veteran. Also, estates of dependents or survivors of a veteran who dies intestate and without legal heirs while a patient in any VA facility or any hospital, while being furnished care or treatment therein by the VA will escheat to the U.S. Government. Some of these regulations have not been updated since 1948, therefore, editorial changes will be made which will not affect policy.

Timetable:

Action	Date	FR Cite
NPRM	12/00/88	

Small Entity: No

Agency Contact: Paul Tryhus, Medical Administration Program Specialist, Veterans Administration, Department of Medicine & Surgery (136F), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2504

RIN: 2900-AB61

3318. CONFIDENTIAL QUALITY ASSURANCE PROGRAM RECORDS AND DOCUMENTS

Legal Authority: 38 USC 3305; 38 USC 4151; 38 USC 4152

CFR Citation: 38 CFR 17.500 to 17.540

Legal Deadline: None.

Abstract: Final regulations implementing 38 USC 3305 were made effective Oct. 22, 1982. Those regulations govern the VA's QA (quality assurance) program activities and records and documents which are made confidential and privileged. Sec. 3305 prohibits the VA from designating any QA program activity, for the purpose of confidentiality, unless such activity has been specified in regulation. PL 99-166 amends 38 USC 4151 and 4152 to require that QA program activities include an evaluation of the quality of surgical care in DM&S, as evidenced by outcome measures of mortality and morbidity; a report to Congress indicating deficiencies in the quality of care is required. 38 USC 3305 was amended to clarify that aggregate statistical data is not to be made confidential provided individuals are not identified. The existing regulations do not include a description of the VA Medical District Initiated Peer Review Organization (MEDIPRO) program which is an integral element of the quality assurance program. No alternatives are being considered. There are no potential costs to the action. The benefits would be in the form of programmatic improvements.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Robert Lubran, Health System Specialist, Department of Medicine and Surgery (10Q), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2600

RIN: 2900-AC27

3319. VETERANS ADMINISTRATION HEALTH PROFESSIONAL SCHOLARSHIP PROGRAM

Significance: Regulatory Program

Legal Authority: 38 USC 4141 to 4146

CFR Citation: 38 CFR 17.600

Legal Deadline: None.

Abstract: Current regulations set forth requirements for awarding scholarships to students receiving academic training in the disciplines of medicine, osteopathy, and nursing, and if needed by the VA, students in other specified health care disciplines. Regulations are being amended to include requirements for awarding scholarships to students in disciplines currently specified as well as to students in all title 38 health care disciplines. Proposed regulations also revise the method for determining length of service obligation for part-time student participants.

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	

Small Entity: No

Agency Contact: Karen Seitz, Acting Dir, Health Professional Scholarship, Program (14N), Veterans Administration, Department of Medicine & Surgery, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-5071

RIN: 2900-AC66

3320. CONTRACT MEDICAL CARE

Significance: Regulatory Program

Legal Authority: PL 99-576

CFR Citation: 38 CFR 17.50b; 38 CFR 17.87

Legal Deadline: None.

Abstract: The VA and the Department of Health and Human Services will be proposing to amend applicable regulations to permit the VA to pay for authorized or private hospital care in amounts based on the rates allowed by Medicare under the prospective payment system. This step will help ensure that payments made by the VA are consistent with those made by the largest Federal health care program for similar services in the community.

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	
Final Action	07/01/88	

Small Entity: No

Agency Contact: Stuart Mount, Acting Chief, Policies and Procedures Div., Medical Administration Service (136F), Veterans Administration, Department of Medicine & Surgery, 810 Vermont Avenue NW, Washington, DC 20420, 202 233-2143

RIN: 2900-AC69

3321. AUTOMOBILE ALLOWANCE AND ADAPTIVE EQUIPMENT ELIGIBILITY; DEVICES TO OVERCOME THE HANDICAP OF DEAFNESS

Legal Authority: 38 USC 1901; 38 USC 1902; 38 USC 1903; 38 USC 617(b)

CFR Citation: 38 CFR 3.807; 38 CFR 3.808; 38 CFR 17.115d; 38 CFR 17.119

Legal Deadline: None.

Abstract: This proposal would amend the VA adjudication and medical regulations concerning the automobile allowance and adaptive equipment eligibility for certain severely disabled individuals. These amendments are necessary to implement provisions of law and to properly divide regulatory responsibility for these programs consistent with agency organizational and functional alignments. The effect of these amendments will be to extend automobile adaptive equipment eligibility for certain severely disabled persons, more clearly define program responsibility, and more accurately describe prerequisites for obtaining devices for assisting in overcoming the handicap of deafness (including telecaptioning television decoders).

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Agency Contact: Frederick Downs, (121)(for Part 17); Robert M. White (211B) (for Part 3), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2011

RIN: 2900-AD08

3322. ● GRANTS TO STATES FOR STATE EXTENDED CARE FACILITIES

Legal Authority: 38 USC 5031 to 5037

CFR Citation: 38 CFR 17.177; 38 CFR 17.171, App A

Legal Deadline: None.

Abstract: The existing regulation contains construction standards which need updating. Construction standards in 38 CFR 17.177 have not been revised in 20 years and contain obsolete information. Construction standards are

being revised to place more emphasis on the use of State and local codes and regulations. Also, the veteran population in 38 CFR 17.171 Appendix A needs updating to reflect the current veteran population.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	

Small Entity: No

Agency Contact: F. Brent Baker, Chief, State Home Construction Grants, Off. of Geriatrics and Extended Care (182C), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3854

RIN: 2900-AD16

DEPARTMENT OF VETERANS BENEFITS

3323. EMPLOYEE FIDUCIARIES

Legal Authority: 38 USC 210

CFR Citation: 38 CFR 0.735-21

Legal Deadline: None.

Abstract: The existing regulation falls under the general rules of conduct for employees. The intended change will bar most employees from becoming fiduciaries for beneficiaries of VA benefits and establish an exemption to the bar under a limited number of circumstances such as when the employee is a close relative.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: William B. Saliski, Jr., Program Analyst, Veterans Administration, Department of Veterans Benefits (273), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2091

RIN: 2900-AB50

3324. 1. VETERANS SERVICES OFFICER TO SELECT AND APPOINT OR RECOMMEND FOR APPOINTMENT THE PERSON OR LEGAL ENTITY TO RECEIVE VETERANS ADMINISTRATION BENEFITS IN A FIDUCIARY CAPACITY 2. DIRECT PAYMENT

Legal Authority: 38 USC 3202(a)

CFR Citation: 38 CFR 13.55; 38 CFR 13.56

Legal Deadline: None.

Abstract: 38 CFR 13.55 authorizes the VSO to select and appoint a fiduciary and defines the types of payees authorized to receive payments in fiduciary cases. The intended change updates the authority language to more closely reflect changes to 38 USC 3202; removes gender specific terminology and reference to mental illness; and, further clarifies the types of payees available for selection.

38 CFR 13.56 defines classes of beneficiaries who may be paid directly. The intended change clarifies the conditions for direct payment.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: No

Agency Contact: William B. Saliski, Jr., Program Analyst, Veterans Administration, Department of Veterans Benefits (273), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2091

RIN: 2900-AB75

3325. 1. PAYMENT TO THE WIFE OR HUSBAND OF AN INCOMPETENT VETERAN 2. LEGAL CUSTODIAN

Legal Authority: 38 USC 3202

CFR Citation: 38 CFR 13.57; 38 CFR 13.58

Legal Deadline: None.

Abstract: 38 CFR 13.57 specifies types of VA benefits that may be paid to spouse payee. The intended change broadens the class of payments to include VA insurance.

38 CFR 13.58 explains in part duties expected of a legal custodian. The intended change will clarify the custodian's authority to purchase a burial agreement for the incompetent beneficiary.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: William B. Saliski, Jr., Program Analyst, Veterans Administration, Department of Veterans Benefits (273), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2091

RIN: 2900-AB76

3326. INCREASED COVERAGE FOR SERVICEMEN'S AND VETERAN'S GROUP LIFE INSURANCE

Legal Authority: 38 USC 767; 38 USC 777; PL 99-166, Sec 401

CFR Citation: 38 CFR 9.1 to 9.8, (Revision); 38 CFR 9.16, (Revision); 38 CFR 9.22, (Revision); 38 CFR 9.27, (Revision); 38 CFR 9.36, (Revision)

Legal Deadline: None.

Abstract: Section 401 of PL 99-166 increases the maximum amount of coverage available under the Servicemen's and Veteran's Group Life Insurance programs to $50,000. It also extends eligibility for Veteran's Group Life Insurance to members of the Individual Ready Reserves and Inactive National Guard. Regulations are being amended to reflect these changes.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Agency Contact: Paul F. Koons, Assistant Director for Insurance, Department of Veterans Benefits (29), Veterans Administration, Veterans Administration Insurance Center, P.O. Box 8079, Philadelphia, PA 19101, 215 951-5360

RIN: 2900-AC06

3327. COMPUTATION OF ENTITLEMENT UNDER CHAPTER 31

Legal Authority: 38 USC 1505

CFR Citation: 38 CFR Not yet determined

Legal Deadline: None.

Abstract: To establish a specific method for determining entitlement changes under chapter 31. In view of the number of education and training programs now authorized under title 38, a specific statement of chapter 31 policy for determining entitlement changes is needed.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Agency Contact: Morris Triestman, Rehabilitation Consultant, Policy and Program Development, Veterans Administration, Department of Veterans Benefits (226), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2886

RIN: 2900-AC08

3328. NONDUPLICATION - FEDERAL PROGRAMS

Legal Authority: 38 USC 1508(f)

CFR Citation: 38 CFR 21.22; 38 CFR 21.264

Legal Deadline: None.

Abstract: A veteran eligible for assistance under the vocational rehabilitation program (chapter 31, title 38 USC) and under the all volunteer force educational assistance program (chapter 30, title 38 USC) may elect to pursue a program of education under chapter 30 as a part of a vocational rehabilitation program under chapter 31. A veteran making such an election would only receive benefits otherwise payable under chapter 30.

Timetable:

Action	Date	FR Cite
NPRM	07/01/88	

Small Entity: No

Agency Contact: Morris Triestman, Rehabilitation Consultant, Policy and Program Development, Veterans Administration, Department of Veterans Benefits (226), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2886

RIN: 2900-AC41

3329. PROVIDING AN INITIAL EVALUATION FOR A VETERAN NOT RESIDING IN A STATE

Legal Authority: 38 USC 111; 38 USC 1506

CFR Citation: 38 CFR 21.100; 38 CFR 21.376

Legal Deadline: None.

Abstract: An initial evaluation is provided each veteran requesting assistance under the vocational rehabilitation program. The purpose of the initial evaluation is to determine eligibility and entitlement to vocational rehabilitation and plan a program of vocational rehabilitation for eligible veterans. The initial evaluation is provided by VA counseling psychologists in the United States. Since interpersonal discussion is the essence of counseling, providing an initial evaluation to a veteran residing overseas by a VA counselor located in this country poses logistical and other problems. We are proposing that current regulations be amended to allow for greater flexibility in providing initial evaluations to veterans not residing in a state, including those veterans residing overseas. The alternatives to the present system include, but are not limited to contracting with qualified counseling staff located in the area in which the veteran resides, to conduct a part of the evaluation. All decisions as to eligibility for services would continue to be made by VA staff.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Morris Triestman, Rehabilitation Consultant, Policy and Program Development, Veterans Administration, Department of Veterans Benefits (226), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2886

RIN: 2900-AC46

3330. VETERANS EDUCATION; FEDERAL EQUAL OPPORTUNITY LAWS

Legal Authority: 42 USC 2000d; 20 USC 1681; 29 USC 794; 42 USC 6101

CFR Citation: 38 CFR 21.4300; 38 CFR 21.4301; 38 CFR 21.4302; 38 CFR 21.4304; 38 CFR 21.4305; 38 CFR 21.4306; 38 CFR 21.4307; 38 CFR 21.4135

Legal Deadline: None.

Abstract: The VA is proposing to rescind several regulations. These regulations concern the implementation of Title VI, Civil Rights Act of 1964 in the education programs which the VA administers. The regulations either conflict with or repeat unnecessarily other regulations which deal with the implementation of that Act. Rescinding these regulations will eliminate any confusion in the public's perception of the way the VA is implementing this Act.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Agency Contact: June C. Schaeffer, Assistant Director for Educational Policy, Veterans Administration, Department of Veterans Benefits (225), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2092

RIN: 2900-AC52

3331. PROCEDURAL DUE PROCESS

Legal Authority: 38 USC 210(c)

CFR Citation: 38 CFR 3.103; 38 CFR 3.105; 38 CFR 3.109; 38 CFR 3.110; 38 CFR 3.114

Legal Deadline: None.

Abstract: These changes expand the procedural due process provided to beneficiaries, especially when benefits are proposed to be reduced or terminated. There is also a clarification of the effective date rule applicable to liberalizing laws or administrative issues.

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Veterans Administration, Department of Veterans Benefits (211B), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3005

RIN: 2900-AC54

3332. SYSTEMIC DISEASES, ET AL

Legal Authority: 38 USC 355

CFR Citation: 38 CFR 4.16; 38 CFR 4.29; 38 CFR 4.30; 38 CFR 4.88a

Legal Deadline: None.

Abstract: These changes clarify temporary total disability awards based on hospitalization, unemployability ratings in psychiatric cases, and provide new schedules for rating numerous systemic diseases including acquired immune deficiency syndrome (AIDS).

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Veterans Administration, Department of Veterans Benefits (211B), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3005

RIN: 2900-AC57

3333. EXTENSION OF TIME LIMIT FOR CLAIMS

Legal Authority: 38 USC 3013

CFR Citation: 38 CFR 21.32

Legal Deadline: None.

Abstract: Under current rules a veteran's request for assistance under the vocational rehabilitation program may be adversely affected if the veteran fails to timely provide information requested by the VA even if the VA did not inform the veteran of the time limits for providing the information requested. The VA is proposing to change these rules to extend the period during which evidence may be submitted if the VA did not inform the veteran of the time limits for submitting the requested information.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: No

Agency Contact: Morris Triestman, Rehabilitation Consultant, Policy and Program Development, Veterans Administration, Department of Veterans Benefits (226), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2886

RIN: 2900-AC61

3334. COMPLIANCE WITH CIVIL RIGHTS PROVISIONS

Legal Authority: 38 USC 1515

CFR Citation: 38 CFR 21.324

Legal Deadline: None.

Abstract: Compliance with civil rights provisions require that payment of benefits to veterans be terminated upon a finding that a veteran is attending a facility which has been found in non-compliance with applicable provisions of Part 18, Nondiscrimination in Federally Assisted Programs of the Veterans Administration. We propose to amend 38 CFR 21.324 to reflect this new requirement. This proposed regulatory amendment includes the provisions of RIN 2900-AC40, which was withdrawn from the Agenda.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Additional Information: 2900-AC40, Reduction or Termination Dates of Subsistence Allowance, has been merged with this RIN.

Agency Contact: Morris Triestman, Rehabilitation Consultant, Policy and Program Development, Veterans Administration, Department of Veterans Benefits (226), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-5449

RIN: 2900-AC72

3335. TRAINING OUTSIDE OF STATE UNDER 38 CFR 21.130

Legal Authority: 38 USC 1514

CFR Citation: 38 CFR 21.130

Legal Deadline: None.

Abstract: The provision of training outside a state is subject to certain limitations not applicable to training pursued within the United States. The VA is proposing to amend these provisions in the case of veterans who wish to become employed outside the United States. The purpose of the change is to help assure that vocational rehabilitation services lead to suitable employment given the special problems inherent in providing vocational rehabilitation programs outside the United States.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Morris Triestman, Rehabilitation Consultant, Policy and Program Development, Veterans Administration, Department of Veterans Benefits (226), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2886

RIN: 2900-AC73

3336. VETERANS EDUCATION; AMENDMENTS NEEDED TO IMPLEMENT PUB. L. 99-576

Legal Authority: PL 99-576

CFR Citation: 38 CFR 21.1022; 38 CFR 21.3022; 38 CFR 21.3046; 38 CFR 21.4022; 38 CFR 21.4100; 38 CFR 21.4101; 38 CFR 21.4102; 38 CFR 21.4104; 38 CFR 21.4136; 38 CFR 21.4137; 38 CFR 21.4138; 38 CFR 21.4230; 38 CFR 21.4231; 38 CFR 21.4232; 38 CFR 21.4233; ...

Legal Deadline: None.

Abstract: The Veterans' Benefits Improvement and Health-Care Authorization Act of 1986 contains several provisions which affect the administration of Dependents' Educational Assistance and benefits provided under the Vietnam Era GI Bill. The most important provisions include a change to the way in which the VA must measure certain courses which do not lead to a standard college degree; a change in the way the eligibility period is determined for some spouses eligible to receive Dependents' Educational Assistance; and a change to the provision governing receipt of benefits under the Vietnam Era GI Bill and other education programs administered by the VA.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	

Small Entity: No

Agency Contact: June C. Schaeffer, Assistant Director for Educational Policy, Veterans Administration, Department of Veterans Benefits (225), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2092

RIN: 2900-AC76

3337. EXTENSION OF THE INDEPENDENT LIVING SERVICES PROGRAM

Legal Authority: 38 USC 1520; PL 99-576

CFR Citation: 38 CFR 21.160; 38 CFR 21.162; 38 CFR 21.294

Legal Deadline: None.

Abstract: The program of independent living services has been extended through FY 89. The current rules governing this program are amended to incorporate the statutory extension of the program, and make other changes to simplify and improve program administration. These proposed changes reflect, in part, reductions in reporting

requirements previously required under the law.

Timetable:

Action	Date	FR Cite
NPRM	03/21/88	53 FR 9125
NPRM Comment Period End	04/19/88	53 FR 9125
Final Action	09/30/88	

Small Entity: No

Agency Contact: Morris Triestman, Rehabilitation Consultant, Policy and Program Development, Veterans Administration, Department of Veterans Benefits (225), 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-2886**

RIN: 2900-AC82

3338. SUSPENSION OF INDIVIDUAL EMPLOYEES OF MANUFACTURED HOME DEALERS

Legal Authority: 38 USC 210(c); 38 USC 1803(c)(1); 38 USC 1819(g)

CFR Citation: 38 CFR 36.4235

Legal Deadline: None.

Abstract: Present regulations authorize the Administrator to refuse to guarantee loans to purchase manufactured homes from dealers determined by the Administrator to have engaged in contracts of sale or methods or practices which are unfair or prejudicial to veteran purchasers. It is proposed to amend this regulation to also authorize suspension of individual employees of manufactured home dealers who engage in unfair or prejudicial practices.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Veterans Administration, Department of Veterans Benefits (264), 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-3042**

RIN: 2900-AC83

3339. LOANS TO PURCHASE MANUFACTURED HOMES

Legal Authority: 38 USC 210(c); 38 USC 1803(c)(1); 38 USC 1819(g)

CFR Citation: 38 CFR 36.4202; 38 CFR 36.4204; 38 CFR 36.4222; 38 CFR 36.4232; 38 CFR 36.4283

Legal Deadline: None.

Abstract: A number of regulatory changes will be proposed for the VA manufactured home loan program. VA would conform to HUD's practices on certifications, invoicing and volume rebates. Lenders would be permitted to file claims upon receipt of VA's resale price and thereafter retain the profit or loss which results from subsequent sale of the home. Broader insurance coverage would be required to cover missing items at repossession. Actual freight costs would be allowed in the invoice, and the amounts and items which could be included in the loan would be revised.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Veterans Administration, Department of Veterans Benefits (264), 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-3042**

RIN: 2900-AC85

3340. VA HOME LOAN CREDIT STANDARDS; NEW SAH GRANT

Legal Authority: 38 USC 210(c); 38 USC 1803(c)(1); 38 USC 1819(g); PL 99-576

CFR Citation: 38 CFR 4200 et seq.; 38 CFR 4300 et seq.; 38 CFR 4400 et seq.

Legal Deadline: None.

Abstract: Regulations will be amended to implement the requirements of Public Law 99-576. The new law adds a new specially adapted housing grant purpose and requires that VA home loan credit standards be in regulatory form.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Veterans Administration, Department of Veterans Benefits (264), 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-3042**

RIN: 2900-AC90

3341. VETERANS EDUCATION; EFFECT OF INTERNAL VA REORGANIZATION

Legal Authority: 38 USC 212

CFR Citation: 38 CFR 2.76; 38 CFR 2.80; 38 CFR 2.81; 38 CFR 2.82; 38 CFR 2.98; 38 CFR 21.74; 38 CFR 21.98; 38 CFR 21.100; 38 CFR 21.162; 38 CFR 21.222; 38 CFR 21.254; 38 CFR 21.256; 38 CFR 21.258; 38 CFR 21.292; 38 CFR 21.382; ...

Legal Deadline: None.

Abstract: The Vocational Rehabilitation and Counseling Service and the Education Service within the Department of Veterans Benefits of the VA have been merged. Many regulations make specific reference to either the Director, Education Service or the Director, Vocational Rehabilitation and Counseling. The amended regulations will replace all references to the Director, Education Service, and the Director, Vocational Rehabilitation and Counseling Service, with reference to the Director, Vocational Rehabilitation and Education Service.

Timetable:

Action	Date	FR Cite
NPRM	09/00/88	

Small Entity: No

Agency Contact: June C. Schaeffer, Assistant Director for Educational Policy, Department of Veterans Benefits (225), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-2092**

RIN: 2900-AD04

3342. ● DEFINITION OF FRAUD

Legal Authority: 38 USC 210(c)

CFR Citation: 38 CFR 3.1

Legal Deadline: None.

Abstract: The definition of fraud, except for forfeiture purposes, is being placed in the general definitions section and includes acts of omission as well as acts of commission. This action will allow a finding of fraud in certain cases where a beneficiary receives or retains benefits based on a knowing failure to provide necessary information. This is a new proposal based on comments the agency received on its original proposal under RIN 2900-AC01.

Timetable:

Action	Date	FR Cite
NPRM	05/01/88	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Department of Veterans Benefits (211B), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, **202 357-6504**

RIN: 2900-AD19

3343. ● VETERANS EDUCATION; HOMELESS CLAIMANTS

Legal Authority: 38 USC 1671; 38 USC 3003

CFR Citation: 38 CFR 21.1030; 38 CFR 21.4139

Legal Deadline: None.

Abstract: The Homeless Eligibility Clarification Act provides that benefits under laws administered by the VA may not be denied an applicant on the grounds that the applicant does not have a mailing address. The VA must implement this provision of law by amending regulations dealing with claims for benefits under some of the education programs administered by the VA.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: No

Agency Contact: June C. Schaeffer, Assistant Director for Educational Policy, and Program Administration (225), Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-2092**

RIN: 2900-AD21

3344. ● VETERANS EDUCATION; INCREASE IN RATES PAYABLE IN THE EATP

Legal Authority: 10 USC 2143; 10 USC 2144

CFR Citation: 38 CFR 21.5820; 38 CFR 21.5822

Legal Deadline: None.

Abstract: The law provides that rates of subsistence allowance and educational assistance payable under the Educational Assistance Test Program shall be adjusted annually based upon the average actual cost of attendance at public institutions of higher education in the 12-month period since the rates were last adjusted. After consultation with the Department of Education, the Department of Defense has concluded that these rates should be increased by 6 percent for the 1987-88 school year. Accordingly, the VA will propose amending the regulations dealing with these rates.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	

Small Entity: No

Agency Contact: June C. Schaeffer, Assistant Director for Educational Policy, and Program Administration (225), Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-2092**

RIN: 2900-AD23

3345. ● DUE PROCESS

Legal Authority: 38 USC 210(c)

CFR Citation: 38 CFR 21.420

Legal Deadline: None.

Abstract: The VA is proposing to bring procedures for informing veterans of changes in payments for dependents into conformity with the decision of the courts. Under the proposed change, the VA will provide 60 days advance notice if the veteran loses benefits being paid for a dependent in certain cases.

Timetable:

Action	Date	FR Cite
NPRM	07/00/88	

Small Entity: No

Agency Contact: Morris Triestman, Rehabilitation Consultant, Department of Veterans Benefits (226), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-2886**

RIN: 2900-AD27

3346. ● HOMELESS CLAIMANTS FOR VOCATIONAL REHABILITATION

Legal Authority: PL 99-570, Sec 11007

CFR Citation: 38 CFR 21.33

Legal Deadline: None.

Abstract: The Homeless Eligibility Clarification Act provides that benefits under laws administered by the VA may not be denied an applicant because the applicant does not have a mailing address and requires the VA establish a method of delivery of benefits checks. The VA is proposing that checks be delivered to the agent cashier at the VA regional office in these cases, and be released to the veteran upon presentation of proper identification.

Timetable:

Action	Date	FR Cite
NPRM	08/00/88	

Small Entity: No

Agency Contact: Morris Triestman, Rehabilitation Consultant, Department of Veterans Benefits (226), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-2886**

RIN: 2900-AD28

3347. ● PLACING USE OF THE VOCATIONAL REHABILITATION PANEL ON A DISCRETIONARY BASIS

Legal Authority: 38 USC 1504(a); 38 USC 1505(a); 38 USC 1506(a); 38 USC 1520

CFR Citation: 38 CFR 21.62; 38 CFR 21.74; 38 CFR 21.76; 38 CFR 21.52; 38 CFR 21.53

Legal Deadline: None.

Abstract: Under current provisions, use of the Vocational Rehabilitation Panel is required in certain instances. The role of the Panel is to assist in helping seriously disabled veterans successfully pursue a rehabilitation program. The requirement for consultation was a sound policy when the vocational rehabilitation program was substantially revised and broadened in 1980. As staff have gained experience with the new policies which resulted from the revision of the rehabilitation program in 1980, the need for consultation in every case has decreased. Current field experience indicates that placing use of the Panel on a discretionary basis is in the interest of the veteran and the government.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: Morris Triestman, Rehabilitation Consultant, Department of Veterans Benefits (226), Veterans Administration, 810 Vermont Avenue,

NW, Washington, DC 20420, 202 233-3886

RIN: 2900-AD29

3348. ● ASSUMPTION OF VA GUARANTEED LOANS

Legal Authority: 38 USC 210(c); 38 USC 1802(b); PL 100-198

CFR Citation: 38 CFR 36.4300; 38 CFR 36.4200

Legal Deadline: None.

Abstract: Pub. L. 100-198 requires that assumers of VA loans committed to on or after March 1, 1988, meet certain criteria, including credit underwriting, before the assumption may take place. The proposed regulations will place the requirements of the law into regulatory form and will, as required by the law, set timeliness standards for processing assumed loans and the maximum that may be charged for the processing.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Raymond Brodie, Assistant Director for Loan Management, Department of Veterans Benefits (261), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3668

RIN: 2900-AD30

3349. ● PROCESSING OF VA APPRAISALS BY DESIGNATED LENDERS

Legal Authority: 38 USC 210(c); PL 100-198; 38 USC 1810; 38 USC 1810(b)(5); 38 USC 1831

CFR Citation: 38 CFR 36.4300

Legal Deadline: None.

Abstract: Pub. L. 100-198 requires the publication of regulations authorizing certain lenders to process appraisals on VA guaranteed loans. Such lenders will determine the value of the property, based on an appraisal by an appraiser selected by the VA, without VA's approval or review of the appraisal. The regulations will set the criteria for being a designated lender and the procedures to follow.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Walter Burke, Assistant Director for Construction, and Valuation, Veterans Administration, Department of Veterans Benefits (262), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2691

RIN: 2900-AD31

3350. ● QUALIFICATION REQUIREMENTS FOR VA FEE APPRAISERS

Legal Authority: 38 USC 210(c); 38 USC 1831; PL 100-198

CFR Citation: 38 CFR 4339

Legal Deadline: None.

Abstract: Pub. L. 100-198 requires that certain standards for being designated as a VA fee appraiser be published in regulatory form. The standards are to include the successful completion of a written test, submission of a sample appraisal, certification of an appropriate number of years of experience as an appraiser, and submission of recommendations from other appraisers. In the past, such requirements have been published in administrative issues other than regulations.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Walter Burke, Assistant Director for Construction, and Valuation, Veterans Administration, Department of Veterans Benefits (262), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2691

RIN: 2900-AD32

3351. ● REQUIREMENTS FOR NONSUPERVISED AUTOMATIC LENDERS

Legal Authority: 38 USC 210(c); 38 USC 1802(d)

CFR Citation: 38 CFR 4300; 38 CFR 4200

Legal Deadline: None.

Abstract: The VA may grant lenders the authority to process loans on the automatic basis if they meet requirements set by the VA. Currently, these requirements are published in administrative issues with release to program participants. The proposed regulations will place the requirements in regulatory form to ensure proper notice. The requirements will include minimums for such items as working capital, experience of the firm and/or principal officers and its underwriters. These regulations will apply to lenders such as mortgage bankers who are not already under supervision by State or Federal entities.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Department of Veterans Benefits (264), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3042

RIN: 2900-AD33

3352. ● ALLOWABLE FEES AND CHARGES FOR VA GUARANTEED LOANS

Legal Authority: 38 USC 210(c); 38 USC 1803(c)

CFR Citation: 38 CFR 4312; 38 CFR 4254

Legal Deadline: None.

Abstract: VA regulations allow the veteran obtaining a VA guaranteed loan to pay the lender making the loan a one percent origination fee (one percent) to cover the processing of the loan. Any other discount points required by the lender are to be paid by someone other than the veteran except in those cases where it is specifically allowed, such as refinancing loans. This regulation would clarify the instances in which a veteran may or may not pay discount points. This regulation change would also clarify that discount points may not be paid by the veteran (except when specifically allowed) to anyone, including the lender, seller or other concerned party.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Department of Veterans Benefits (264), Veterans Administration, 810 Vermont

Avenue, NW, Washington, DC 20420, 202 233-3042

RIN: 2900-AD34

3353. ● FULL DISCLOSURE OF BENEFICIARY'S INCOME AND ASSETS

Legal Authority: PL 99-576, Sec 505

CFR Citation: 38 CFR Not yet determined

Legal Deadline: None.

Abstract: Federally appointed fiduciaries are not required, except under very specific circumstances, to divulge non-VA income and assets that the fiduciary may be holding on behalf of incompetent VA beneficiaries. It is difficult to determine whether the fiduciary is using the beneficiary's VA assets appropriately unless placed in the context of total income and assets available. The purpose of this regulation is to lessen the potential for fraud, waste and abuse.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: No

Agency Contact: William Saliski, Jr., Program Analyst, Department of Veterans Benefits (273), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2091

RIN: 2900-AD35

3354. ● PAYMENT OF GUARANTY CLAIMS

Significance: Regulatory Program

Legal Authority: 38 USC 210(c); 38 USC 1803(c)(1); PL 100-198

CFR Citation: 38 CFR 36.4319; 38 CFR 36.4320; 38 CFR 36.4321

Legal Deadline: None.

Abstract: Regulations will be amended to implement the new requirements for payment of claims. Under the new formulas, VA will exclude from theguaranty claim payment the interest which accrues during periods of forbearance granted at VA's request, and when the veteran files for bankruptcy. As a result, we expect that a number of cases which would result in the lender being required to dispose of the property will instead result in VA acquiring the property and paying a smaller claim. The adjustment in a VA-requested forbearance or bankruptcy situation will only be made if doing so will result in VA offering to acquire the property when the property would otherwise not be acquired by the VA. In cases where VA is at fault for the delay in foreclosure, for example, a failure to provide bidding instructions in a timely manner, VA will also exclude from the calculation as to whether or not VA will acquire the property interest which accrues during the period of delay, but will allow such interest in the computation of the guaranty claim.

Timetable:

Action	Date	FR Cite
NPRM	09/30/88	
Final Action	01/30/89	

Small Entity: Undetermined

Agency Contact: Raymond L. Brodie, Assistant Director for Loan Management, Loan Guaranty Service, Veterans Administration, 810 Vermont Avenue NW., Washington, DC 20420, 202 233-3668

RIN: 2900-AD39

BOARD OF VETERANS APPEALS

3355. APPEALS REGULATIONS AND RULES OF PRACTICE- STATUS OF LEGAL INTERNS, LAW STUDENTS AND PARALEGALS

Legal Authority: 38 USC 3401; 38 USC 3404; 38 USC 4005(b)(2)

CFR Citation: 38 CFR 19.152, (Revision)

Legal Deadline: None.

Abstract: The regulation will be amended to clarify the status of attorneys to be employed by service organizations and to allow legal interns, law students and paralegals to work with these attorneys who are presenting appeals in any capacity.

Timetable:

Action	Date	FR Cite
NPRM	04/30/88	

Small Entity: No

Agency Contact: Jan Donsbach, Special (Legal) Assistant, Board of Veterans Appeals (01C), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2978

RIN: 2900-AC11

3356. APPEALS REGULATIONS AND RULES OF PRACTICE - HEARING DATE

Legal Authority: 38 USC 4002; 38 USC 4005A

CFR Citation: 38 CFR 19.159, (Revision)

Legal Deadline: None.

Abstract: This regulation will be revised to provide an appellant or representative a 60-day period in which to reschedule a hearing date. The revision will remedy scheduling conflicts created by multiple requests for a change of hearing date from the same appellant and/or representative, without abridging the appellant's right to due process.

Timetable:

Action	Date	FR Cite
NPRM	04/30/88	

Small Entity: No

Agency Contact: Jan Donsbach, Special (Legal) Assistant, Board of Veterans Appeals (01C), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2978

RIN: 2900-AC88

3357. ● APPEALS REGULATIONS AND RULES OF PRACTICE; CUTOFF DATE FOR ACCEPTANCE OF EVIDENCE

Legal Authority: 38 USC 4004; 38 USC 4005

CFR Citation: 38 CFR 19.174

Legal Deadline: None.

Abstract: This regulation will be amended to specify a cutoff date for the acceptance of additional evidence, requests for hearings or changes of representation once an appeal is transferred to the Board of Veterans Appeals.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Jan Donsbach, Special Legal Assistant (01C), Board of Veterans Appeals, Veterans Administration, 810 Vermont Avenue,

NW, Washington, DC 20420, 202 233-2978

RIN: 2900-AD14

BOARD OF CONTRACT APPEALS/CONTRACT APPEALS BOARD

3358. EQUAL ACCESS TO JUSTICE; PROCEDURAL RULES

Legal Authority: 5 USC 504 The Equal Access to Justice Act; PL 99-80

CFR Citation: 38 CFR 1.790

Legal Deadline: None.

Abstract: The Equal Access to Justice Act provides for the award of attorney fees and other expenses to eligible individuals and entities who are parties to appeals before the Board of Contract Appeals. An eligible party may receive an award when it prevails over the Government, unless the Government's position was substantially justified or special circumstances make an award unjust. This document describes the standards for eligibility and the procedures for application and processing by the Board.

Timetable:

Action	Date	FR Cite
NPRM	10/00/88	
Final Action	00/00/00	

Small Entity: Not Applicable

Government Levels Affected: Federal

Agency Contact: Sally Pfund, Legal Assistant, Board of Contract Appeals (09), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 275-0430

RIN: 2900-AC33

OFFICE OF EQUAL OPPORTUNITY

3359. NONDISCRIMINATION ON THE BASIS OF SEX UNDER FEDERALLY ASSISTED EDUCATION PROGRAMS AND ACTIVITIES

Significance: Regulatory Program

Legal Authority: 20 USC 1681 et seq; 38 USC 210(a); EO 12250; EO 12067

CFR Citation: 38 CFR 18

Legal Deadline: None.

Abstract: To establish standards and procedures for enforcing Title IX of the Education Amendments of 1972 in educational programs and activities receiving Federal financial assistance from the VA. Title IX prohibits discrimination on the basis of sex. There are no alternatives to the issuance of the regulations. Participants, potential participants and the public in general will benefit from Federally assisted programs provided free from prohibited discrimination based on sex.

This originally appeared as a proposed rule in the Federal Register of April 25, 1979 (44 FR 24320). Because of the extended time frame due to internal agency consultation with the Department of Justice, the VA is planning to repropose these regulations.

Timetable:

Action	Date	FR Cite
NPRM	06/00/88	

Small Entity: Undetermined

Agency Contact: Rodney J. Cash, Equal Opportunity Specialist, Veterans Administration, Office of Equal Opportunity (06A), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2150

RIN: 2900-AB51

3360. NONDISCRIMINATION ON THE BASIS OF HANDICAP IN FEDERALLY ASSISTED PROGRAMS AND ACTIVITIES

Legal Authority: 29 USC 794

CFR Citation: 38 CFR 18.423(c); 38 CFR 18.401 to 18.426, App A

Legal Deadline: None.

Abstract: To incorporate a reference to the Uniform Federal Accessibility Standards (UFAS) and update the list of Federal financial assistance programs administered by the VA. The existing regulations require that new construction and alteration of facilities be made in an accessible manner. The regulations provide that new construction or alteration of facilities in conformance with the American National Standard Specifications for Making Building and Facilities Accessible to, and Usable by, the Physically Handicapped (ANSI A117.1-1961 (B 1971)) shall constitute compliance with the accessibility requirements for new construction and alteration of facilities. The proposed revision will replace the current standard with the UFAS, published under the Architectural Barriers Act of 1968. Because some facilities subject to the accessibility requirements of section 504 of the Rehabilitation Act of 1973 are also subject to the accessibility requirements of the Architectural Barriers Act, this proposal would eliminate any potential conflict between standards enforced under the two statutes.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	

Small Entity: No

Agency Contact: Rodney J. Cash, Equal Opportunity Specialist, Veterans Administration, Office of Equal Opportunity (06A), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2150

RIN: 2900-AB87

OFFICE OF THE GENERAL COUNSEL

3361. EFFECT OF GENERAL COUNSEL OPINIONS

Legal Authority: 38 USC 210(c)(1); 38 USC 4004(c)

CFR Citation: 38 CFR 14.507; 38 CFR 2.6; 38 CFR 3101

Legal Deadline: None.

Abstract: This regulation would clarify the effect of General Counsel opinions with respect to binding and precedential legal interpretations. No alternatives are being considered. The change will assist VA personnel in understanding the effect of General Counsel opinions. It will benefit the public by enhancing the accessibility of General Counsel opinions.

Timetable:

Action	Date	FR Cite
NPRM	03/15/88	53 FR 8471
NPRM Comment Period End	04/14/88	53 FR 8471
Final Action	08/31/88	

Small Entity: No

Agency Contact: Andrew J. Mullen, Deputy Assistant General Counsel, Veterans Administration, Office of the General Counsel (022A), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2440

RIN: 2900-AB22

3362. ● CLAIMS UNDER THE FEDERAL TORT CLAIMS ACT

Legal Authority: 28 USC 2671 to 2680

CFR Citation: 38 CFR 14.600 to 14.610

Legal Deadline: None.

Abstract: This proposal updates VA regulations prescribing procedures for the filing, consideration, and disposition of administrative tort claims under the Federal Tort Claims Act. No alternatives are being considered. The changes will assist the public and VA personnel in understanding VA procedures and modifications in the law as a result of judicial decisions.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: No

Agency Contact: E. Douglas Bradshaw, Jr., Deputy Assistant General Counsel, Office of the General Counsel (021B), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2153

RIN: 2900-AD15

OFFICE OF FACILITIES

3363. PROTECTION OF ARCHAEOLOGICAL RESOURCES

Legal Authority: 16 USC 470ii Archaeological Resources Protection Act

CFR Citation: 38 CFR 27

Legal Deadline: None.

Abstract: The Act requires that Federal land managers promulgate rules and regulations consistent with Uniform Regulations as may be appropriate to carry out his/her function and authorities under the Act to protect archaeological resources on Federal lands. This rule making will enable the VA to protect archaeological resources on VA-managed public lands by issuing permits for authorized excavations and/or removal of archaeological resources, by imposing civil penalties for unauthorized excavation, removal, alteration, damage or defacement of archaeological resources, by providing for the preservation of archaeological collections and data, and by ensuring confidentiality of information about archaeological resources when disclosure would threaten the resources.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Affected Sectors: None

Agency Contact: Gjore J. Mollenhoff, Historic Preservation Officer, Office of Facilities (086B), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3447

RIN: 2900-AC26

3364. PARKING FEES AT VA MEDICAL FACILITIES

Legal Authority: 38 USC 5009; 38 USC 210; PL 99-576

CFR Citation: 38 CFR 1.300 to 1.303

Legal Deadline: None.

Abstract: The Veterans' Benefits Improvement and Health-Care Authorization Act of 1986, Pub. L. 99-576, Sec. 223, Parking Facilities, amends 38 U.S.C. 5009, and provides for the establishment and collection of parking fees at certain VA medical facilities, with the deposit of fees collected into a Revolving Fund. The law provides that fees shall not be charged for the accommodation of any vehicle used to transport, to or from a medical facility a veteran or eligible person seeking examination or treatment, or, a volunteer worker in connection with such worker performing services for the benefit of veterans or eligible persons receiving care at a medical facility. The proposed regulation will provide definitions to be used in implementing the law, including a definition of the term "volunteer worker;" provide for the terms and conditions under which such parking will be provided; and establish a methodology for determining reasonable parking charges to be established by the Administrator at affected medical facilities.

Timetable:

Action	Date	FR Cite
NPRM	03/18/88	53 FR 8934
NPRM Comment Period End	04/18/88	53 FR 8934
Final Action	00/00/00	

Small Entity: No

Agency Contact: Donald E. Johnson, Chief, Real Property Program Management Division (084A), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-5026

RIN: 2900-AD05

OFFICE OF INFORMATION MANAGEMENT AND STATISTICS

3365. DISCLOSURE OF CONFIDENTIAL COMMERCIAL INFORMATION

Legal Authority: 5 USC 552(b)(4); EO 12600

CFR Citation: 38 CFR 1.554

Legal Deadline: None.

Abstract: Executive Order 12600, Predisclosure Notification Procedures for Confidential Commercial Information, establishes certain mandatory and uniform procedures for handling Freedom of Information Act (FOIA) requests for records which may contain confidential commercial information, protected by FOIA exemption (5 U.S.C. 552(b)(4)). The Executive Order requires the notification and designation procedures be established in agency regulations. Accordingly, the revision to 38 CFR 1.554 will comply with the requirements of the Executive Order.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	

Small Entity: No

Agency Contact: Donald R. Howell, Management Analyst, Office of Info. Mgmt. and Statistics (733), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3648

RIN: 2900-AD09

VETERANS ADMINISTRATION (VA)

Final Rule Stage

DEPARTMENT OF MEDICINE AND SURGERY

3366. USE OF COMMUNITY NURSING HOME FACILITIES

Legal Authority: 38 USC 620

CFR Citation: 38 CFR 17.51a

Legal Deadline: None.

Abstract: Existing regulations that permit an extension to an approved 6-month period of Community Nursing Home Care at VA expense are not definitive enough regarding the circumstances of an unusual nature which provide the impetus for granting such extensions. The proposed change will correct that deficiency.

Timetable:

Action	Date	FR Cite
NPRM	06/11/87	52 FR 22351
NPRM Comment Period End	07/10/87	52 FR 22351
Final Action	04/30/88	

Small Entity: No

Agency Contact: James R. Kelly, Patient Treatment Service, Department of Medicine and Surgery (181), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3692

RIN: 2900-AB21

DEPARTMENT OF VETERANS BENEFITS

3367. RESERVISTS EDUCATION; NEW EDUCATION PROGRAM FOR MEMBERS OF THE SELECTED RESERVE

Legal Authority: 10 USC 2131 et seq

CFR Citation: 38 CFR 21

Legal Deadline: None.

Abstract: A new education program for members of the Selected Reserve has been established by law. Regulations are needed so that the new program may be properly administered.

Timetable:

Action	Date	FR Cite
NPRM	11/17/87	52 FR 44054
NPRM Comment Period End	12/18/87	52 FR 44054
Final Action	07/00/88	

Small Entity: Undetermined

Agency Contact: June C. Schaeffer, Assistant Director for Educational Policy, Veterans Administration, Department of Veterans Benefits (225), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2092

RIN: 2900-AB69

3368. INVESTMENTS BY LEGAL CUSTODIANS

Legal Authority: 38 USC 3202

CFR Citation: 38 CFR 13.103

Legal Deadline: None.

Abstract: The regulation gives Federally appointed legal custodian fiduciaries authority to invest surplus VA funds in savings bonds, or interest or dividend-paying accounts in State or Federally insured institutions. The intended regulation will give authority for investments in pre-need burial plans.

Timetable:

Action	Date	FR Cite
NPRM	09/02/87	52 FR 33248
NPRM Comment Period End	10/05/87	
Final Action	05/31/88	

Small Entity: No

Agency Contact: William B. Saliski, Jr., Program Analyst, Veterans Administration, Department of Veterans Benefits (273), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2091

RIN: 2900-AB77

3369. 1. VETERANS SERVICES OFFICER'S ACTION WHEN VETERAN'S ESTATE EQUALS OR EXCEEDS $1,500 2. DETERMINATION OF VALUE OF ESTATE; 38 USC 3203(B)(1)

Legal Authority: 38 USC 3203(b)(1); PL 98-543, Sec 402

CFR Citation: 38 CFR 13.108; 38 CFR 13.109

Legal Deadline: None.

Abstract: 38 CFR 13.108 defines the VSO's action and responsibility when a veteran is subject to discontinuance of payments under 38 USC 3203(b)(1). The intended change simplifies the title, updates the language of subsection (a) and further defines the VSO responsibilities regarding waiver of discontinuance under PL 98-543. 38 CFR 13.109 defines estate for purposes of the $1,500 limitation. The intended change further defines assets and incorporates two new exclusions on the basis of PL 98-543 and an unpublished General Counsel's opinion.

Timetable:

Action	Date	FR Cite
NPRM	09/02/87	52 FR 33248
NPRM Comment Period End	10/05/87	
Final Action	05/31/88	

Small Entity: No

Agency Contact: William B. Saliski, Jr., Program Analyst, Veterans Administration, Department of Veterans Benefits (273), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2091

RIN: 2900-AB78

3370. EMPLOYMENT SERVICES FOR CERTAIN ELIGIBLE VETERANS

Legal Authority: 38 USC 1501; 38 USC 1502; 38 USC 1505(b); 38 USC 1516; 38 USC 1517

CFR Citation: 38 CFR 21.47; 38 CFR 21.51; 38 CFR 21.73; 38 CFR 21.250

Legal Deadline: None.

Abstract: The VA has determined that employment assistance may be provided a veteran eligible for chapter 31, if the veteran though trained and qualified for suitable employment, has an employment handicap that prevents him or her from obtaining such employment, even if he or she is not a prior participant in a vocational rehabilitation program. It has previously been held that eligibility for employment services was limited to veterans who were current or prior participants under chapter 31.

Timetable:

Action	Date	FR Cite
NPRM	02/02/88	53 FR 2855
NPRM Comment Period End	03/03/88	
Final Action	06/30/88	

Small Entity: No

Agency Contact: Morris Triestman, Rehabilitation Consultant, Policy and Program Development, Veterans Administration, Department of Veterans Benefits (226), 810 Vermont Avenue,

NW, Washington, DC 20420, **202 233-2886**

RIN: 2900-AB89

3371. AMENDMENT OF FORFEITURE REGULATIONS

Legal Authority: 38 USC 210(c)

CFR Citation: 38 CFR 3.901; 38 CFR 3.902; 38 CFR 3.904; 38 CFR 3.905

Legal Deadline: None.

Abstract: These amendments affect death benefits and apportionments in forfeiture cases as well as the form of notice sent to individuals when forfeiture proceedings have been instituted. The definition of fraud previously proposed under this RIN is being reproposed separately based on comments the agency received.

Timetable:

Action	Date	FR Cite
NPRM	11/18/86	51 FR 41644
NPRM Comment Period End	12/17/86	51 FR 41644
Final Action	05/01/88	
Final Action Effective	06/00/88	

Small Entity: No

Agency Contact: **Robert M. White**, Chief, Regulations Staff, Veterans Administration, Department of Veterans Benefits (211B), 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-3005**

RIN: 2900-AC01

3372. INTEREST AND PENALTIES ON UNTIMELY SUBMISSION OF FUNDING FEES BY LENDERS

Legal Authority: 38 USC 210(c); 38 USC 1803(c)(1)

CFR Citation: 38 CFR 36.4254; 38 CFR 36.4312

Legal Deadline: None.

Abstract: Public Law 97-253, the Omnibus Budget Reconciliation Act of 1982 (38 U.S.C. 1829) establishes that a funding fee will be collected on VA loans but the law does not establish any time limits within which it must be paid to the VA. Current VA Loan Guaranty procedures allow lenders up to 60 days from the loan closing date to remit loan funding fees and this delay in their collection and deposit has resulted in a significant amount of potential interest lost to the Federal government. The proposed regulation would require lenders to submit the fees to the VA within a 15 day period from the loan closing date and would implement penalty charges and interest assessments on delinquent submissions. Adoption of this regulation should improve collection timeliness and result in the collection of the interest income that is currently being lost as well as income from interest and penalty charges.

Timetable:

Action	Date	FR Cite
NPRM	10/31/87	52 FR 37973
NPRM Comment Period End	11/12/87	52 FR 37973
Final Action	00/00/00	

Small Entity: No

Agency Contact: **George D. Moerman**, Assistant Director for Loan Policy, Department of Veterans Benefits (264), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-3042**

RIN: 2900-AC03

3373. 1. APPORTIONMENT OF BENEFITS TO DEPENDENTS 2. PAYMENT OF COST OF VETERAN'S MAINTENANCE IN INSTITUTION 3. RECOMMENDATION FOR PAYMENT

Legal Authority: 38 USC 210; 38 USC 3202; 38 USC 3203; PL 98-543, Sec 402

CFR Citation: 38 CFR 13.70; 38 CFR 13.71; 38 CFR 13.74

Legal Deadline: None.

Abstract: 38 CFR 13.70 defines the conditions under which the Veterans Services Officer may recommend an apportionment of benefits to dependents. The proposed amendment will clarify these conditions. The amendment will also remove a reference to mental illness as the sole criteria for a rating of incompetency.

38 CFR 13.71 is to be amended to make clear that the signing of an institutional award agreement does not waive an institution's right to claim payments under 38 USC 641. This action is the result of an unpublished General Counsel opinion.

38 CFR 13.74 is based on the provisions of 38 USC Sec. 3203(b) (1)(A); however, where the law refers to more than one type of institutional care, the regulation refers only to instances of hospitalization. This would seem to preclude application of the regulation when veterans are in State run nursing homes or other institutions operated by the United States or a political subdivision. The VA, therefore, proposes to correct this defect by substituting the terms "institution" and "institutionalization" where appropriate.

Timetable:

Action	Date	FR Cite
NPRM	01/05/87	52 FR 300
NPRM Comment Period End	02/05/87	52 FR 300
Final Action	05/31/88	

Small Entity: No

Government Levels Affected: State

Agency Contact: **William Saliski, Jr.**, Program Analyst, Veterans Administration, Department of Veterans Benefits (273), 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-2091**

RIN: 2900-AC10

3374. USE OF CREDIT REPORTS FOR REFINANCING AND RESCHEDULING OF VA-GUARANTEED LOANS AND CLAIM SUBMISSIONS

Legal Authority: 38 USC 210(c)(1); 38 USC 1803(c)(1); 38 USC 1819(g)

CFR Citation: 38 CFR 36.4200; 38 CFR 36.4300

Legal Deadline: None.

Abstract: OMB Circular A-129 requires agencies managing Federal credit programs to obtain credit reports for all new applicants, when refinancing, and when loans are rescheduled in order to verify the information presented in the application. The circular further provides that rescheduling or reamortization shall be permitted only when it is in the best interest of the Government and where the agency has determined that recovery of all or a portion of the amount owed is reasonably assured. Credit reports must also be required in connection with claims on defaulted guaranteed loans to facilitate agency determinations of the next collection steps to be pursued. These revisions will enable VA to better determine whether a proposed loan reamortization is in the best interest of the government and will facilitate improvements in debt collection practices.

Timetable:

Action	Date	FR Cite
NPRM	05/28/87	52 FR 19891
NPRM Comment Period End	06/26/87	52 FR 19891
Final Action	04/00/88	

Small Entity: No

Agency Contact: George D. Moerman, Assistant Director for Loan Policy, Veterans Administration, Department of Veterans Benefits (264), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3042

RIN: 2900-AC19

3375. EVALUATIONS FOR DIPLOPIA (DOUBLE VISION)

Legal Authority: 38 USC 355

CFR Citation: 38 CFR 4.77; 38 CFR 4.88a

Legal Deadline: None.

Abstract: The present rating schedule for double vision is based on use of the Motor Field Chart which is an outdated testing method. This change provides a method for evaluating double vision based on the current testing method using the Goldmann Perimeter.

Timetable:

Action	Date	FR Cite
NPRM	08/27/87	52 FR 32318
NPRM Comment Period End	09/28/87	
Final Action	05/01/88	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Veterans Administration, Department of Veterans Benefits (211B), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3005

RIN: 2900-AC58

3376. VOCATIONAL REHABILITATION PANEL

Legal Authority: 38 USC 1504(a)

CFR Citation: 38 CFR 21.62; 38 CFR 21.53; 38 CFR 21.198

Legal Deadline: None.

Abstract: The VA reviews all cases in which findings of infeasibility for vocational rehabilitation or termination of rehabilitation programs is being considered for seriously disabled veterans. These reviews are currently conducted by the Vocational Rehabilitation Panel, a multidisciplinary advisory group. The Panel forwards its recommendations to the counseling psychologist who may accept or reject these recommendations. The VA proposes to reassign this review responsibility to the Vocational Rehabilitation and Counseling Officer, the counseling psychologist's immediate supervisor. Program experience indicates that this change will improve program administration and maintain quality of service for seriously disabled veterans.

Timetable:

Action	Date	FR Cite
NPRM	01/15/88	53 FR 1042
NPRM Comment Period End	02/12/88	53 FR 1042
Final Action	05/01/88	

Small Entity: No

Agency Contact: Morris Triestman, Rehabilitation Consultant, Policy and Program Development, Veterans Administration, Department of Veterans Benefits (226), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2886

RIN: 2900-AC75

3377. VETERANS EDUCATION; AMENDMENTS TO VEAP REQUIRED BY THE VETERANS BENEFITS IMPROVEMENT AND HEALTH CARE AUTHORIZATION ACT OF 1986

Legal Authority: PL 99-576

CFR Citation: 38 CFR 21.5021; 38 CFR 21.5030; 38 CFR 21.5041; 38 CFR 21.5052; 38 CFR 21.5064; 38 CFR 21.5100; 38 CFR 21.5131; 38 CFR 21.5138; 38 CFR 21.5022; 38 CFR 21.5040; 38 CFR 21.5042; 38 CFR 21.5054; 38 CFR 21.5072; 38 CFR 21.5132; 38 CFR 21.5145

Legal Deadline: None.

Abstract: The Veterans' Benefits Improvement and Health-Care Authorization Act of 1986 contains several provisions which affect VEAP (Post-Vietnam Era Veterans' Educational Assistant Program). The most important changes include provision of apprenticeship and other on-job training in this program; extension of the veteran's period of eligibility if he or she is disabled during the eligibility period; and closing of VEAP to new enrollments. This proposal will implement the law.

Timetable:

Action	Date	FR Cite
NPRM	02/12/88	53 FR 4186
NPRM Comment Period End	03/14/88	53 FR 5433
Final Action	08/00/88	

Small Entity: Yes

Agency Contact: June Schaeffer, Assistant Director for Educational Policy, Veterans Administration, Department of Veterans Benefits (225), 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2092

RIN: 2900-AC81

3378. IMPROVEMENTS IN VETERANS' BENEFITS

Legal Authority: 38 USC 210(c)

CFR Citation: 38 CFR 3.22; 38 CFR 3.23; 38 CFR 3.271; 38 CFR 3.272; 38 CFR 3.309; 38 CFR 3.342; 38 CFR 3.343; 38 CFR 3.383; 38 CFR 3.384; 38 CFR 3.501; 38 CFR 3.557; 38 CFR 3.800; 38 CFR 3.809a

Legal Deadline: None.

Abstract: These changes implement legislation that extended improved eligibility and entitlement criteria for certain veterans' benefits and define the term "hardship" for considering the exclusion of a child's income in pension cases.

Timetable:

Action	Date	FR Cite
NPRM	10/05/87	52 FR 37170
NPRM Comment Period End	11/04/87	
Final Action	05/01/88	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Department of Veterans Benefits (211B), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3005

RIN: 2900-AC99

3379. HOMELESS CLAIMANTS

Legal Authority: 38 USC 210(c); 38 USC 3003; 38 USC 3020

CFR Citation: 38 CFR 3.159

Legal Deadline: None.

Abstract: These changes provide instructions for processing the claims of homeless individuals to ensure the delivery of benefits to such persons for

whom no established mailing address is available.

Timetable:

Action	Date	FR Cite
NPRM	06/18/87	52 FR 23318
NPRM Comment Period End	07/20/87	52 FR 23318
Final Action	05/01/88	

Small Entity: No

Agency Contact: Robert M. White, Chief, Regulations Staff, Department of Veterans Benefits (211B), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-3005**

RIN: 2900-AD00

3380. LOAN GUARANTY: INCREASE IN MAXIMUM ALLOWABLE AMOUNT THE VA WILL REIMBURSE A LOAN HOLDER FOR LEGAL SERVICES INCURRED IN TERMINATING A LOAN

Legal Authority: 38 USC 210(c); 38 USC 1803(c)(1); 38 USC 1819(g)

CFR Citation: 38 CFR 36.4276(b); 38 CFR 36.4313(b)

Legal Deadline: None.

Abstract: Presently a maximum of $350 may be included for trustee's fees and legal services allowable on claims under guaranty on defaulted VA guaranteed loans. In some areas this fee structure is insufficient to allow loan holders to secure the services of experienced legal counsel necessary to complete foreclosure action in a timely manner. The proposed maximum would be increased from $350 to $700.

Timetable:

Action	Date	FR Cite
NPRM	01/19/88	53 FR 1378
NPRM Comment Period End	02/16/88	53 FR 1378
Final Action	00/00/00	

Small Entity: No

Agency Contact: Raymond Brodie, Assistant Director for Loan Management, Department of Veterans Benefits (261), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-3688**

RIN: 2900-AD01

3381. VETERANS EDUCATION; REVISION OF DELIMITING DATES

Legal Authority: 38 USC 1662; 38 USC 3103

CFR Citation: 38 CFR 21.1042

Legal Deadline: None.

Abstract: The VA has determined that veterans who were affected by the liberalization of 38 CFR 3.12(d) have a delimiting period under ch. 34 which begins on the date the VA makes an administrative decision finding that the veteran's discharge was not dishonorable. The appropriate regulations governing delimiting dates will be amended to reflect this opinion.

Timetable:

Action	Date	FR Cite
NPRM	01/11/88	53 FR 620
NPRM Comment Period End	02/10/88	
Final Action	00/00/00	

Small Entity: No

Agency Contact: June C. Schaeffer, Assistant Director for Educational Policy, Department of Veterans Benefits (225), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-2092**

RIN: 2900-AD02

3382. ● VETERANS EDUCATION; CLARIFICATION OF ADMINISTRATIVE ERROR

Legal Authority: 38 USC 3012; 38 USC 3013

CFR Citation: 38 CFR 21.4135

Legal Deadline: None.

Abstract: The law provides that the VA will not create an overpayment against the account of a veteran or eligible person if the overpayment is created as a result of an erroneous award of benefits based solely upon administrative error or error in judgment. Increasingly, users of the regulations have relieved veterans of overpayments when the overpayments resulted from administrative errors by third parties such as school officials rather than from such errors in the award of benefits by the VA. This is contrary to the way in which the law has been implemented for several decades. Accordingly, the VA is amending the regulation which implements this provision of law for the education programs which the VA administers.

Timetable:

Action	Date	FR Cite
NPRM	12/08/87	52 FR 46494
NPRM Comment Period End	01/07/88	52 FR 46494
Final Action	05/00/88	

Small Entity: No

Agency Contact: June C. Schaeffer, Assistant Director for Educational Policy, and Program Administration (225), Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-2092**

RIN: 2900-AD22

3383. ● VETERANS EDUCATION; CLARIFICATION OF MITIGATING CIRCUMSTANCES

Legal Authority: 38 USC 1780

CFR Citation: 38 CFR 21.4136; 38 CFR 21.4137

Legal Deadline: None.

Abstract: The law requires that the VA not pay a veteran for a course from which he or she withdraws without mitigating circumstances. When he or she withdraws with mitigating circumstances, the veteran is paid through the date of withdrawal. In the course of administering the various veterans' education programs the VA has established a policy of considering the circumstances surrounding a withdrawal during a drop-add period to have been mitigating. The VA is considering stating this policy explicitly in the appropriate regulations.

Timetable:

Action	Date	FR Cite
NPRM	02/26/88	53 FR 5806
NPRM Comment Period End	03/29/88	53 FR 5806
Final Action	00/00/00	

Small Entity: No

Agency Contact: June C. Schaeffer, Assistant Director for Educational Policy, and Program Administration (225), Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-2092**

RIN: 2900-AD24

OFFICE OF ACQUISITION AND MATERIEL MANAGEMENT

VA

Final Rule Stage

3384. ACQUISITION REGULATIONS RELATING TO COST COMPARISONS

Legal Authority: 38 USC 210; 40 USC 486c

CFR Citation: 48 CFR 807, (Revision); 48 CFR 852, (Revision)

Legal Deadline: None.

Abstract: This proposed VA Acquisition Regulation provides coverage regarding contracting aspects of OMB Circular A-76 cost comparison.

Timetable:

Action	Date	FR Cite
NPRM	02/22/88	53 FR 5201
NPRM Comment Period End	03/23/88	53 FR 5201
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: Chris A. Figg, Chief, Policy Division, Veterans Administration, Office of Acquisition and Materiel Management (93), 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-4340**

RIN: 2900-AC37

3385. VETERANS ADMINISTRATION ACQUISITION REGULATION - CONSULTING SERVICE

Legal Authority: 38 USC 210; 40 USC 486c

CFR Citation: 48 CFR 837

Legal Deadline: None.

Abstract: This Veterans Administration regulation provides coverage regarding contracting aspects of OMB Circular A-120 consulting services.

Timetable:

Action	Date	FR Cite
Final Action	06/00/88	

Small Entity: Not Applicable

Agency Contact: Chris Figg, Supply Management Representative, Veterans Administration, Office of Acquisition and Materiel Management (93), 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-4340**

RIN: 2900-AC86

3386. VETERANS ADMINISTRATION ACQUISITION REGULATION - CONSTRUCTION AND ARCHITECT-ENGINEER CONTRACTS

Legal Authority: 38 USC 210; 40 USC 486c

CFR Citation: 48 CFR 836

Legal Deadline: None.

Abstract: This proposed Veterans Administration regulation will update and clarify construction contracting procedures and clauses.

Timetable:

Action	Date	FR Cite
Interim Final Rule	01/21/88	53 FR 1630
Final Action	07/00/88	

Small Entity: Yes

Agency Contact: Marsha J. Grogan, Supply Management Representative, Veterans Administration, Office of Acquisition and Materiel Management (93), 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-4340**

RIN: 2900-AC87

OFFICE OF EQUAL OPPORTUNITY

3387. ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN VA PROGRAMS

Legal Authority: 29 USC 794

CFR Citation: 38 CFR 15

Legal Deadline: None.

Abstract: Provides for the enforcement of section 504 of the Rehabilitation Act of 1973, as amended, as it applies to programs or activities conducted by the VA. Section 504 prohibits discrimination on the basis of handicap. There is no other alternative to the issuance of this regulation since it implements a legislative mandate. Qualified handicapped individuals will be assured of equal participation in programs or activities conducted by the VA.

Timetable:

Action	Date	FR Cite
NPRM	07/02/87	52 FR 25124
NPRM Comment Period End	08/31/87	52 FR 25124
Final Action	09/00/88	

Small Entity: No

Agency Contact: Rodney J. Cash, Equal Opportunity Specialist, Veterans Administration, Office of Equal Opportunity (06A), 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-2150**

RIN: 2900-AA87

OFFICE OF THE GENERAL COUNSEL

3388. RECOGNITION OF ORGANIZATIONS, REPRESENTATIVES, AGENTS, AND ATTORNEYS

Legal Authority: 38 USC 210(c)(1); 38 USC 3401 to 3404

CFR Citation: 38 CFR 14.627 to 14.637

Legal Deadline: None.

Abstract: This proposal includes definitions; requirements for recognition of organizations by the VA; requirements for recognition of representatives, agents, and attorneys; powers of attorney; use of paralegals, law clerks, and law students; and requirements for space and office facilities.

Timetable:

Action	Date	FR Cite
NPRM	03/18/87	52 FR 8472
NPRM Comment Period End	04/17/87	52 FR 8472
Final Action	00/00/00	

Small Entity: No

Agency Contact: Andrew J. Mullen, Deputy Assistant General Counsel, Veterans Administration, Office of the General Counsel (022A), 810 Vermont Avenue, NW, Washington, DC 20420, **202 233-2440**

RIN: 2900-AC89

3389. STANDARDS IMPLEMENTING THE PROGRAM FRAUD CIVIL REMEDIES ACT

Legal Authority: PL 99-509 6101-6104, 100 Stat. 1874

CFR Citation: 38 CFR 42

Legal Deadline: Statutory, April 21, 1987.

Abstract: These regulations would implement the Program Fraud Civil Remedies Act, which the Veterans Administration must promulgate by April 21, 1987. The regulations would permit the VA to bring administrative proceedings against persons who knowingly make, present, or submit false claims or statements against the Agency under $150,000 in value. The VA could, under the regulations, recover up to twice the amount of the false claims or statements plus impose a civil penalty or up to $5,000 for each separate false claim. The regulations would proscribe specific procedures

when the VA receives allegations of a false claim: an investigation by the VA Inspector General, a review of the investigation by the General Counsel or designee, referral to the Attorney General, and action by the reviewing official if approved by the Attorney General. The person found liable could request a hearing before an Administrative Law Judge with all the due process protections under the Administrative Procedure Act. The person could appeal to the VA Administrator and then to the U.S. District Court. All penalties could be set off (contd)

Timetable:

Action	Date	FR Cite
NPRM	05/05/87	52 FR 16409
NPRM Comment Period End	06/04/87	52 FR 16409
Final Action	04/01/88	

Small Entity: Yes

Additional Information: ABSTRACT CONTD: against any amount due the person liable from the Government, except Federal tax refunds. All recoveries would be deposited in the U.S. Treasury.

Agency Contact: Audley Hendricks, Assistant General Counsel, Office of General Counsel (023), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3671

RIN: 2900-AC92

OFFICE OF CONGRESSIONAL AND INTERGOVERNMENTAL AFFAIRS

3390. NONPROCUREMENT DEBARMENT AND SUSPENSION

Legal Authority: EO 12549; 38 USC 210

CFR Citation: 38 CFR 44.100 to 44.505

Legal Deadline: None.

Abstract: There has been a system in place for governmentwide debarment and suspension of contractors (procurement) that defraud the Federal government or otherwise fail to meet their contractual obligations. No similar system exists for grantees or other entities that participate in government programs. The VA is participating in a governmentwide implementation of EO 12549 by issuing regulations on Nonprocurement Debarment and Suspension, consistent with OMB guidelines published on February 21, 1986 (51 FR 6372).

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	52 FR 39026
NPRM Comment Period End	12/21/87	52 FR 39026
Final Action	05/26/88	

Small Entity: Yes

Agency Contact: Gail A. Gompf, Director, Intergovernmental Affairs (61), Veterans Administration, Office of Congressional and Intergovernmental Affairs, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3116

RIN: 2900-AD06

OFFICE OF FACILITIES

3391. ● UNIFORM RELOCATION ASSISTANCE ACT FOR REAL PROPERTY ACQUISITION AND FEDERALLY ASSISTED PROGRAMS

Legal Authority: 42 USC 4601; PL 100-17

CFR Citation: 38 CFR 25

Legal Deadline: Statutory, April 2, 1989.

Abstract: The Uniform Relocation Assistance Act Amendments of 1987, established a governmentwide single rule to be published at a single location in the Code of Federal Regulations. The VA is one of 17 Federal agencies that has its own rule currently located in 38 CFR Part 25. The VA is taking part in the common rule to provide for the single rule goal. On December 17, 1987, an interim final rule was published to provide a transition from the existing governmentwide rule and to provide a means for Federal programs to implement the explicit, nondiscretionary provisions of the 1987 amendments.

Timetable:

Action	Date	FR Cite
Interim Final Rule	12/17/87	52 FR 48022
Final Action	00/00/00	

Small Entity: No

Agency Contact: Alan Maurer, Special Programs Officer, Office of Facilities (081A), Veterans Administration, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-3398

RIN: 2900-AD37

OFFICE OF INFORMATION MANAGEMENT AND STATISTICS

3392. RELEASE OF VA LISTS OF NAMES AND ADDRESSES AND PENALTY PROCEDURES FOR UNAUTHORIZED USE

Legal Authority: 38 USC 3301(f)

CFR Citation: 38 CFR 1.519

Legal Deadline: None.

Abstract: The VA is amending the existing regulations concerning VA lists of names and addresses and is also proposing administrative procedures to use when these lists are used for purposes not authorized by law. This action results from the need to amend the regulations to reflect current procedures, organizational changes, and concern expressed by veterans and some service organizations regarding unsolicited mail. The proposed regulatory amendments will allow the VA to enforce its statutory duty to protect the privacy of information concerning veterans and their dependents, establish procedures to suspend recipients who misuse VA name and address lists of veterans/ dependents, and give advance notice to recipients of what constitutes an authorized/unauthorized use of veterans/ dependents names and address lists, thereby protecting the due process rights of any recipient before penalties are enforced.

Timetable:

Action	Date	FR Cite
NPRM	03/19/87	52 FR 8624
NPRM Comment Period End	04/20/87	52 FR 8624
Final Action	12/00/88	

Small Entity: No

Agency Contact: LaVerne Butler, Management Analyst (723B), Veterans Administration, Office of Information Mgmt. & Statistics, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2545

RIN: 2900-AC63

VETERANS ADMINISTRATION (VA)

Completed Actions

3393. BEREAVEMENT COUNSELING

CFR Citation: 38 CFR 17.60f

Completed:

Reason	Date	FR Cite
Final Action	03/07/88	53 FR 7185
Final Action Effective	03/07/88	

Small Entity: No

Agency Contact: Stuart Mount 202 233-2143

RIN: 2900-AC68

3394. TRANSPORTATION OF CLAIMANTS AND BENEFICIARIES

CFR Citation: 38 CFR 17.100

Completed:

Reason	Date	FR Cite
Final Action	01/22/88	53 FR 1755
Final Action Effective	01/22/88	53 FR 1755

Small Entity: No

Agency Contact: Stuart E. Mount 202 233-2504

RIN: 2900-AD07

3395. ACQUISITION OF PROPERTY

CFR Citation: 38 CFR 36.4320; 38 CFR 36.4319(f); 38 CFR 36.4321(a); 38 CFR 36.4300

Completed:

Reason	Date	FR Cite
Final Action	01/19/88	53 FR 1349
Final Action Effective	02/18/88	53 FR 1349

Small Entity: No

Agency Contact: Raymond Brodie 202 233-3668

RIN: 2900-AB34

3396. TEMPORARY PROGRAM OF VOCATIONAL TRAINING FOR CERTAIN NEW PENSION RECIPIENTS

Significance: Regulatory Program

CFR Citation: 38 CFR 21.6001 to 21.6420, (New)

Completed:

Reason	Date	FR Cite
Final Action	02/16/88	53 FR 4396
Final Action Effective	02/01/85	53 FR 4396

Small Entity: No

Agency Contact: Morris Triestman 202 233-2886

RIN: 2900-AB53

3397. VETERANS EDUCATION; ALL VOLUNTEER FORCE EDUCATIONAL ASSISTANCE PROGRAM

CFR Citation: 38 CFR 21

Completed:

Reason	Date	FR Cite
Final Action	01/22/88	53 FR 1756
Final Action Effective	10/19/84	53 FR 1756

Small Entity: Undetermined

Agency Contact: June C. Schaeffer 202 233-2092

RIN: 2900-AB70

3398. PAYMENTS TO DEPENDENTS OF VETERANS IN TRAINING

CFR Citation: 38 CFR 21.260; 38 CFR 21.322

Completed:

Reason	Date	FR Cite
Final Action	11/03/87	52 FR 42113
Final Action Effective	11/03/87	52 FR 42113

Small Entity: No

Agency Contact: Morris Triestman 202 233-2886

RIN: 2900-AC18

3399. VETERANS EDUCATION; DEFICIENCY COURSE MEASUREMENT

CFR Citation: 38 CFR 21.1045

Completed:

Reason	Date	FR Cite
Final Action	02/26/88	53 FR 5769
Final Action Effective	02/09/88	

Small Entity: No

Agency Contact: June C. Schaeffer 202 233-2092

RIN: 2900-AC42

3400. VETERANS MORTGAGE LIFE INSURANCE - MAXIMUM AMOUNT OF INSURANCE

CFR Citation: 38 CFR 8a.2, (Revision); 38 CFR 8a.3, (Revision); 38 CFR 8a.4, (Revision)

Completed:

Reason	Date	FR Cite
Final Action	12/24/87	52 FR 48681
Final Action Effective	12/24/87	52 FR 48681

Small Entity: No

Agency Contact: Paul F. Koons 215 951-5360

RIN: 2900-AC43

3401. VETERANS EDUCATION; DISENROLLMENT FROM VEAP AND OTHER TECHNICAL AMENDMENTS

CFR Citation: 38 CFR 21.5001; 38 CFR 21.5052; 38 CFR 21.5062; 38 CFR 21.5130; 38 CFR 21.5131

Completed:

Reason	Date	FR Cite
Final Action	01/11/88	53 FR 616
Final Action Effective	11/03/87	

Small Entity: No

Agency Contact: June C. Schaeffer 202 233-2092

RIN: 2900-AC49

3402. NOMENCLATURE AND DESCRIPTIVE TERMS FOR MENTAL DISORDERS

CFR Citation: 38 CFR 4.125; 38 CFR 4.126; 38 CFR 4.127; 38 CFR 4.128; 38 CFR 4.129; 38 CFR 4.130; 38 CFR 4.131; 38 CFR 4.132

Completed:

Reason	Date	FR Cite
Final Action	01/04/88	53 FR 21
Final Action Effective	02/03/88	53 FR 21

Small Entity: No

Agency Contact: Robert M. White 202 233-3005

RIN: 2900-AC60

3403. DECREASE IN AMOUNT OF TIME VA WILL ALLOW LOAN HOLDER TO BEGIN TERMINATING DEFAULTED LOAN

CFR Citation: 38 CFR 36.4319(f)

Completed:

Reason	Date	FR Cite
Final Action	02/19/88	53 FR 4977
Final Action Effective	03/21/88	53 FR 4977

Small Entity: No

Agency Contact: Raymond L. Brodie 202 233-3668

RIN: 2900-AC71

3404. ELECTION OF BENEFITS

CFR Citation: 38 CFR 21.21

Completed:

Reason	Date	FR Cite
Final Action	01/14/88	53 FR 879
Final Action Effective	10/28/86	

Small Entity: No

Agency Contact: Morris Triestman 202 233-2886

RIN: 2900-AC74

3405. VETERANS EDUCATION; ENTITLEMENT CHARGES FOR OVERPAYMENTS UNDER VEAP

CFR Citation: 38 CFR 21.5076

Completed:

Reason	Date	FR Cite
Final Action	11/25/87	52 FR 45181
Final Action Effective	09/02/87	52 FR 45181

Small Entity: No

Agency Contact: June C. Schaeffer 202 233-2092

RIN: 2900-AC77

3406. VETERANS EDUCATION; TRANSFER OF ENTITLEMENT UNDER 38 USC CH. 107

CFR Citation: 38 CFR 21.5743

Completed:

Reason	Date	FR Cite
Final Action	01/22/88	53 FR 1779
Final Action Effective	11/08/85	53 FR 1779

Small Entity: No

Agency Contact: June C. Schaeffer 202 233-2092

RIN: 2900-AC78

3407. CERTIFICATION OF CONTINUED ELIGIBILITY

CFR Citation: 38 CFR 3.500(v); 38 CFR 3.652; 38 CFR 3.158

Completed:

Reason	Date	FR Cite
Final Action	11/09/87	52 FR 43062
Final Action Effective	12/09/87	52 FR 43062

Small Entity: No

Agency Contact: Robert M. White 202 233-3005

RIN: 2900-AC79

3408. VETERANS EDUCATION; NONPUNITIVE GRADES

CFR Citation: 38 CFR 21.4135

Completed:

Reason	Date	FR Cite
Final Action	10/08/87	52 FR 37614
Final Action Effective	09/14/87	52 FR 37614

Small Entity: No

Agency Contact: June Schaeffer 202 233-2092

RIN: 2900-AC80

3409. DEPENDENTS' EDUCATION; EFFECT OF THE 85-15% RATIO REQUIREMENT

CFR Citation: 38 CFR 21.4201

Completed:

Reason	Date	FR Cite
Final Action	12/01/87	52 FR 45633
Final Action Effective	10/30/87	52 FR 45633

Small Entity: No

Agency Contact: June C. Schaeffer 202 233-2092

RIN: 2900-AD03

3410. EVALUATION OF HEARING LOSS

CFR Citation: 38 CFR 4.84b; 38 CFR 4.85; 38 CFR 4.86a; 38 CFR 4.87; 38 CFR 4.87a

Completed:

Reason	Date	FR Cite
Final Action	11/18/87	52 FR 44117
Final Action Effective	12/18/87	52 FR 44117

Small Entity: No

Agency Contact: Robert M. White 202 233-3005

RIN: 2900-AD10

3411. ● FREQUENCY OF PAYMENT OF IMPROVED PENSION

CFR Citation: 38 CFR 3.30

Legal Deadline: None.

Timetable:

Action	Date	FR Cite
Final Action	03/11/88	53 FR 7902
Final Action Effective	03/11/88	

Small Entity: No

Agency Contact: Robert M. White, Veterans Administration, 202 233-5493

RIN: 2900-AD20

3412. ● VETERANS EDUCATION; AMENDMENTS TO VETERANS' JOB TRAINING ACT

Legal Authority: PL 100-77, Sec 901

CFR Citation: 38 CFR 21.4632

Legal Deadline: None.

Abstract: The Stewart B. McKinney Homeless Assistance Act of 1987 contains provisions which extend the deadline for a veteran to apply for training under the Veterans' Job Training Act, and which extend the deadline for beginning the job training program to June 30, 1988. The regulation which states these two deadlines should be amended to reflect these new provisions of law.

Timetable:

Action	Date	FR Cite
Final Action Effective	07/22/87	53 FR 4848
Final Action	02/18/88	53 FR 4848

Small Entity: No

Agency Contact: June C. Schaeffer, Assistant Director for Educational Policy, and Program Administration (225), Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2092

RIN: 2900-AD25

3413. ● VETERANS EDUCATION; ADMINISTRATIVE REVIEW FOR EMPLOYERS

Legal Authority: 38 USC 212(a); PL 98-77

CFR Citation: 38 CFR 2.66a; 38 CFR 21.4622; 38 CFR 21.4624; 38 CFR 21.4632; 38 CFR 21.4634; 38 CFR 21.4646

Legal Deadline: None.

Abstract: There are several regulations dealing with approval and withdrawal of approval of training programs under the Veterans Job Training Act. These have provided that only the Director of the VA's Vocational Rehabilitation and Education Service may review a decision concerning approval or withdrawal of approval made by the Director of a VA field station. Such a decision made by the Director of the Vocational Rehabilitation and Education Service could only be reviewed by the Deputy Chief Benefits Director for Program Management. Some employers have sought additional administrative review of decisions not to approve training programs. Some have also sought review of decisions concerning payments made to them under the Act. The appropriate regulations are amended to provide employers with the same case review as that provided to veterans, namely, appeal to the Board of Veterans Appeals.

Timetable:

Action	Date	FR Cite
NPRM	05/28/87	52 FR 19890
NPRM Comment Period End	06/26/87	52 FR 19890
Final Action Effective	02/12/88	
Final Action	03/07/88	53 FR 7183

Small Entity: No

Agency Contact: June C. Schaeffer, Assistant Director Education, Policy and, Program Administration (225), Veterans Administration, Department of Veterans Benefits, 810 Vermont Avenue, NW, Washington, DC 20420, 202 233-2092

RIN: 2900-AD38

3414. VETERANS ADMINISTRATION ACQUISITION REGULATION - SPECIFICATIONS

CFR Citation: 48 CFR 810, (New); 48 CFR 836, (Revision)

Completed:

Reason	Date	FR Cite
Final Action	03/07/88	53 FR 7183
Final Action Effective	02/12/88	

Small Entity: Yes

Agency Contact: Marsha J. Grogan 202 233-4340

RIN: 2900-AC38

3415. STANDARDS FOR CLAIMS COLLECTION; COMMITTEE ON WAIVERS AND COMPROMISES

CFR Citation: 38 CFR 1.900 to 1.954; 38 CFR 1.957; 38 CFR 1.963a

Completed:

Reason	Date	FR Cite
Final Action	11/03/87	52 FR 42104
Final Action Effective	12/03/87	

Small Entity: No

Agency Contact: Peter T. Mulhern 202 233-3405

RIN: 2900-AC96

3416. UNIFORM ADMINISTRATIVE REQUIREMENTS FOR GRANTS AND COOPERATIVE AGREEMENTS TO STATE AND LOCAL GOVERNMENTS

CFR Citation: 38 CFR 43.1 to 43.52

Completed:

Reason	Date	FR Cite
Final Action	03/11/88	53 FR 8034
Final Action Effective	10/01/88	

Small Entity: No

Agency Contact: Gail A. Gompf 202 233-3116

RIN: 2900-AC97

3417. FEES CHARGED WHEN RESPONDING TO REQUESTS FOR RECORDS

CFR Citation: 38 CFR 1.526; 38 CFR 1.555; 38 CFR 1.577(f)

Completed:

Reason	Date	FR Cite
Final Action	03/31/88	53 FR 10375
Final Action Effective	05/02/88	

Small Entity: No

Agency Contact: Donald R. Howell 202 233-3648

RIN: 2900-AB18

3418. EXEMPTIONS FROM PUBLIC ACCESS TO AGENCY RECORDS

CFR Citation: 38 CFR 1.554(a)(7)

Completed:

Reason	Date	FR Cite
Final Action	03/23/88	53 FR 9442
Final Action Effective	10/27/86	

Small Entity: No

Agency Contact: Donald R. Howell 202 233-3648

RIN: 2900-AC94

3419. VETERANS ADMINISTRATION ACQUISITION REGULATION - SMALL BUSINESS CONCERNS

CFR Citation: 48 CFR 819, (Revision)

Completed:

Reason	Date	FR Cite
Final Action	12/04/87	52 FR 46082
Final Action Effective	11/24/87	52 FR 46082

Small Entity: Yes

Agency Contact: Chris Figg 202 233-4340

RIN: 2900-AC36

[FR Doc. 88-5103 Filed 04-22-88; 8:45 am]

BILLING CODE 8320-01-T

federal register

Monday
April 25, 1988

Part XLII

Department of Defense
General Services Administration
National Aeronautics and Space Administration

**Federal Acquisition Regulation;
Semiannual Regulatory Agenda**

DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)

DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)

DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION/NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

48 CFR Ch. I

Semiannual Agenda

AGENCIES: Department of Defense (DOD), General Services Administration (GSA), and National Aeronautics and Space Administration (NASA).

ACTION: Semiannual agenda.

SUMMARY: This agenda provides summary descriptions of regulations being developed by the Civilian Agency Acquisition Council and the Defense Acquisition Regulatory Council, in compliance with Executive Order 12291, Federal Regulation. This agenda is being published to allow interested persons an opportunity to participate in the rulemaking process.

The FAR Secretariat has attempted to list all regulations pending at the time of publication, except for minor and routine or repetitive actions, however, unanticipated requirements may result in the issuance of regulations that are not included in this agenda. There is no legal significance to the omission of an item from this listing. Also, the dates shown for the steps of each action are estimated and are not commitments to act on or by the dates shown.

FOR FURTHER INFORMATION CONTACT: Margaret A. Willis, FAR Secretariat, (202) 523-4755.

SUPPLEMENTARY INFORMATION: DOD, GSA, and NASA, under their several statutory authorities, jointly issue and maintain the Federal Acquisition Regulation (FAR) and prescribe the FAR system. Revisions to the FAR are made through periodic issuance of Federal Acquisition Circulars (FAC's). None of the regulations listed in this agenda are considered major under Executive Order 12291, Federal Regulation.

Dated: March 8, 1988.

Harry S. Rosinski,

Acting Director, Office of Federal Acquisition and Regulatory Policy.

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3420	Amendment to Federal Acquisition Regulation (FAR Case 87-43)	9000-AC06

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3421	Federal Acquisition Regulation (FAR) - Federal Acquisition Circular 84-10(FAR Case 85-32)	9000-AA00
3422	Federal Acquisition Regulation (FAR) - Federal Acquisition Circular 84-9	9000-AA01
3423	Federal Acquisition Regulation (FAR) - Federal Acquisition Circular 84-11(FAR Case 85-38)	9000-AA02
3424	Amendment to Federal Acquisition Regulation (FAR Case 84-53)	9000-AA24
3425	Amendment to Federal Acquisition Regulation (FAR Case 84-45)	9000-AA29
3426	Amendment to Federal Acquisition Regulation (FAR Case 85-16)	9000-AA35
3427	Federal Acquisition Regulation (FAR) FAR Case 85-63	9000-AA49
3428	Federal Acquisition Regulation (FAR) - FAR Case 85-32	9000-AA68
3429	Federal Acquisition Regulation (FAR) - FAR Case 85-43	9000-AA69
3430	Federal Acquisition Regulation (FAR) - FAR Case 85-47	9000-AA73
3431	Amendment to Federal Acquisition Regulation (FAR Case 86-12)	9000-AA97
3432	Amendment to Federal Acquisition Regulation (FAR Case 86-18)	9000-AB03
3433	Amendment to Federal Acquisition Regulation (FAR Case 86-23)	9000-AB08
3434	Amendment to Federal Acquisition Regulation (FAR Case 86-24)	9000-AB09
3435	Amendment to Federal Acquisition Regulation (FAR Case 86-32)	9000-AB17
3436	Amendment to Federal Acquisition Regulation (FAR Case 86-33)	9000-AB18
3437	Amendment to Federal Acquisition Regulation (FAR Case 86-34)	9000-AB19
3438	Amendment to Federal Acquisition Regulation (FAR Case 86-35)	9000-AB20
3439	Amendment to Federal Acquisition Regulation (FAR Case 86-51)	9000-AB37
3440	Amendment to Federal Acquisition Regulation (FAR Case 86-54)	9000-AB40
3441	Amendment to Federal Acquisition Regulation (FAR Case 86-58)	9000-AB44
3442	Amendment to Federal Acquisition Regulation (FAR Case 86-64)	9000-AB50
3443	Amendment to Federal Acquisition Regulation (FAR Case 86-68)	9000-AB53
3444	Amendment to Federal Acquisition Regulation (FAR Case 86-67)	9000-AB54
3445	Amendment to Federal Acquisition Regulation (FAR Case 86-69)	9000-AB55

FAR

Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
3446	Amendment to Federal Acquisition Regulation (FAR Case 86-52)	9000-AB60
3447	Amendment to Federal Acquisition Regulation (FAR Case 86-57)	9000-AB61
3448	Amendment to Federal Acquisition Regulation (FAR Case 87-13)	9000-AB73
3449	Amendment to Federal Acquisition Regulation (FAR Case 87-14)	9000-AB74
3450	Amendment to Federal Acquisition Regulation (FAR Case 87-15)	9000-AB75
3451	Amendment to Federal Acquisition Regulation (FAR Case 87-16)	9000-AB76
3452	Amendment to Federal Acquisition Regulation (FAR Case 87-12)	9000-AB79
3453	Amendment to Federal Acquisition Regulation (FAR Case 87-18)	9000-AB80
3454	Amendment to Federal Acquisition Regulation (FAR Case 87-19)	9000-AB81
3455	Amendment to Federal Acquisition Regulation (FAR Case 87-22)	9000-AB82
3456	Amendment to Federal Acquisition Regulation (FAR Case 87-24)	9000-AB83
3457	Amendment to Federal Acquisition Regulation (FAR Case 87-25)	9000-AB84
3458	Amendment to Federal Acquisition Regulation (FAR Case 87-33)	9000-AB88
3459	Amendment to Federal Acquisition Regulation (FAR Case 87-34)	9000-AB97
3460	Amendment to Federal Acquisition Regulation (FAR Case 87-36)	9000-AB99
3461	Amendment to Federal Acquisition Regulation (FAR Case 87-37)	9000-AC00
3462	Amendment to Federal Acquisition Regulation (FAR Case 87-39)	9000-AC02
3463	Amendment to Federal Acquisition Regulation (FAR Case 87-41)	9000-AC04
3464	Amendment to Federal Acquisition Regulation (FAR Case 87-42)	9000-AC05
3465	Amendment to Federal Acquisition Regulation (FAR Case 87-45)	9000-AC08
3466	Amendment to Federal Acquisition Regulation (FAR Case 87-47)	9000-AC10
3467	Amendment to Federal Acquisition Regulation (FAR Case 87-48)	9000-AC11
3468	Amendment to Federal Acquisition Regulation (FAR Case 87-49)	9000-AC12
3469	Amendment to Federal Acquisition Regulation (FAR Case 87-50)	9000-AC13
3470	Amendment to Federal Acquisition Regulation (FAR Case 87-51)	9000-AC14
3471	Amendment to Federal Acquisition Regulation (FAR Case 87-52)	9000-AC15
3472	Amendment to Federal Acquisition Regulation (FAR Case 87-53)	9000-AC16
3473	Amendment to Federal Acquisition Regulation (FAR Case 87-54)	9000-AC17

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3474	Amendment to Federal Acquisition Regulation (FAR Case 83-7)	9000-AA12
3475	Amendment to Federal Acquisition Regulation (FAR Case 84-31)	9000-AA26
3476	Federal Acquisition Regulation (FAR) - FAR Case 85-75	9000-AA61
3477	Amendment to Federal Acquisition Regulation (FAR Case 84-30)	9000-AA93
3478	Amendment to Federal Acquisition Regulation (FAR Case 85-25)	9000-AA95
3479	Amendment to Federal Acquisition Regulation (FAR Case 86-31)	9000-AB16
3480	Amendment to Federal Acquisition Regulation (FAR Case 86-59)	9000-AB45
3481	Amendment to the Federal Acquisition Regulation (FAR Case 86-65)	9000-AB51
3482	Amendment to Federal Acquisition Regulation (FAR Case 87-30)	9000-AB85
3483	Amendment to Federal Acquisition Regulation (FAR Case 87-31)	9000-AB86
3484	Amendment to Federal Acquisition Regulation (FAR Case 87-32)	9000-AB87
3485	Amendment to Federal Acquisition Regulation (FAR Case 87-26)	9000-AB93
3486	Amendment to Federal Acquisition Regulation (FAR Case 87-27)	9000-AB94
3487	Amendment to Federal Acquisition Regulation (FAR Case 87-28)	9000-AB95
3488	Amendment to Federal Acquisition Regulation (FAR Case 87-29)	9000-AB96
3489	Amendment to Federal Acquisition Regulation (FAR Case 87-35)	9000-AB98
3490	Amendment to Federal Acquisition Regulation (FAR Case 87-38)	9000-AC01
3491	Amendment to Federal Acquisition Regulation (FAR Case 87-40)	9000-AC03
3492	Amendment to Federal Acquisition Regulation (FAR Case 87-44)	9000-AC07
3493	Amendment to Federal Acquisition Regulation (FAR Case 87-46)	9000-AC09

DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)

Proposed Rule Stage

3420. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-43)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 30; 48 CFR 31

Legal Deadline: None.

Abstract: To invite comments concerning the development of changes to the FAR on the allowability of costs incident to mergers and other business combinations.

Timetable:

Action	Date	FR Cite
ANPRM	10/28/87	52 FR 41474
NPRM	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC06

DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)

Final Rule Stage

3421. FEDERAL ACQUISITION REGULATION (FAR) - FEDERAL ACQUISITION CIRCULAR 84-10(FAR CASE 85-32)

Legal Authority: 40 USC 486 (c); 42 USC 2473 (c); 10 USC Chapter 137

CFR Citation: 48 CFR 7; 48 CFR 15; 48 CFR 19; 48 CFR 34; 48 CFR 52

Legal Deadline: Statutory, May 1, 1985.

Abstract: (1) Implement Sec. 1213 of Pub. L. 98-525 and Sec. 201 of Pub. L. 98-577 by (a) requiring that the contracting officer, prior to contracting, review the acquisition history of the supplies or services and the description of the supplies, and (b) specifying new requirements applicable to planning for the solicitation of a major system production contract; (2) Implement Sec. 1245 of Pub. L. 98-525 and Sec. 501 of Pub. L. 98-577 by specifying that offerors/contractors (a) are required to distribute costs within contracts on a basis that ensures that unit prices of supplies are in proportion to the item's base cost, (b) may be required to identify supplies that they will not manufacture or to which they will not contribute significant value, and (c) are required to flow the requirement down to subcontractors; (3) Implement Sec. 1216 of Pub. L. 98-525 and Sec. 204 of Pub. L. 98-577 by requiring offerors/contractors in certain acquisitions to certify that the prices offered for those items of supply that the contractor offers for sale to the public are no higher than any lower price charged to any other customer during the preceding 60 days, or submit a written justification for any (cont)

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/03/85	50 FR 27560
Final Action FAR Case 85-23, Small Business Subcontracting Policy	07/29/86	51 FR 27114
Final Action FAR Case 85-28, Integrity of Unit Prices	07/29/86	51 FR 27114
Final Action FAR Case 85-11, Definition of Major System	07/29/86	51 FR 27114
Final Action FAR Case 85-30, Planning for Future Competition	07/29/86	51 FR 27114
Final Action	00/00/00	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: differences; (4) Implement Sec. 402 of Pub. L. 98-577 by (a) widening the area where subcontracting possibilities are considered to exist, (b) further specifying the types of acquisitions that are to be considered for contracting and subcontracting with small and small disadvantaged business concerns, and (c) stating the policy of the United States that its prime contractors establish procedures to ensure timely payments to small and small disadvantaged subcontractors; and (5) Implement Sec. 1211 of Pub. L. 98-525 and Sec. 102 of Pub. L. 98-577 by specifying a definition of "major system."

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA00

3422. FEDERAL ACQUISITION REGULATION (FAR) - FEDERAL ACQUISITION CIRCULAR 84-9

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 12; 48 CFR 33; 48 CFR 52

Legal Deadline: None.

Abstract: To revise the FAR to comply with revised Department of Justice advice concerning the General Accounting Office (GAO) "stay" provisions in 31 U.S.C. 3553(c) and (d) and the GAO "damages" provision in 31 U.S.C. 3554(c) regarding payment of costs of filing and pursuing a protest and preparing the bid and proposal.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/20/85	50 FR 25680
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA01

3423. FEDERAL ACQUISITION REGULATION (FAR) - FEDERAL ACQUISITION CIRCULAR 84-11(FAR CASE 85-38)

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 3; 48 CFR 7; 48 CFR 9; 48 CFR 14; 48 CFR 15; 48 CFR 52

Legal Deadline: Statutory, May 1, 1985.

Abstract: To revise the FAR to (1) Prohibit contractors and subcontractors from asserting or agreeing to unreasonable restrictions on direct sales by subcontractors to the Government; (2) Prescribe policies, procedures, and a solicitation provision for gathering and using information from offerors to assist the Government in planning the most advantageous quantities in which supplies should be purchased; and (3) Prescribe policies, procedures, and a solicitation provision regarding the establishment and enforcement of qualification requirements for sources and products.

Timetable:

Action	Date	FR Cite
Interim Final Rule	09/30/85	50 FR 35474
Final Action FAR Case 85-37 Unreasonable Restrictions on Subcontractor Sales	07/29/86	51 FR 27114
Final Action FAR Case 85-36 Economic Order Quantities	08/12/87	52 FR 30074
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA02

3424. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 84-53)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 22

Legal Deadline: None.

Abstract: Amend the Federal Acquisition Regulation to bring the FAR into conformance with section 8(b)(7) of the Small Business Act with the award of a contract to a small business pending final determination of its eligibility for award under the Walsh-Healey Public Contracts Act.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA24

3425. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 84-45)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 3

Legal Deadline: None.

Abstract: Amend the Federal Acquisition Regulation to implement OFPP Letter 84-1 on Federally Funded Research and Development Centers.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Steets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA29

3426. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 85-16)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 14; 48 CFR 52

Legal Deadline: None.

Abstract: Amend the Federal Acquisition Regulation to provide guidance under the rules of sealed bidding with respect to acceptable evidence in establishing the date of mailing of a late bid.

Timetable:

Action	Date	FR Cite
NPRM	03/22/85	50 FR 11522
NPRM Comment Period End	05/21/85	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA35

3427. FEDERAL ACQUISITION REGULATION (FAR) FAR CASE 85-63

Legal Authority: 40 USC 486 (c); 10 USC Chapter 137; 42 USC 2473 (c)

CFR Citation: 48 CFR 31

Legal Deadline: Statutory, April 7, 1986.

Abstract: Amend the FAR to provide that any cost made specifically unallowable under FAR 31.205, Selected costs, cannot be allowed under any other section of FAR Subpart 31.2, Contracts with Commercial Organizations.

Timetable:

Action	Date	FR Cite
NPRM	04/30/87	52 FR 15884
NPRM Comment Period End	06/29/87	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS - FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA49

3428. FEDERAL ACQUISITION REGULATION (FAR) - FAR CASE 85-32

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 15; 48 CFR 52

Legal Deadline: Statutory, October 18, 1986. October 18, 1986 (Public Law 99-500) May 1, 1985 (Public Law 98-577)

Abstract: Amend the FAR to implement Sec. 926 of Public Law 99-500 and Sec. 204 of Public Law 98-577, by requiring offerors in certain noncompetitive acquisitions to certify that prices offered for spare or repair parts that the contractor offers for sale to the public are no higher than the lowest commercial price at which such parts were sold during the most recent regular monthly, quarterly, or other period (but not less than 30 days) in duration for which sales data are reasonably available, or submit a written justification for any differences.

Timetable:

Action	Date	FR Cite
Interim Final Rule	07/03/85	50 FR 27560
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS - FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA68

3429. FEDERAL ACQUISITION REGULATION (FAR) - FAR CASE 85-43

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 47; 48 CFR 52

Legal Deadline: None.

Abstract: Amend the FAR to alleviate inequities in contract clauses regarding FOB origin.

Timetable:

Action	Date	FR Cite
NPRM	11/22/85	50 FR 48332
NPRM Comment Period End	01/21/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS - FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA69

3430. FEDERAL ACQUISITION REGULATION (FAR) - FAR CASE 85-47

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 27; 48 CFR 52

Legal Deadline: Statutory, November 1, 1985.

Abstract: Amend the FAR to implement Pub L 98-525 and Pub L 98-577 concerning the validation of restrictive markings on technical data delivered by a contractor to the Government.

Timetable:

Action	Date	FR Cite
NPRM	10/03/85	50 FR 40416
NPRM Comment Period End	01/09/86	50 FR 45442
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS - FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA73

3431. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-12)

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 53

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to revise Standard Form 1417 to eliminate unnecessary delays in securing solicitation documents by requiring construction contractors to obtain a certified check or cashiers check.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA97

3432. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-18)

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 8

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to clarify Federal Prison Industries' priority status in the acquisition of services.

Timetable:

Action	Date	FR Cite
NPRM	06/12/86	51 FR 21496
NPRM Comment Period End	08/11/86	
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB03

3433. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-23)

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 13; 48 CFR 19; 48 CFR 20; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to provide for the use of small purchase procedures in awarding set-aside contracts between $10,000 and $25,000.

Timetable:

Action	Date	FR Cite
NPRM	06/26/86	51 FR 23396
NPRM Comment Period End	07/28/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB08

3434. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-24)

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 19; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to clarify in the small business set-aside notice that an acquisition is to be made only from a small business concern furnishing a product manufactured in the U.S., its territories, or possessions, Puerto Rico, or the Trust Territory of the Pacific Islands.

Timetable:

Action	Date	FR Cite
NPRM	07/29/86	51 FR 27129
NPRM Comment Period End	09/29/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB09

3435. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-32)

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 15; 48 CFR 53

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to ensure that the contracting officer and the authorized representative have access to all the data which impacts contract price.

Timetable:

Action	Date	FR Cite
NPRM	06/26/86	51 FR 23396
NPRM Comment Period End	08/25/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB17

3436. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-33)

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 48; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to incorporate changes to provide improved value engineering coverage.

Timetable:

Action	Date	FR Cite
NPRM	09/02/86	51 FR 31197
NPRM Comment Period End	10/02/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB18

3437. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-34)

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 30

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to delete the requirement to use state rates in discounting certain self-insured losses to present value.

Timetable:

Action	Date	FR Cite
NPRM	07/08/86	51 FR 24788
NPRM Comment Period End	09/08/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB19

3438. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-35)

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 30

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to increase the minimum acquisition cost criterion for capitalization purposes from $1,000 to $1,500.

Timetable:

Action	Date	FR Cite
NPRM	07/09/86	51 FR 24971
NPRM Comment Period End	09/08/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB20

3439. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-51)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 14; 48 CFR 15; 48 CFR 32; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR regarding penalties charged under DOD contracts for submission of defective cost or pricing data and interest charged from the date of overpayment on all Government contracts in defective pricing cases.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB37

3440. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-54)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 15

Legal Deadline: None.

Abstract: To amend the FAR to permit the use of letter requests for proposals for sole source acquisitions.

Timetable:

Action	Date	FR Cite
NPRM	10/15/86	51 FR 36777
NPRM Comment Period End	12/15/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB40

3441. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-58)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to (1) clarify service of protest requirements and (2) provide for designation of officials or locations where an information copy of the protest must be delivered.

Timetable:

Action	Date	FR Cite
NPRM	11/25/86	51 FR 42805
NPRM Comment Period End	01/26/87	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, **202 523-4755**

RIN: 9000-AB44

3442. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-64)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 13

Legal Deadline: None.

Abstract: To amend the FAR to implement OMB Circular A-125 and EO 12352, Task Group 5, Module 7, regarding Fast Pay procedures.

Timetable:

Action	Date	FR Cite
NPRM	12/09/86	51 FR 44410
NPRM Comment Period End	02/09/87	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, **202 523-4755**

RIN: 9000-AB50

3443. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-68)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 45; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to provide a clearer statement of what constitutes special versus general purpose test equipment.

Timetable:

Action	Date	FR Cite
NPRM	02/09/87	52 FR 4086
NPRM Comment Period End	04/10/87	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, **202 523-4755**

RIN: 9000-AB53

3444. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-67)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 9; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to clarify what constitutes a "qualification requirement" and to whom or what it applies.

Timetable:

Action	Date	FR Cite
NPRM	02/09/87	52 FR 4082
NPRM Comment Period End	04/10/87	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, **202 523-4755**

RIN: 9000-AB54

3445. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-69)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 15; 48 CFR 31; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to include more specific regulatory coverage concerning the termination of overfunded defined benefit pension plans and the resultant employer withdrawal of excess pension fund assets.

Timetable:

Action	Date	FR Cite
NPRM	02/09/87	52 FR 4084
NPRM Comment Period End	04/10/87	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, **202 523-4755**

RIN: 9000-AB55

3446. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-52)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 17; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to clarify when agencies should evaluate offers for option quantities in awarding the basic contract and when exercise of an option will satisfy the requirements of full and open competition contained in Part 6 of the FAR.

Timetable:

Action	Date	FR Cite
NPRM	10/28/86	51 FR 39456
NPRM Comment Period End	12/29/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, **202 523-4755**

RIN: 9000-AB60

FAR

Final Rule Stage

3447. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-57)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 7

Legal Deadline: None.

Abstract: To amend the FAR to require contracting officers to address in acquisition plans how subcontract competition will be sought, promoted, and sustained throughout an acquisition.

Timetable:

Action	Date	FR Cite
NPRM	10/28/86	51 FR 39456
NPRM Comment Period End	12/29/86	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, **202 523-4755**

RIN: 9000-AB61

3448. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-13)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 5; 48 CFR 13; 48 CFR 19; 48 CFR 52

Legal Deadline: Statutory, April 16, 1987.

Abstract: To amend the Federal Acquisition Regulation to (1) raise the threshold for publicizing proposed acquisitions, other than sole source acquisitions, from $10,000 to $25,000, (2) require posting of notices of solicitations expected to exceed $10,000 but not to exceed $25,000, and (3) raise the limitation for small business, small purchase set-asides from $10,000 to $25,000.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/09/87	52 FR 21885
Comment Period End	08/10/87	52 FR 21885
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, **202 523-4755**

RIN: 9000-AB73

3449. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-14)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 6

Legal Deadline: Statutory, April 16, 1987.

Abstract: To amend the Federal Acquisition Regulation to expand the authority for DoD and NASA to contract without providing for full and open competition if the supplies or services being contracted for are available from only one or a limited number of responsible sources.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/09/87	52 FR 21885
Comment Period End	08/10/87	52 FR 21885
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, **202 523-4755**

RIN: 9000-AB74

3450. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-15)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 15

Legal Deadline: Statutory, April 16, 1987.

Abstract: To amend the FAR requirements regarding the prevention of unit price distortions and identification of supplies that offerors will not manufacture, so that for DoD and NASA, they no longer will apply to commercial items where the price is based on an established catalog or market price.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/09/87	52 FR 21885
Comment Period End	08/10/87	52 FR 21885
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, **202 523-4755**

RIN: 9000-AB75

3451. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-16)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 15; 48 CFR 52

Legal Deadline: Statutory, April 16, 1987.

Abstract: To amend the FAR to require contracting officers to use quality as well as cost or price as an evaluation factor in procurements.

Timetable:

Action	Date	FR Cite
Interim Final Rule	06/09/87	52 FR 21885
Comment Period End	08/10/87	52 FR 21885
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, **202 523-4755**

RIN: 9000-AB76

3452. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-12)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 5; 48 CFR 6; 48 CFR 35

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation pertaining to research and development contracting procedures.

Timetable:

Action	Date	FR Cite
NPRM	05/06/87	52 FR 17280
NPRM Comment Period End	07/06/87	

FAR

Final Rule Stage

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB79

3453. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-18)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 31

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to clarify allowability policy concerning trade, business, technical and professional activity costs.

Timetable:

Action	Date	FR Cite
NPRM	05/13/87	52 FR 18158
NPRM Comment Period End	07/13/87	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4766

RIN: 9000-AB80

3454. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-19)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 31

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to clarify the allowability of extraordinary compensation and certain organization costs incurred in connection with mergers and other business combinations.

Timetable:

Action	Date	FR Cite
NPRM	05/13/87	52 FR 18158
NPRM Comment Period End	07/13/87	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB81

3455. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-22)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 15; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to incorporate amendments to the Truth in Negotiations Act required by Section 952 of the Defense Acquisition Improvement Act of 1966 (Pub. L. 99-500).

Timetable:

Action	Date	FR Cite
NPRM	07/14/87	52 FR 26446
NPRM Comment Period End	09/14/87	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB82

3456. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-24)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 9; 48 CFR 44; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation concerning debarment and suspension procedures.

Timetable:

Action	Date	FR Cite
NPRM	07/31/87	52 FR 28642
NPRM Comment Period End	09/28/87	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB83

3457. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-25)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 47; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation concerning guaranteed maximum shipping weights and dimensions.

Timetable:

Action	Date	FR Cite
NPRM	08/21/87	52 FR 31722
NPRM Comment Period End	10/20/87	
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB84

3458. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-33)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 31

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to delete certain language affecting severance pay.

Timetable:

Action	Date	FR Cite
NPRM	09/17/87	52 FR 35191
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB88

3459. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-34)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 29; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to implement agency agreements with the State of New Mexico that provide for use of "Nontangible Transaction Certificates" by Government cost reimbursement contractors when they purchase tangible property.

Timetable:

Action	Date	FR Cite
NPRM	09/24/87	52 FR 35996
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB97

3460. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-36)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 45

Legal Deadline: None.

Abstract: To amend the FAR to clarify the property records maintenance responsibilities of contractors in possession of Government property.

Timetable:

Action	Date	FR Cite
NPRM	10/07/87	52 FR 37595
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB99

3461. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-37)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 14; 48 CFR 15; 48 CFR 52; 48 CFR 53

Legal Deadline: None.

Abstract: To amend the FAR to provide a simplified contract format and allow annual submission of contractor's representations and certifications.

Timetable:

Action	Date	FR Cite
NPRM	10/27/87	52 FR 41390
Final Action	00/00/00	

Small Entity: Undetermined

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC00

3462. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-39)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 14; 48 CFR 19; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to implement amendments made to sections 8 and 15 of the Small Business Act by section 921, Pub. L. 99-661. The revisions (i) adopt the statutory prohibition against award of set-aside and 8(a) contracts at a price exceeding fair market price; (ii) require that a fair proportion of Government contracts within each industrial category be awarded to small business concerns; and (iii) implement statutory restrictions concerning the extent of subcontracting permitted under set-aside and 8(a) contracts.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/14/87	52 FR 38188
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC02

3463. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-41)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 53

Legal Deadline: None.

Abstract: To amend the FAR to prescribe and illustrate the latest edition of Standard Form 1409, Abstract of Offers, and Standard Form 1409A, Abstract of Offers-Continuation Sheet.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC04

3464. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-42)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 5

Legal Deadline: None.

Abstract: To amend the FAR to make optional the synopsizing of advance notices of interest in research and development fields, and to clarify the purpose of such notices.

Timetable:

Action	Date	FR Cite
NPRM	11/05/87	52 FR 42519
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC05

3465. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-45)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 31

Legal Deadline: None.

Abstract: To amend the FAR to make allowable reasonable costs incurred to promote American aerospace exports at domestic and international exhibits.

Timetable:

Action	Date	FR Cite
NPRM	12/03/87	52 FR 46043
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC08

3466. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-47)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 14

Legal Deadline: None.

Abstract: To amend the FAR to clarify the existing coverage concerning delegation of authority to make determinations allowing withdrawal of bids.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC10

3467. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-48)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 7

Legal Deadline: None.

Abstract: To amend the FAR to change the basis for making a cost comparison study from the $100,000 dollar threshold to the threshold of 10 full-time equivalents as defined and prescribed in OMB Circular A-76.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC11

3468. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-49)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 13

Legal Deadline: None.

Abstract: To amend the FAR to provide for a determinable delivery date vice a definite calendar date for purchase orders.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC12

3469. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-50)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 7; 48 CFR 10

Legal Deadline: None.

Abstract: To amend the FAR to include Governmentwide policies and procedures regarding the use of acquisition streamlining efforts to more efficiently and effectively use resources to develop, produce, or display quality systems.

Timetable:

Action	Date	FR Cite
NPRM	01/04/88	53 FR 100
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC13

3470. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-51)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 28; 48 CFR 37; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to prescribe uniform procedures regarding nonpersonal services contracts for health care services.

Timetable:

Action	Date	FR Cite
NPRM	01/27/88	53 FR 2464
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC14

3471. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-52)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 14; 48 CFR 15; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to eliminate conflicting instructions regarding the proper Uniform Contract Format location for provisions and clauses incorporated by reference.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC15

FAR

Final Rule Stage

3472. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-53)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to eliminate GSA's Business Service Centers' addresses, telephone numbers, and areas of service which frequently require updating.

Timetable:

Action	Date	FR Cite
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC16

3473. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-54)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 32; 48 CFR 33

Legal Deadline: None.

Abstract: To amend the FAR to clarify the policy of the Government concerning demands for payment of contract debts owed to the Government.

Timetable:

Action	Date	FR Cite
NPRM	01/28/88	53 FR 2577
Final Action	00/00/00	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC17

DEPARTMENT OF DEFENSE/GENERAL SERVICES ADMINISTRATION NATIONAL AERONAUTICS AND SPACE ADMINISTRATION (FAR)

Completed Actions

3474. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 83-7)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 22

Legal Deadline: None.

Abstract: Amend the Federal Acquisition Regulation to provide Governmentwide acquisition policy with respect to labor standards for contracts involving construction.

Timetable:

Action	Date	FR Cite
NPRM	11/03/86	51 FR 39965
NPRM Comment Period End	02/02/87	
Final Action	02/18/88	53 FR 4934

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA12

3475. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 84-31)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 32

Legal Deadline: None.

Abstract: Amend the Federal Acquisition Regulation to implement the Debt Collection Act.

Timetable:

Action	Date	FR Cite
Withdrawn	07/31/87	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA26

3476. FEDERAL ACQUISITION REGULATION (FAR) - FAR CASE 85-75

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 45; 48 CFR 52

Legal Deadline: None.

Abstract: Amend the FAR to clarify the contractor's responsibility for Government-furnished property under service contracts performed at Government installations.

Timetable:

Action	Date	FR Cite
NPRM	02/21/86	51 FR 6360
NPRM Comment Period End	04/22/86	
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS - FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA61

3477. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 84-30)

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 32; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to adopt as Subpart 32.9, Prompt Payment, the provisions of the Prompt Payment Act (Pub. L. 97-177) and the related OMB Circular A-125 "Prompt Payment" and attachments 1 and 2 of that Circular.

Timetable:

Action	Date	FR Cite
NPRM	03/18/87	52 FR 8576
NPRM Comment Period End	05/18/87	
Final Action	02/08/88	53 FR 3688

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA93

3478. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 85-25)

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 1

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to provide uniform guidance concerning ratification of unauthorized commitments.

Timetable:

Action	Date	FR Cite
NPRM	03/18/86	51 FR 9429
NPRM Comment Period End	05/19/86	
Final Action	02/08/88	53 FR 3688

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AA95

3479. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-31)

Legal Authority: 40 USC 486(c); 42 USC 2473(c); 10 USC Chapter 137

CFR Citation: 48 CFR 1; 48 CFR 15; 48 CFR 30; 48 CFR 31; 48 CFR 52; 48 CFR 53

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to incorporate the Cost Accounting Standards and certain rules and regulations promulgated by the CAS Board under Pub. L. 91-379.

Timetable:

Action	Date	FR Cite
NPRM	06/03/86	51 FR 20238
NPRM Comment Period End	08/04/86	
Final Action	09/22/87	52 FR 35612

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB16

3480. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 86-59)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 40 USC 2473(c)

CFR Citation: 48 CFR 14

Legal Deadline: None.

Abstract: To amend the FAR to clarify that contracting offices may require written requests for the release of lists of prospective bidders furnished copies of plans and specifications on construction contracts.

Timetable:

Action	Date	FR Cite
NPRM	11/19/86	51 FR 41897
NPRM Comment Period End	01/20/87	
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW 20405, Washington, DC 20405, 202 523-4755

RIN: 9000-AB45

3481. AMENDMENT TO THE FEDERAL ACQUISITION REGULATION (FAR CASE 86-65)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to remove the $100,000 limitation on the amount the contracting officer is authorized to withhold on a cost reimbursement contract to protect the Government's interest pending final cost settlement.

Timetable:

Action	Date	FR Cite
NPRM	01/02/87	52 FR 226
NPRM Comment Period End	03/03/87	
Withdrawn	10/07/87	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB51

3482. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-30)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 42

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation concerning visits to contractor facilities.

Timetable:

Action	Date	FR Cite
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB85

3483. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-31)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 29

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to include federal tax exemptions other than for manufacturers or special fuels excise taxes.

Timetable:

Action	Date	FR Cite
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB86

3484. AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-32)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 25

Legal Deadline: None.

Abstract: To amend the Federal Acquisition Regulation to revise the European Economic Community list.

Timetable:

Action	Date	FR Cite
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB87

3485. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-26)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 33

Legal Deadline: None.

Abstract: To amend the FAR to reflect a recent Brooks Act revision to give the GSBCA authority to determine its own jurisdiction.

Timetable:

Action	Date	FR Cite
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB93

3486. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-27)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 22; 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to include the DOL reporting requirements related to special disabled veterans and veterans of the Vietnam era.

Timetable:

Action	Date	FR Cite
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB94

3487. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-28)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 22

Legal Deadline: None.

Abstract: To amend the FAR to delete the applicability to Eniwetok and Kwajalein Atoll from the Contract Work Hours Safety Standards Act.

Timetable:

Action	Date	FR Cite
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB95

3488. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-29)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 7

Legal Deadline: None.

Abstract: To amend the FAR to conform with the policy presently set forth in the supplement to OMB Circular A-76 (revised Aug. 83) Part I, Chapter 2, Section I, Appeals of Cost Comparisons, Paragraph 6a which specifies a period of 15 to 30 working days for the public review period.

Timetable:

Action	Date	FR Cite
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB96

3489. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-35)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 28

Legal Deadline: None.

Abstract: To amend the FAR to provide contracting officers with additional situations where consideration may be given to the waiver of noncompliance with bid guarantee requirements.

Timetable:

Action	Date	FR Cite
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AB98

3490. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-38)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 52

Legal Deadline: None.

Abstract: To amend the FAR to clarify the types of contractor cost and financial information which are to be made available to the contracting officer for conducting examinations and audits incurred for payment purposes.

Timetable:

Action	Date	FR Cite
Withdrawn	11/23/87	

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC01

3491. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-40)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 8

Legal Deadline: None.

Abstract: To amend the FAR to raise to $1,000 per line item the current $500 threshold for justification of orders placed at other than the lowest price under Multiple Award schedules.

Timetable:

Action	Date	FR Cite
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC03

3492. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-44)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 26

Legal Deadline: None.

Abstract: To amend the FAR to add FAR Part 26 (no text at FAR level) to facilitate agency needs to promulgate additional agency level socioeconomic coverage within Subchapter D, Socioeconomic Programs.

Timetable:

Action	Date	FR Cite
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC07

3493. ● AMENDMENT TO FEDERAL ACQUISITION REGULATION (FAR CASE 87-46)

Legal Authority: 40 USC 486(c); 10 USC Chapter 137; 42 USC 2473(c)

CFR Citation: 48 CFR 3

Legal Deadline: None.

Abstract: To amend the FAR to require the use of a certificate of independent price determination in certain overseas procurements.

Timetable:

Action	Date	FR Cite
NPRM	01/04/88	53 FR 100
Final Action	01/11/88	53 FR 660

Small Entity: No

Agency Contact: Margaret A. Willis, FAR Secretariat, DOD/GSA/NASA (FAR), GSA (VRS-FAR Secretariat), 18th & F Streets, NW, Washington, DC 20405, 202 523-4755

RIN: 9000-AC09

[FR Doc. 88-5805 Filed 04-22-88; 8:45 am]

BILLING CODE 6820-61-T

federal register

Monday
April 25, 1988

Part XLIII

Commodity Futures Trading Commission

Semiannual Regulatory Agenda

COMMODITY FUTURES TRADING COMMISSION (CFTC)

COMMODITY FUTURES TRADING COMMISSION

17 CFR Ch. I

Regulatory Flexibility Agenda

AGENCY: Commodity Futures Trading Commission.

ACTION: Publication of regulatory flexibility agenda.

SUMMARY: The Commodity Futures Trading Commission, in accordance with the requirements of the Regulatory Flexibility Act, is publishing a semiannual agenda of significant rules which the Commission expects to propose or promulgate over the next year. The Commission welcomes comments from small entities and others on the agenda.

ADDRESS: Comments should be sent to: Commodity Futures Trading Commission, 2033 K Street, NW., Washington, DC 20581 (202) 254-7360.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act, 5 U.S.C. 601, *et seq.* ("RFA"), sets forth a number of requirements for agency rulemaking. Among other things, the RFA requires that:

(a) During the months of October and April of each year, each agency shall publish in the **Federal Register** a regulatory flexibility agenda which shall contain:

(1) A brief description of the subject area of any rule which the agency expects to propose or promulgate which is likely to have a significant economic impact on a substantial number of small entities;

(2) A summary of the nature of any such rule under consideration for each subject area listed in the agenda pursuant to paragraph (1), the objectives and legal basis for the issuance of the rule, and an approximate schedule for completing action on any rule for which the agency has issued a general notice of proposed rulemaking; and

(3) The name and telephone number of an agency official knowledgeable concerning the items listed in paragraph (1).

5 U.S.C. 602(a). Accordingly, the Commission has prepared an agenda of significant rules which it presently expects may be considered during the course of the next year, irrespective of their potential impact on small entities.[1] In addition, the agenda lists rulemaking actions which have been completed since the October 1987 agenda was prepared.

The Commission's agenda represents its best estimate of significant rules which will be considered over the next twelve months.[2] In this regard, section 602(d) of the RFA, 5 U.S.C. 602(d), provides: "Nothing in [section 602] precludes an agency from considering or acting on any matter not included in a regulatory flexibility agenda or requires an agency to consider or act on any matter listed in such agenda."

The Commission is publishing its April 1988 Regulatory Flexibility Agenda as part of the Unified Agenda of Federal Regulations. The Unified Agenda of Federal Regulations is coordinated by the Office of Management and Budget pursuant to Executive Order 12291. While participation by executive agencies in the Agenda is mandatory, independent agencies, such as the Commission, participate in the Unified Agenda on a voluntary basis.

The Commission's April 1988 Regulatory Flexibility Agenda is set forth below.

Issued in Washington, DC on February 25, 1988, by the Commission.

Jean A. Webb,

Secretary of the Commission.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3494	Regulation of Hybrid and Related Instruments	3038-AA58

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3495	Regulations Permitting the Grant, Offer and Sale of Options on Physical Commodities (Dealer Options)	3038-AA03
3496	Minimum Financial and Related Reporting Requirements for Futures Commission Merchants	3038-AA10
3497	Regulations governing Commission review of certain actions of registered futures associations	3038-AA57

[1] The Commission has published its definition of small entity to be used by the Commission in connection with rulemaking proceedings. 47 FR 18618 (April 30, 1982). Pursuant to those definitions, the Commission is not required to list many of the agenda items contained in this regulatory flexibility agenda. *See* 5 U.S.C. 602(a)(1). Moreover, the Commission has previously certified, pursuant to section 605 of the RFA, 5 U.S.C. 605, that certain items contained in this agenda will not have a significant economic impact on a substantial number of small entities. Accordingly, listing of an event in this regulatory flexibility agenda should not, in any event, be taken as a determination that a rule, when proposed or promulgated, will in fact require a regulatory flexibility analysis. However, the Commission hopes that the publication of an agenda which includes significant rules, regardless of their potential impact on small entities, may serve the public generally by providing an early and meaningful opportunity to participate in and comment on the formulation of new or revised regulations.

[2] In addition to publishing the regulatory flexibility agenda, the Commission also makes available to the public, on a monthly basis, a calendar listing rules that the Commission intends to consider that month.

CFTC

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3498	Revision of Federal Speculative Position Limits	3038-AA52
3499	Activities of Self-Regulatory Organization Governing Members who Possess Material, Non-Public Information	3038-AA53
3500	Exemption from registration as a commodity trading advisor	3038-AA54

COMMODITY FUTURES TRADING COMMISSION (CFTC) — Prerule Stage

3494. ● REGULATION OF HYBRID AND RELATED INSTRUMENTS

Legal Authority: 17 USC 2; 17 USC 6c; 17 USC 12a

CFR Citation: 17 CFR 34

Legal Deadline: None.

Abstract: The Commodity Futures Trading Commission staff has received inquiries concerning the applicability of the Commodity Exchange Act and Commission regulations to instruments that appear to possess, in varying combinations, characteristics of forward contracts, futures contracts, option contracts, debt instruments, bank deposits, and other interests. The Commission is seeking comments concerning a proposed regulatory framework that would clarify the status of such instruments and permit, by exemption and subject to certain conditions, specified hybrid option instruments to be traded other than on a designated contract market. The Commission is also seeking comments concerning a proposed no-action position with respect to certain commercial commodity contracts.

Timetable:

Action	Date	FR Cite
ANPRM	12/11/87	52 FR 47022
ANPRM Comment Period End	04/11/88	

Small Entity: No

Agency Contact: Susan C. Ervin, Chief Counsel, Division of Trading and Markets, Commodity Futures Trading Commission, 2033 K Street N.W., Washington, D.C. 20581, **202 254-8955**

RIN: 3038-AA58

COMMODITY FUTURES TRADING COMMISSION (CFTC) — Final Rule Stage

3495. REGULATIONS PERMITTING THE GRANT, OFFER AND SALE OF OPTIONS ON PHYSICAL COMMODITIES (DEALER OPTIONS)

Legal Authority: 7 USC 6c(b); 7 USC 6c(d); 7 USC 12a(5)

CFR Citation: 17 CFR 1; 17 CFR 3; 17 CFR 32

Legal Deadline: None.

Abstract: Congress has directed the Commission to issue regulations permitting grantors and futures commission merchants to grant, offer and sell so-called "dealer options" on certain physical commodities subject to certain conditions specified by statute and such other uniform and reasonable requirements as the Commission may prescribe. At present, the only persons who may lawfully grant dealer options are United States domiciles who, on May 1, 1978, were in the business of buying, selling, producing or otherwise using that commodity. The Commission has reproposed rules, principally concerning registration of dealer option grantors, requirements for the segregation of customer funds, disclosure to customers and prospective customers, and minimum financial requirements. The Commission intends to re-evaluate the proposed rules in light of regulatory changes that have occurred since 1980.

Timetable:

Action	Date	FR Cite
NPRM	12/20/78	43 FR 59396
NPRM	04/27/81	46 FR 23469
ANPRM	03/18/85	50 FR 10788
Final Action	09/30/88	

Small Entity: No

Affected Sectors: Multiple

Agency Contact: Robert H. Rosenfeld, Esquire, Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street, NW, Washington, DC 20581, **202 254-8955**

RIN: 3038-AA03

3496. MINIMUM FINANCIAL AND RELATED REPORTING REQUIREMENTS FOR FUTURES COMMISSION MERCHANTS

Legal Authority: 7 USC 6c; 7 USC 6f; 7 USC 6g; 7 USC 12a

CFR Citation: 17 CFR 1.12; 17 CFR 1.17

Legal Deadline: None.

Abstract: The Commission adopted two amendments to its minimum financial and related requirements for futures commission merchants (FCMs). One amendment will preserve the one-day grace period for debit/ deficit accounts unless the account had been in debit/deficit status on the previous business day and the previous day's debit or deficit was not timely satisfied

CFTC — Final Rule Stage

in its entirety by the deposit of new funds. The second amendment is an enhancement of the financial early warning system which requires an FCM to notify its designated self-regulatory organization and the Commission immediately when it determines that an account it is carrying is undermargined by an amount which exceeds its adjusted net capital. The Commission also reproposed a rule to clarify the requirements for and treatment of a guaranteed account.

Timetable:

Action	Date	FR Cite
NPRM	06/25/80	45 FR 42633
NPRM	12/01/80	45 FR 79498
NPRM	08/05/85	50 FR 31612
NPRM	07/29/87	52 FR 28281
NPRM Comment Period End	09/28/87	52 FR 28281
Final Action	09/30/88	

Small Entity: No

Additional Information: Two final rules published 7/29/87, 52 FR 28246 and 52 FR 28248. Effective date: 8/28/87. Guaranteed account rule reproposed on 7/29/87, 52 FR 28281.

Agency Contact: Lawrence Patent or Gary Miller, Assoc. Chief Counsel and Asst. Chief Acct., Commodity Futures Trading Commission, Division of Trading and Markets, 2033 K Street, NW, Washington, DC 20581, 202 254-8955

RIN: 3038-AA10

3497. REGULATIONS GOVERNING COMMISSION REVIEW OF CERTAIN ACTIONS OF REGISTERED FUTURES ASSOCIATIONS

Legal Authority: 7 USC 21(h); 7 USC 21(i); 7 USC 21(o)(2); 7 USC 12a(5)

CFR Citation: 17 CFR 3

Legal Deadline: None.

Abstract: The Commission has statutory authority to review the actions of registered futures associations such as the National Futures Association. Such actions include registration decisions, membership decisions and decisions in disciplinary actions. The Commission currently reviews registration decisions by the National Futures Association pursuant to Subpart F of 17 CFR Part 3. Section 107 of the Futures Trading Act of 1986 mandates that the Commission develop regulations relating to notice of membership decisions and decisions in disciplinary actions made by registered futures associations and to expedited consideration by the Commission of a motion to stay the effect of a decision by a registered futures association pending the Commission review of the decision. The Commission intends to propose rules to govern its review of actions by self regulatory organizations in light of this Congressional mandate and the need to assure that review by the Commission is fair, expeditious and consistent with the policies of self-regulation.

Timetable:

Action	Date	FR Cite
NPRM	03/31/88	
Final Action	06/30/88	

Small Entity: No

Agency Contact: James C. Bohling, Esq., Office of the General Counsel, Commodity Futures Trading Commission, 2033 K St. N.W., Washington, D.C. 20581, 202 254-9880

RIN: 3038-AA57

COMMODITY FUTURES TRADING COMMISSION (CFTC) — Completed Actions

3498. REVISION OF FEDERAL SPECULATIVE POSITION LIMITS

CFR Citation: 17 CFR 150.1; 17 CFR 150.2; 17 CFR 150.3; 17 CFR 150.4; 17 CFR 150.5; 17 CFR 150.10; 17 CFR 150.11; 17 CFR 150.12; 17 CFR 150.6, 150.7, (new)

Completed:

Reason	Date	FR Cite
Final Action	10/20/87	52 FR 38914
Final Action Effective	12/21/87	

Small Entity: No

Agency Contact: Paul M. Architzel 202 254-6990

RIN: 3038-AA52

3499. ACTIVITIES OF SELF-REGULATORY ORGANIZATION GOVERNING MEMBERS WHO POSSESS MATERIAL, NON-PUBLIC INFORMATION

CFR Citation: 17 CFR 1

Completed:

Reason	Date	FR Cite
Final Action	12/29/87	52 FR 48974
Final Action Effective	03/28/88	52 FR 48974

Small Entity: No

Agency Contact: De'Ana Hamilton Brown 202 254-8955

RIN: 3038-AA53

3500. EXEMPTION FROM REGISTRATION AS A COMMODITY TRADING ADVISOR

CFR Citation: 17 CFR 3.16(a)(3); 17 CFR 4.6; 17 CFR 4.12; 17 CFR 4.14; 17 CFR 4.21; 17 CFR 4.22; [illegible] 17 CFR 140.95

Completed:

Reason	Date	FR Cite
Final Action	11/02/87	52 FR 41975

Small Entity: No

Agency Contact: Barbara Stern Gold 202 254-8955

RIN: 3038-AA54

[FR Doc. 88-5104 Filed 04-22-88; 8:45 am]

BILLING CODE 6351-01-T

federal register

Monday
April 25, 1988

Part XLIV

Consumer Product Safety Commission

Semiannual Regulatory Agenda

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

CONSUMER PRODUCT SAFETY COMMISSION

16 CFR Ch. II

Regulatory Flexibility Act; Semiannual Regulatory Flexibility and Unified Agendas

AGENCY: Consumer Product Safety Commission.

ACTION: Publication of regulatory flexibility and unified agendas.

SUMMARY: The Regulatory Flexibility Act (RFA) requires each Federal agency to publish twice each year a regulatory flexibility agenda listing the rules expected to be proposed or promulgated which are likely to have a significant economic impact on a substantial number of small entities, including small businesses, small organizations, and small governmental units. In this document, the Commission publishes its semiannual regulatory flexibility agenda.

Additionally, although not required to do so, the Commission has elected to comply voluntarily with those provisions of Executive Order 12291 which require executive agencies to publish an agenda of regulatory actions expected to be under development or review by the agency during the succeeding 12 months and which further provide that such an agenda may be combined with an agency's regulatory flexibility agenda published in accordance with the RFA.

DATE: The Commission welcomes comments on each subject area of the agenda, particularly from small entities. Written comments concerning the agenda should be received in the Office of the Secretary by June 30, 1988.

ADDRESS: Comments on the regulatory flexibility agenda should be sent to the Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207, telephone (301) 492-6800, and should be titled "Regulatory Flexibility Agenda."

FOR FURTHER INFORMATION CONTACT: For further information on the agenda in general, contact: Allen F. Brauninger, Office of the General Counsel, Consumer Product Safety Commission, Washington, DC 20207, telephone (301) 492-6980. For further information regarding a particular item on the agenda, consult the individual listed in the column headed "Contact" for that particular item.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act, 5 U.S.C. 601-612, contains several provisions intended to reduce unnecessary and disproportionate regulatory requirements on small businesses, small governmental organizations, and other small entities. Section 602 of the Act, 5 U.S.C. 602, requires each agency to publish twice each year a regulatory flexibility agenda containing a brief description of the subject area of any rule expected to be proposed or promulgated which is likely to have a "significant economic impact" on a "substantial number" of small entities. The agency must also provide a summary of the nature of the rule, the objectives and legal basis for the rule, and a schedule for acting on each rule for which the agency has issued a notice of proposed rulemaking. The Regulatory Flexibility Agenda shall also contain the name and address of the agency official knowledgeable about the items listed. Further, agencies are required to provide notice of their agendas to small entities and to solicit their comments by direct notification or by inclusion in publications likely to be obtained by such entities.

In addition, President Reagan's Executive Order 12291 requires executive agencies to publish, twice each year, a regulatory agenda of proposed regulations under development or current regulations under review and further states that such an agenda may be combined with an agenda published under the RFA. While the Commission, as an independent regulatory agency, is not required to follow Executive Order 12291, the Commission is complying voluntarily with those provisions concerning publication of a regulatory agenda.

The regulatory flexibility agenda published below lists, for a 12-month period, the regulatory activities expected to be under development or review. These include all such activities, not only those which may have a significant economic impact on a substantial number of small entities.

The agenda contains a brief description and summary of each regulatory activity, including the objectives and legal basis for each; an approximate schedule of target dates, subject to revision, for the development or completion of each activity; and the name and telephone number of a knowledgeable agency official concerning particular items on the agenda. All agency contacts have the same address: Consumer Product Safety Commission, Washington, DC 20207.

Dated: March 24, 1988.

Sadye E. Dunn,

Secretary, Consumer Product Safety Commission.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3501	Rule review	3041-AA20
3502	Requirements for the special packaging of household substances; revision of test protocol for child resistant packaging	3041-AA22
3503	Rule review	3041-AA24
3504	Rule review	3041-AA25
3505	Petition HP 84-1. Petition to request amendment to the regulations on electrical toys to exempt electronic video games	3041-AA41
3506	All-Terrain Vehicles	3041-AA53
3507	Petition HP 87-1 requesting a ban of certain household products containing more than 0.01 percent tremolite	3041-AA63

CPSC

Prerule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
3508	Petition CP 87-1 requesting development of a product safety rule for kerosene heaters and requiring a label to warn against flare-up	3041-AA68
3509	Petition PP 87-2 requesting that certain effervescent acetaminophen tablets be exempted from Poison Prevention Packaging Act regulations requiring child-resistant packaging	3041-AA69
3510	Petition PP 87-4 requesting that certain unflavored aspirin in powder form be exempted from Poison Prevention Packaging Act regulations requiring child-resistant packaging	3041-AA70
3511	Petition PP 87-3 requesting that certain medroxyprogesterone acetate tablets be exempted from Poison Prevention Packaging Act regulations requiring child-resistant packaging	3041-AA71
3512	Possible standard or ban to address injuries to children caused by children playing with lawn darts	3041-AA72
3513	Requirements to make cigarette lighters child resistant	3041-AA73
3514	Poison Prevention Packaging Act requirements for certain conjugated estrogens, proposed amendment of exemption	3041-AA74
3515	Petition CP 87-5 requesting a warning label on hot air paint removal tools	3041-AA75
3516	Method for identifying toys and other articles intended for children under 3 years of age which present choking, aspiration, or ingestion hazards because of small parts	3041-AA76

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3517	Petition HP 85-1. Petition requesting ban of household products containing methylene chloride	3041-AA58
3518	Household substances containing methylene chloride; status as hazardous substances; proposed rule	3041-AA59

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3519	Petition CP 86-2 requesting a consumer product safety standard for bunk beds	3041-AA66

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3520	Federal Hazardous Substances Act regulations for first aid labeling of products containing 10 percent or more of benzene, toluene, xylene, or petroleum distillates	3041-AA52
3521	Petition PP 85-2. Petition for rule to make disposable lighters child-resistant	3041-AA56
3522	Petition CP 86-1 requesting issuance of rule to address tip-over hazards of mobile television carts and related products for use in schools, institutions, and government agencies	3041-AA60
3523	Petition HP 86-1 requesting issuance of a rule to require labeling of disposable diapers	3041-AA61
3524	Petition PP 87-1 requesting that certain conjugated estrogens be exempted from Poison Prevention Packaging Act regulations requiring child-resistant packaging	3041-AA65
3525	Petition HP 87-2 to request amendment to the CPSC small parts regulation for items intended for children under three years of age	3041-AA67

CONSUMER PRODUCT SAFETY COMMISSION (CPSC)

Prerule Stage

3501. RULE REVIEW

Legal Authority: 5 USC 610 Regulatory Flexibility Act; 15 USC 1193 Flammable Fabrics Act; 15 USC 1194 Flammable Fabrics Act; 15 USC 2079 Consumer Product Safety Act

CFR Citation: 16 CFR 1608; 16 CFR 1610; 16 CFR 1611; 16 CFR 1615; 16 CFR 1616; 16 CFR 1630; 16 CFR 1631; 16 CFR 1632

Legal Deadline: Statutory, December 31, 1990.

Abstract: On February 2, 1984, the Commission published a Federal Register notice listing eight (8) rules and standards issued under the Flammable Fabrics Act and soliciting comments on those rules. The Commission will review these rules under the provisions of the Regulatory Flexibility Act to determine if the rules should be revoked, amended, or continued in effect without change. The staff expects to submit a draft report on the economic impact of these rules on small businesses by August 31, 1988, for consideration by the Commission.

Timetable:

Action	Date	FR Cite
Notice to solicit comments	02/02/84	49 FR 4103
Public Comment Period Ends	04/02/84	49 FR 4103
End Review	09/00/88	

Small Entity: Yes

Agency Contact: **Allen Brauninger,** Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, **301 492-6980**

RIN: 3041-AA20

3502. REQUIREMENTS FOR THE SPECIAL PACKAGING OF HOUSEHOLD SUBSTANCES; REVISION OF TEST PROTOCOL FOR CHILD RESISTANT PACKAGING

Legal Authority: 15 USC 1472 Poison Prevention Packaging Act; 15 USC 1473 Poison Prevention Packaging Act

CFR Citation: 16 CFR 1700.20

Legal Deadline: None.

Abstract: On January 19, 1983, the Commission published an Advance Notice of Proposed Rulemaking soliciting comments on ways to amend the existing requirements for child-resistant packaging to improve the effectiveness and efficiency of these requirements. In June, 1985, the Commission staff completed testing to determine the feasibility of using some of the alternate procedures for evaluation of child-resistant packaging described in the ANPR. In August 1987, the Commission considered the comments received in response to the ANPR and the staff's recommendations regarding revision of existing requirements for child-resistant packaging. The Commission directed the staff to prepare draft proposals to amend the test protocols used to evaluate the effectiveness of child-resistant packaging. The staff is preparing a briefing package concerning specific revisions to the child test protocol and the adult test protocol. The staff anticipates that it will transmit the briefing package to the Commission in May 1988.

Timetable:

Action	Date	FR Cite
ANPRM	01/19/83	48 FR 2389
ANPRM Comment Period End	03/21/83	48 FR 2389
Staff sends briefing package to Commission	05/00/88	

Small Entity: Undetermined

Agency Contact: **Virginia A. White,** Project Manager, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, DC 20207, **301 492-6554**

RIN: 3041-AA22

3503. RULE REVIEW

Legal Authority: 5 USC 610 Regulatory Flexibility Act; 15 USC 1471 Poison Prevention Packaging Act

CFR Citation: 16 CFR 1700; 16 CFR 1701; 16 CFR 1702; 16 CFR 1704

Legal Deadline: Statutory, December 31, 1990.

Abstract: The Commission plans to publish a Federal Register notice listing four (4) rules and standards issued under the Poison Prevention Packaging Act and soliciting comments on those rules. The Commission will review these rules under the provisions of the Regulatory Flexibility Act to determine if the rules should be revoked, amended, or continued in effect without change.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Yes

Agency Contact: **Allen Brauninger,** Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, **301 492-6980**

RIN: 3041-AA24

3504. RULE REVIEW

Legal Authority: 5 USC 610 Regulatory Flexibility Act; 15 USC 1261 Federal Hazardous Substances Act

CFR Citation: 16 CFR 1500; 16 CFR 1501; 16 CFR 1505; 16 CFR 1507; 16 CFR 1508; 16 CFR 1509; 16 CFR 1510; 16 CFR 1511; 16 CFR 1512

Legal Deadline: Statutory, December 31, 1990.

Abstract: On February 22, 1984, the Commission published a Federal Register notice listing nine (9) rules and standards issued under the Federal Hazardous Substances Act and soliciting comments on those rules. The Commission will review these rules under provisions of the Regulatory Flexibility Act to determine if the rules should be revoked, amended, or continued in effect without change.

Timetable:

Action	Date	FR Cite
Notice to solicit comments	02/22/84	49 FR 6504
Public Comment Period Ends	04/23/84	49 FR 6504

Next Action Undetermined

Small Entity: Yes

Agency Contact: **Allen Brauninger,** Attorney, Consumer Product Safety Commission, Office of General Counsel, Washington, DC 20207, **301 492-6980**

RIN: 3041-AA25

3505. PETITION HP 84-1. PETITION TO REQUEST AMENDMENT TO THE REGULATIONS ON ELECTRICAL TOYS TO EXEMPT ELECTRONIC VIDEO GAMES

Legal Authority: 15 USC 1261 Federal Hazardous Substances Act; 15 USC 1262 Federal Hazardous Substances Act

CFR Citation: 16 CFR 1505

Legal Deadline: None.

Abstract: In correspondence dated December 21, 1983, the Consumer Electronic Group of the Electronic Industries Association petitioned the Commission to amend the regulation on electrical toys to exempt electronic video games from coverage. The staff is preparing a briefing package on this petition, and expects to transmit the briefing package to the Commission after July 1, 1988. If the Commission grants the petition, it will proceed to develop a proposed exemption to the standard.

Timetable:

Action	Date	FR Cite
Staff sends briefing package to Commission	07/00/88	

Small Entity: Undetermined

Agency Contact: Elaine Tyrrell, Project Manager, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, DC 20207, **301 492-6554**

RIN: 3041-AA41

3506. ALL-TERRAIN VEHICLES

Significance: Agency Priority

Legal Authority: 15 USC 2051 et seq Consumer Product Safety Act; 15 USC 1262(f) Federal Hazardous Substances Act

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: On May 31, 1985, the Commission published an advance notice of proposed rulemaking (ANPR) to announce its preliminary determination that an unreasonable risk of injury may be associated with all-terrain vehicles. An all-terrain vehicle (ATV) is a three- or four-wheeled motorized machine, designed for off-road use, and intended to be ridden by one person. On December 18, 1986, the Commission directed its staff to: (1) continue to work with the industry to develop voluntary performance standards and do the technical work required to issue a NPRM, (2) prepare a letter to state governors, the Department of the Interior, and other appropriate federal agencies stressing the importance of ATV safety, (3) update the ATV safety alert and conduct Clearinghouse activities on ATV safety, (4) develop a program to provide all warnings necessary to advise consumers of the risks associated with ATVs and how to minimize them, (5) prepare a letter advising the Specialty Vehicle Institute of America (SVIA) of the Commission's displeasure at the progress to date in developing voluntary standards, and (6) prepare a letter asking that (cont.)

Timetable:

Action	Date	FR Cite
ANPRM	05/31/85	50 FR 23139
ANPRM Comment Period End	09/30/85	50 FR 31391

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT. ATV manufacturers voluntarily cease marketing ATVs intended for use by children under 12 years of age. Letters were sent to the Governors of the fifty states on January 28, 1987, and to Federal agencies on February 26, 1987. A letter setting forth the Commission's concern about progress in developing voluntary standards for ATVs was sent to SVIA on March 30, 1987. The Consumer Alert on ATVs was updated and made available to the public on May 7, 1987. In accordance with a preliminary consent decree filed on December 30, 1987, with the U.S. District Court of the District of Columbia in U.S. v. American Honda Motor Co. et al. (Civil Action No. 87-3525 SS), the Commission has provided a draft of a proposed safety standard for ATVs to manufacturers. The preliminary consent decree provides that manufacturers will attempt in good faith to reach agreement on a voluntary standard for ATVs acceptable to the Commission within four months of the Court's approval of a final consent decree.

Agency Contact: Nick Marchica, Chairman, ATV Task Force, Consumer Product Safety Commission, Office of the Executive Director, Washington, D. C. 20207, **301 492-6550**

RIN: 3041-AA53

3507. PETITION HP 87-1 REQUESTING A BAN OF CERTAIN HOUSEHOLD PRODUCTS CONTAINING MORE THAN 0.01 PERCENT TREMOLITE

Legal Authority: 15 USC 1261(q)(1)(B) Federal Hazardous Substances Act; 5 USC 553(e) Administrative Procedure Act

CFR Citation: 16 CFR 1500

Legal Deadline: None.

Abstract: On October 14, 1986, Mr. Mark Germine petitioned the Commission to ban: consumer products that contain limestone, including lawn and garden limestones, both granular and pulverized; sand products, including play sand; and consumer gravel products; if such products contain more than 0.01 percent of tremolite. Mr. Germine bases his request for a ban on a concern that tremolite in these products is carcinogenic and causes mesothelioma. The staff will prepare a briefing package for consideration by the Commission in deciding whether to grant or deny the petition. If the Commission grants the petition, it will begin a rulemaking proceeding under the Federal Hazardous Substances Act.

Timetable:

Action	Date	FR Cite
Staff sends briefing package to Commission	00/00/00	

Small Entity: Undetermined

Agency Contact: Sandra Eberle, Program Manager, Office of Program Management and Budget, Consumer Product Safety Commission, Washington, D.C. 20207, **301 492-6554**

RIN: 3041-AA63

3508. PETITION CP 87-1 REQUESTING DEVELOPMENT OF A PRODUCT SAFETY RULE FOR KEROSENE HEATERS AND REQUIRING A LABEL TO WARN AGAINST FLARE-UP

Legal Authority: 5 USC 553(e) Administrative Procedure Act; 15 USC 2056 Consumer Product Safety Act; 15 USC 2058 Consumer Product Safety Act; 15 USC 2076 Consumer Product Safety Act

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: On September 19, 1986, the Commission received a petition from the National Kerosene Heater Association (NKHA). The association requested that the Commission initiate proceeding under the Consumer Product Safety Act to develop a kerosene heater rule containing requirements to limit nitrogen dioxide emissions of kerosene heaters and all of the requirements for kerosene heaters now contained in UL Standard 647. At about the same time, the International Association of Fire

Chiefs (IAFC) requested the Commission to require the kerosene heater industry to provide notice and warning labels on all kerosene heaters sold in the United States alerting the consumer that unvented portable kerosene heaters are subject to spontaneous and uncontrollable flare-up with flames extending outside the cabinet. The staff is preparing a briefing package on these requests for consideration by the Commission. If the Commission grants the petition from NKHA or the request from IAFC, it will begin a rulemaking proceeding under the Consumer Product Safety Act.

Timetable:

Action	Date	FR Cite
Staff sends briefing package to Commission	00/00/00	

Small Entity: Undetermined

Agency Contact: L. James Sharman, Fire Programs Officer, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, D.C. 20207, **301 492-6554**

RIN: 3041-AA68

3509. PETITION PP 87-2 REQUESTING THAT CERTAIN EFFERVESCENT ACETAMINOPHEN TABLETS BE EXEMPTED FROM POISON PREVENTION PACKAGING ACT REGULATIONS REQUIRING CHILD-RESISTANT PACKAGING

Legal Authority: 5 USC 553(e) Administrative Procedure Act; 15 USC 1471 et seq. Poison Prevention Packaging Act

CFR Citation: 16 CFR 1700.14

Legal Deadline: None.

Abstract: A petition dated April 21, 1987, from Miles Laboratories, Inc. requested the Commission to increase the present exemption from special packaging requirements for effervescent acetaminophen tablets from an acetaminophen content of less than 10 percent to one of not more than 15 percent. In April, 1988, the staff will send a briefing package to the Commission with recommendations for action on the petition. If the Commission grants the petition, it will initiate a rulemaking proceeding under the Poison Prevention Packaging Act.

Timetable:

Action	Date	FR Cite
Staff sends briefing package to Commission	04/00/88	

Small Entity: Undetermined

Agency Contact: Virginia White, Project Manager, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, D.C. 20207, **301 492-6554**

RIN: 3041-AA69

3510. PETITION PP 87-4 REQUESTING THAT CERTAIN UNFLAVORED ASPIRIN IN POWDER FORM BE EXEMPTED FROM POISON PREVENTION PACKAGING ACT REGULATIONS REQUIRING CHILD-RESISTANT PACKAGING

Legal Authority: 5 USC 553(e) Administrative Procedure Act; 15 USC 1471 et seq. Poison Prevention Packaging Act

CFR Citation: 16 CFR 1700.14

Legal Deadline: None.

Abstract: A petition dated May 20, 1987, from Block Drug Company requested the Commission to increase the present exemption from special packaging requirements for unflavored aspirin preparations in powder form which are packaged in unit doses from 13 grains per unit dose to 15.4 grains per unit dose. In April, 1988, the staff will send a briefing package to the Commission with recommendations for action on the petition.

Timetable:

Action	Date	FR Cite
Staff sends briefing package to Commission	04/00/88	

Small Entity: Undetermined

Agency Contact: Virginia White, Project Manager, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, D.C. 20207, **301 492-6554**

RIN: 3041-AA70

3511. PETITION PP 87-3 REQUESTING THAT CERTAIN MEDROXYPROGESTERONE ACETATE TABLETS BE EXEMPTED FROM POISON PREVENTION PACKAGING ACT REGULATIONS REQUIRING CHILD-RESISTANT PACKAGING

Legal Authority: 5 USC 553(e) Administrative Procedure Act; 15 USC 1471 et seq. Poison Prevention Packaging Act

CFR Citation: 16 CFR 1700.14

Legal Deadline: None.

Abstract: A petition dated April 27, 1987, Ayerst Laboratories asked the Commission to exempt from special packaging requirements for oral prescription drugs, medroxyprogesterone acetate tablets when dispensed in mnemonic packages containing no more than 100 milligrams of the drug. If the Commission grants the petition, it will initiate a rulemaking proceeding under the Poison Prevention Packaging Act. In April, 1988, the staff will send a briefing package to the Commission with recommendations for action on the petition.

Timetable:

Action	Date	FR Cite
Staff sends briefing package to Commission	04/00/88	

Small Entity: Undetermined

Agency Contact: Virginia White, Project Manager, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, D.C. 20207, **301 492-6554**

RIN: 3041-AA71

3512. POSSIBLE STANDARD OR BAN TO ADDRESS INJURIES TO CHILDREN CAUSED BY CHILDREN PLAYING WITH LAWN DARTS

Legal Authority: 15 USC 1261 to 1262 Federal Hazardous Substances Act; 15 USC 2056 to 2058 Consumer Product Safety Act

CFR Citation: 16 CFR 1500.18(a)(4); 16 CFR 1500.86(a)(3)

Legal Deadline: None.

Abstract: The Commission has been considering options to address deaths and injuries to children which have resulted from children playing with lawn darts. Lawn darts intended for use by children are banned by a regulation issued under the Federal Hazardous Substances Act. However, an

exemption to this rule allows the sale of lawn darts which are labeled with warnings that the articles are not toys and should not be used by children, are accompanied with instructions for safe use, and are not sold in toy stores or store departments which deal primarily in toys or other children's articles. On October 20, 1987, the Commission published an ANPR describing regulatory alternatives under consideration to address risks of death and injury to children associated with lawn darts. These alternatives included: (1) issuing additional mandatory requirements for labeling of lawn darts, instructions to accompany those articles, and marketing practices which the Commission had previously asked the industry to adopt on a voluntary basis; or (2) banning all lawn darts. The ANPR stated that before selecting any regulatory option, the Commission would consider the extent to which the lawn (cont)

Timetable:

Action	Date	FR Cite
ANPRM	10/20/87	52 FR 38935
ANPRM Comment Period End	12/21/87	52 FR 38935

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: dart industry adopted on a voluntary basis five specific suggestions for changes to labels, instructions, and marketing practices; and whether any additional voluntary action or mandatory requirements could be expected to protect consumers from unreasonable risks of injury associated with lawn darts. On March 2, 1988, the Commission directed the staff to draft a proposed rule to require additional labeling of lawn darts, information and instructions to accompany lawn darts, and limitations on the marketing of lawn darts.

Agency Contact: Elaine Tyrrell, Project Manager, Office of Program Management and Budget, Consumer Product Safety Commission, Washington, DC 20207, **301 492-6554**

RIN: 3041-AA72

3513. ● REQUIREMENTS TO MAKE CIGARETTE LIGHTERS CHILD RESISTANT

Legal Authority: 15 USC 2051 et seq Consumer Product Safety Act; 15 USC 1261 et seq Federal Hazardous Substances Act; 15 USC 1471 et seq Poison Prevention Packaging Act

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: On March 3, 1988, the Commission published an Advance Notice of Proposed Rulemaking (ANPRM) to announce its preliminary determination that unreasonable risks of death and injury may be associated with cigarette lighters because they are not sufficiently resistant to operation by children. The ANPRM summarized information currently available to the Commission about the various types of lighters sold to consumers, risks of death and injury associated with fires started by children playing with lighters, and a voluntary standard applicable to lighters. The ANPRM discussed regulatory alternatives under consideration by the Commission and solicited information from the public about the product, risks of injury, and regulatory alternatives described in the Notice. The Commission also invited interested persons to submit an existing standard or an offer to develop or modify a voluntary standard to address the risks of injury identified in the ANPRM.

Timetable:

Action	Date	FR Cite
ANPRM	03/03/88	53 FR 6833
ANPRM Comment Period End	05/02/88	53 FR 6833

Small Entity: Undetermined

Agency Contact: L. James Sharman, Fire Programs Officer, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, D. C. 20207, **301 492-6554**

RIN: 3041-AA73

3514. ● POISON PREVENTION PACKAGING ACT REQUIREMENTS FOR CERTAIN CONJUGATED ESTROGENS, PROPOSED AMENDMENT OF EXEMPTION

Legal Authority: 5 USC 553 Administrative Procedure Act; 15 USC 1471 et seq Poison Prevention Packaging Act

CFR Citation: 16 CFR 1700.14

Legal Deadline: None.

Abstract: On December 22, 1987, the Commission proposed to amend a regulation which exempts conjugated estrogen tablets in certain mnemonic packages from requirements for child-resistant packaging. The proposed amendment would increase the amount of the drug allowed in each non-child-resistant package from 26.5 milligrams to 32 milligrams.

Timetable:

Action	Date	FR Cite
NPRM	12/22/87	52 FR 48452
NPRM Comment Period End	02/22/88	52 FR 48452
Staff sends briefing package to Commission	04/00/88	

Small Entity: Undetermined

Agency Contact: Virginia White, Project Manager, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, D. C. 20207, **301 492-6554**

RIN: 3041-AA74

3515. ● PETITION CP 87-5 REQUESTING A WARNING LABEL ON HOT AIR PAINT REMOVAL TOOLS

Legal Authority: 15 USC 2056 Consumer Product Safety Act; 15 USC 2076 Consumer Product Safety Act

CFR Citation: 16 CFR 1200; 16 CFR 1400

Legal Deadline: None.

Abstract: On August 6, 1987, the Greater St. Louis Lead Poisoning Prevention Council petitioned the Commission to require manufacturers of all hot air paint removal tools to place a warning label on the tool that specifically warns the users of the dangers of lead fumes and lead dust when removing paint with this tool. The Council bases its request on reports of high blood lead levels in children and adults associated with the use of air paint removal tools in the rehabilitation of residences which have paint with high lead levels. The staff will prepare a briefing package for consideration by the Commission deciding whether to grant or deny the petition. If the Commission grants the petition, it will begin rulemaking under the Consumer Product Safety Act.

CPSC **Prerule Stage**

Timetable:

Action	Date	FR Cite
Staff sends briefing package to Commission	00/00/00	

Small Entity: Undetermined

Agency Contact: Sandra Eberle, Program Manager, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, D. C. 20207, **301 492-6554**

RIN: 3041-AA75

3516. ● METHOD FOR IDENTIFYING TOYS AND OTHER ARTICLES INTENDED FOR CHILDREN UNDER 3 YEARS OF AGE WHICH PRESENT CHOKING, ASPIRATION, OR INGESTION HAZARDS BECAUSE OF SMALL PARTS

Legal Authority: 15 USC 1261 to 1262 Federal Hazardous Substance Act

CFR Citation: 16 CFR 1501

Legal Deadline: None.

Abstract: The Commission has a regulation applicable to toys and other articles intended for children under three years old that prescribes a test cylinder to determine if articles, or detachable parts of such articles, present a choking hazard to young children. Articles or components which fit within the test cylinder are banned. Although this regulation has been in effect for several years, choking incidents involving young children continue to occur. The Commission has established a project to gather information about the nature and causes of these incidents and to make recommendations for any additional measures needed to reduce injuries and deaths from such incidents, including modification of the small parts test cylinder. The Commission expects to publish an ANPRM in May 1988 to solicit comment on ways to address choking hazards to young children, including specific modifications of the test cylinder requested in a petition from the Consumer Federation of America and the New York Attorney General's Office.

Timetable:

Action	Date	FR Cite
ANPRM	05/00/88	
ANPRM Comment Period End	07/00/88	

Small Entity: Undetermined

Agency Contact: Elaine A. Tyrrell, Project Manager, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, D.C. 20207, **301 492-6554**

RIN: 3041-AA76

CONSUMER PRODUCT SAFETY COMMISSION (CPSC) — Proposed Rule Stage

3517. PETITION HP 85-1. PETITION REQUESTING BAN OF HOUSEHOLD PRODUCTS CONTAINING METHYLENE CHLORIDE

Legal Authority: 15 USC 1261(q)(1)(B) Federal Hazardous Substances Act; 15 USC 1262(a) Federal Hazardous Substances Act

CFR Citation: 16 CFR 1500

Legal Deadline: None.

Abstract: On September 3, 1985, the Consumer Federation of America (CFA) petitioned the Commission to begin a proceeding for issuance of a rule under provisions of section 3(a) of the Federal Hazardous Substances Act (FHSA) to declare that household products containing methylene chloride are hazardous substances. By letter dated December 20, 1985, CFA amended the petition to also request that a proceeding be initiated to declare household products containing methylene chloride to be "banned hazardous substances" under provisions of section 2(q)(1)(B) of the FHSA upon issuance of the rule to classify such products as hazardous substances. Methylene chloride is a solvent used in paint strippers, spray paints, and other consumer products. On August 20, 1986, the Commission proposed a rule to declare household products containing methylene chloride to be hazardous substances. This had the effect of granting CFA's first request. In August 1987, the Commission determined that there was insufficient controversy to warrant a rulemaking proceeding and issued a statement of enforcement policy stating the Commission's view that (cont.)

Timetable:

Action	Date	FR Cite
NPRM	08/20/86	51 FR 29778
NPRM Comment Period End	10/20/86	51 FR 29778
Policy published	09/14/87	52 FR 34698

Next Action Undetermined

Small Entity: Undetermined

Additional Information: CONT household products that contain methylene chloride and that expose consumers to significant levels of methylene chloride are hazardous substances and subject to the FHSA's labeling requirements. If the Commission grants the remainder of CFA's petition, it will publish an advance notice of proposed rulemaking under the provisions of the FHSA.

Agency Contact: Sandra Eberle, Program Manager, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, D.C. 20207, **301 492-6554**

RIN: 3041-AA58

3518. HOUSEHOLD SUBSTANCES CONTAINING METHYLENE CHLORIDE; STATUS AS HAZARDOUS SUBSTANCES; PROPOSED RULE

Legal Authority: 15 USC 1261 Federal Hazardous Substances Act; 15 USC 1262 Federal Hazardous Substances Act

CFR Citation: 16 CFR 1500.12(a)(2)

Legal Deadline: None.

Abstract: On August 20, 1986, the Commission proposed a rule to declare that household products containing methylene chloride are hazardous substances under the Federal Hazardous Substances Act. These products include some paint strippers and spray paints. The Commission's concern arises from animal tests showing that methylene chloride is a carcinogen by inhalation and studies

CPSC — Proposed Rule Stage

indicating a significant human exposure as a result of reasonably foreseeable use of products containing methylene chloride. The initiation of this rulemaking proceeding granted one part of a petition (HP 85-1) from the Consumer Federation of America. The staff provided an analysis of the comments on the proposed rule to the Commission in June 1987. In August 1987, the Commission determined that there was insufficient controversy over the status of methylene chloride as a hazardous substance; therefore, the Commission suspended the rulemaking and issued a statement of enforcement policy stating the Commission's view that household products that contain methylene chloride and that expose consumers to significant levels of methylene chloride are (cont.)

Timetable:

Action	Date	FR Cite
NPRM	08/20/86	51 FR 29778
NPRM Comment Period End	10/20/86	51 FR 29778
Policy published	09/14/87	52 FR 34698

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: subject to the FHSA's labeling requirements.

Agency Contact: Sandra Eberle, Program Manager, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, D.C. 20207, **301 492-6554**

RIN: 3041-AA59

CONSUMER PRODUCT SAFETY COMMISSION (CPSC) — Final Rule Stage

3519. PETITION CP 86-2 REQUESTING A CONSUMER PRODUCT SAFETY STANDARD FOR BUNK BEDS

Legal Authority: 5 USC 553(e) Administrative Procedure Act; 15 USC 1261 Federal Hazardous Substances Act; 15 USC 1262 Federal Hazardous Substances Act; 15 USC 2056 Consumer Product Safety Act; 15 USC 2058 Consumer Product Safety Act; 15 USC 2079(d) Consumer Product Safety Act

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: In correspondence dated August 26, 1986, the Consumer Federation of America petitioned the Commission to begin a proceeding to issue a consumer product safety standard for bunk beds. The petition alleges that unreasonable risks of death or injury to children are associated with bunk beds in that (1) supporting structures for mattresses can be inadequate to prevent the mattress from falling on children, (2) guardrails can be positioned far enough above the upper surface of the mattress to allow a child's body to slip between the guardrail and the mattress, resulting in head entrapment and strangulation, and (3) the absence of a guardrail on the side of the bed next to a wall can result in entrapment of a child's head or chest between the mattress and the wall, causing strangulation. If the petition is granted, the Commission will begin a rulemaking proceeding under either the Consumer Product Safety Act or the Federal Hazardous Substances Act. The staff briefed the Commission on this petition on November 5, 1987.

Timetable:

Action	Date	FR Cite
Final Action Commission Decision on Petition	05/00/88	

Small Entity: Undetermined

Agency Contact: Elaine Tyrrell, Project Manager, Consumer Product Safety Commission, Office of Program Management and Budget, Washington, DC 20207, **301 492-6554**

RIN: 3041-AA66

CONSUMER PRODUCT SAFETY COMMISSION (CPSC) — Completed Actions

3520. FEDERAL HAZARDOUS SUBSTANCES ACT REGULATIONS FOR FIRST AID LABELING OF PRODUCTS CONTAINING 10 PERCENT OR MORE OF BENZENE, TOLUENE, XYLENE, OR PETROLEUM DISTILLATES

CFR Citation: 16 CFR 1500.14(b)(3)

Completed:

Reason	Date	FR Cite
Final Action	02/03/88	53 FR 3014
Final Action Effective	03/04/88	53 FR 3014

Small Entity: Undetermined

Agency Contact: Virginia A. White 301 492-6554

RIN: 3041-AA52

3521. PETITION PP 85-2. PETITION FOR RULE TO MAKE DISPOSABLE LIGHTERS CHILD-RESISTANT

CFR Citation: 00 CFR Not Yet Determined

Completed:

Reason	Date	FR Cite
Final Action Petition Granted	12/31/87	

Small Entity: Undetermined

Agency Contact: L. J. Sharman 301 492-6554

RIN: 3041-AA56

3522. PETITION CP 86-1 REQUESTING ISSUANCE OF RULE TO ADDRESS TIP-OVER HAZARDS OF MOBILE TELEVISION CARTS AND RELATED PRODUCTS FOR USE IN SCHOOLS, INSTITUTIONS, AND GOVERNMENT AGENCIES

CFR Citation: 00 CFR Not Yet Determined

Completed:

Reason	Date	FR Cite
Final Action Petition denied	02/25/88	

CPSC

Completed Actions

Small Entity: Undetermined

Agency Contact: Stan Morrow 301 492-6554

RIN: 3041-AA60

3523. PETITION HP 86-1 REQUESTING ISSUANCE OF A RULE TO REQUIRE LABELING OF DISPOSABLE DIAPERS

CFR Citation: 00 CFR Not Yet Determined

Completed:

Reason	Date	FR Cite
Final Action Petition denied	02/09/88	

Small Entity: Undetermined

Agency Contact: L. James Sharman 301 492-6554

RIN: 3041-AA61

3524. PETITION PP 87-1 REQUESTING THAT CERTAIN CONJUGATED ESTROGENS BE EXEMPTED FROM POISON PREVENTION PACKAGING ACT REGULATIONS REQUIRING CHILD-RESISTANT PACKAGING

CFR Citation: 16 CFR 1700.14

Completed:

Reason	Date	FR Cite
Final Action Petition Granted	11/24/87	

Small Entity: Undetermined

Agency Contact: Virginia White 301 492-6554

RIN: 3041-AA65

3525. PETITION HP 87-2 TO REQUEST AMENDMENT TO THE CPSC SMALL PARTS REGULATION FOR ITEMS INTENDED FOR CHILDREN UNDER THREE YEARS OF AGE

CFR Citation: 16 CFR 1501.4

Completed:

Reason	Date	FR Cite
Final Action Petition denied	02/03/88	

Small Entity: Undetermined

Agency Contact: Elaine Tyrrell 301 492-6554

RIN: 3041-AA67

[FR Doc. 88-7898 Filed 04-22-88; 8:45 am]

BILLING CODE 6355-01-T

federal register

Monday
April 25, 1988

Part XLV

Farm Credit Administration

Semiannual Regulatory Agenda

FARM CREDIT ADMINISTRATION (FCA)

FARM CREDIT ADMINISTRATION

12 CFR Ch. VI

Unified Agenda of Federal Regulations

AGENCY: Farm Credit Administration.

ACTION: Department Unified Agenda of Regulations and review list.

SUMMARY: The Farm Credit Administration (FCA), as an independent regulatory agency in voluntary compliance with Executive Order 12291, sets forth the following agenda of regulations which it will have under development and review during the period of April 1988 through October 1988.

FOR FURTHER INFORMATION CONTACT: Cindy R. Nicholson, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, (703-883-4020).

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*), contains several provisions intended to reduce unnecessary and disproportionate regulatory requirements on small entities. Farm Credit Administration regulations which apply to Farm Credit System banks and associations do not and will not have a substantial impact on small entities. None of the entities regulated by the FCA fall within the definition of small entities in the Regulatory Flexibility Act. While many associations through which banks lend are smaller in size than their banks, they are not independently operated, as they are closely supervised by the banks, which must approve most of their operating policies. The associations rely exclusively on their supervising banks for their source of funds. Furthermore, the associations do not compete with each other since, as with their supervising banks, each serves only a particular geographic area.

While FCA is an independent agency exempt from Executive Order 12291, we believe that participating in this joint publication will further the public interest by including FCA in a single source of information concerning current and projected rulemaking and reviews of existing regulations.

Dated: February 25, 1988.

David A. Hill,

Secretary, Farm Credit Administration Board.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3526	Examinations	3052-AA89
3527	Collateral Issues	3052-AA91
3528	Receivers	3052-AA92
3529	FCA Organization	3052-AA93
3530	Eligibility to Borrow -- BCs	3052-AA94
3531	FLB Lending Authorities	3052-AA95
3532	Secondary Market	3052-AA96
3533	Funding Corporation	3052-AA97
3534	Assistance Corporation	3052-AA98
3535	Debt Collection Act	3052-AB02
3536	Insurance	3052-AB03
3537	Civil Money Penalties	3052-AB05

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3538	Part 602 - Releasing Information	3052-AA05
3539	Director Compensation	3052-AA09
3540	Funding and Fiscal Affairs; Capital Adequacy	3052-AA79
3541	Capital Corporation	3052-AA87
3542	Capital Adequacy Related	3052-AA88
3543	Mergers/Consolidations	3052-AB00
3544	Loan Policies and Operations	3052-AB04

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3545	Part 606 - Enforcement of Nondiscrimination on the Basis of Handicap in Programs or Activities Conducted by the Farm Credit Administration	3052-AA67

FCA

Final Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
3546	Disclosure to Shareholders	3052-AB01

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3547	Cooperative Eligibility	3052-AA11
3548	Loans Outside of Bank's Territory - Banks for Cooperatives	3052-AA13
3549	Methods of Financing	3052-AA36
3550	Obligations Eligible for Discount or Purchase	3052-AA37
3551	Overall Review of 12 CFR Parts 611 - 618	3052-AA48
3552	Banks for Cooperatives	3052-AA51
3553	Part 614 - Loan Policies and Operations Subpart Q -- Banks for Cooperatives Financing International Trade	3052-AA52
3554	Part 615 - Funding and Fiscal Affairs	3052-AA60
3555	Part 612; Personnel Administration; Standards of Conduct for Directors, Officers and Employees of System Institutions	3052-AA81
3556	Part 624-Farm Credit System Regulatory Accounting Practices; Temporary Regulations	3052-AA82
3557	Loan Policies and Operations; Borrower Rights	3052-AA83
3558	Interest Rates	3052-AA84
3559	Disclosure to Shareholders; Accounting and Reporting Requirements	3052-AA86
3560	Loan Policies and Operations; Loss-Sharing Agreements	3052-AA90

FARM CREDIT ADMINISTRATION (FCA) — Prerule Stage

3526. EXAMINATIONS

Legal Authority: PL 92-181; 12 USC 2243; 12 USC 2244; 12 USC 2252(a)(10); 12 USC 2250; 12 USC 2216 to 2216k; 12 USC 2183; 12 USC 2182; 12 USC 2091; 12 USC 2031; PL 100-233

CFR Citation: 12 CFR 611; 12 CFR 617

Legal Deadline: None.

Abstract: Review various regulations regarding examination authorities to eliminate duplication of existing regulations and repetition of statutory requirements.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Steve Smith, Staff Assistant, Office of Examination, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4172**

RIN: 3052-AA89

3527. ● COLLATERAL ISSUES

Legal Authority: PL 92-181; PL 100-233

CFR Citation: 12 CFR Not yet determined

Legal Deadline: Statutory, July 5, 1988.

Abstract: Implement Agricultural Credit Act of 1987

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 703-883-4020

Agency Contact: Alan Glenn, Credit Examiner, Special Examination Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4225**

RIN: 3052-AA91

3528. ● RECEIVERS

Legal Authority: PL 92-181; PL 100-233

CFR Citation: 12 CFR Not yet determined

Legal Deadline: Statutory, July 5, 1988.

Abstract: Revise due to Agricultural Credit Act of 1987

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090 703-883-4020

Agency Contact: Eldon Stoehr, Field Division A Chief, Office of Examinations, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4251**

RIN: 3052-AA92

3529. ● FCA ORGANIZATION

Legal Authority: PL 92-181; PL 100-233

CFR Citation: 12 CFR Not yet determined

Legal Deadline: Statutory, July 5, 1988.

Abstract: Revise due to Agricultural Credit Act of 1987

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Charles Row, Chief, Human Resources Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4135**

RIN: 3052-AA93

3530. ● ELIGIBILITY TO BORROW -- BCS

Legal Authority: PL 92-181; PL 100-233

CFR Citation: 12 CFR Not yet determined

Legal Deadline: Statutory, July 5, 1988.

Abstract: Revise due to Agricultural Credit Act of 1987

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Dennis Carpenter, Senior Credit Specialist, Financial Analysis & Standards Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4498**

RIN: 3052-AA94

3531. ● FLB LENDING AUTHORITIES

Legal Authority: PL 92-181; PL 100-233

CFR Citation: 12 CFR Not yet determined

Legal Deadline: Statutory, July 5, 1988.

Abstract: Revise due to Agricultural Credit Act of 1987

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22101-5090 (703) 883-4020

Agency Contact: Dennis Carpenter, Senior Credit Specialist, Financial Analysis & Standards Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4498**

RIN: 3052-AA95

3532. ● SECONDARY MARKET

Legal Authority: PL 92-181; PL 100-233

CFR Citation: 12 CFR Not yet determined

Legal Deadline: Statutory, July 5, 1988.

Abstract: Implement Agricultural Credit Act of 1987

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: George Irwin, Assistant Deputy Director, Office of Analysis & Supervision, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4050**

RIN: 3052-AA96

3533. ● FUNDING CORPORATION

Legal Authority: PL 92-181; PL 100-233

CFR Citation: 12 CFR Not yet determined

Legal Deadline: Statutory, July 5, 1988.

Abstract: Implement Agricultural Credit Act of 1987

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Alan Glenn, Credit Examiner, Special Examination Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4225**

RIN: 3052-AA97

3534. ● ASSISTANCE CORPORATION

Legal Authority: PL 92-181; PL 100-233

CFR Citation: 12 CFR Not yet determined

Legal Deadline: Statutory, July 5, 1988.

Abstract: Implement Agricultural Credit Act of 1987

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Alan Glenn, Credit Examiner, Special Examination Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4225**

RIN: 3052-AA98

FCA

Prerule Stage

3535. ● DEBT COLLECTION ACT

Legal Authority: 12 USC 2252(a)(10)

CFR Citation: 12 CFR Not yet determined

Legal Deadline: None.

Abstract: GAO and Justice have issued standards for issuance of regulations

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Rob Brammer, Chief, Budget & Accounting Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4122**

RIN: 3052-AB02

3536. ● INSURANCE

Legal Authority: PL 92-181; PL 100-233

CFR Citation: 12 CFR Not yet determined

Legal Deadline: Statutory, July 5, 1988.

Abstract: Revise due to Agricultural Credit Act of 1987

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Dennis Carpenter, Senior Credit Specialist, Financial Analysis & Standards Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4498**

RIN: 3052-AB03

3537. ● CIVIL MONEY PENALTIES

Legal Authority: PL 92-181; PL 100-233

CFR Citation: 12 CFR Not yet determined

Legal Deadline: Statutory, July 5, 1988.

Abstract: Revise due to Agricultural Credit Act of 1987

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Kathleen Eyer, Chief, Supervision Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4455**

RIN: 3052-AB05

FARM CREDIT ADMINISTRATION (FCA)

Proposed Rule Stage

3538. PART 602 - RELEASING INFORMATION

Legal Authority: PL 92-181; PL 99-205; 12 USC 2252(a)(10)

CFR Citation: 12 CFR 602.200 to 602.245; 12 CFR 617.7080; 12 CFR 618.8300 to 618.8350

Legal Deadline: None.

Abstract: Clarify existing policies and procedures with respect to the release of information and/or documents obtained in or resulting from the conduct of official business by employees of the Farm Credit Administration and the Farm Credit System.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Nancy Lynch, Senior Attorney, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA05

3539. DIRECTOR COMPENSATION

Legal Authority: PL 92-181; PL 96-592; 12 USC 2211; 12 USC 2252(a)(10); PL 99-205

CFR Citation: 12 CFR 611.1020(d)

Legal Deadline: None.

Abstract: Agricultural Credit Act of 1987 requires revision to FCA regulations to ensure the rights of shareholders to obtain a copy of the district board policy regarding compensation of district directors and also to inspect and copy the supporting records.

Timetable:

Action	Date	FR Cite
NPRM	11/09/87	52 FR 43081
NPRM Comment Period End	01/08/88	52 FR 43081

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Dennis Carpenter, Senior Credit Specialist, Financial Analysis & Standards Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4498**

RIN: 3052-AA09

FCA

Proposed Rule Stage

3540. FUNDING AND FISCAL AFFAIRS; CAPITAL ADEQUACY

Legal Authority: 12 USC 2154; 12 USC 2243; 12 USC 2252(a)(10); PL 99-205; PL 100-233

CFR Citation: 12 CFR 615.5200; 12 CFR 615.5202; 12 CFR 615.5204; 12 CFR 615.5206; 12 CFR 615.5208; 12 CFR 615.5210; 12 CFR 615.5212; 12 CFR 615.5213; 12 CFR 615.5214

Legal Deadline: Statutory, May 5, 1988.

Abstract: Regulations to ensure adequate capital is maintained by Farm Credit System institutions.

Timetable:

Action	Date	FR Cite
ANPRM	02/17/88	53 FR 4642
ANPRM Comment Period End	03/01/88	53 FR 4642

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: William Dunn, Chief, Financial Analysis & Standards Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4489**

RIN: 3052-AA79

3541. CAPITAL CORPORATION

Legal Authority: PL 99-205; PL 100-233

CFR Citation: 12 CFR 611.1142(h)

Legal Deadline: None.

Abstract: Revision regarding the criteria pursuant to which the Farm Credit System Capital Corporation may assess Farm Credit System institutions and require System institutions to purchase the Corporation's capital stock and debt obligations.

Timetable:

Action	Date	FR Cite
NPRM	04/24/87	52 FR 13694

Next Action Undetermined

Small Entity: No

Additional Information: FOR ADDITIONAL INFORMATION CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Gary Norton, Senior Attorney, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4020**

RIN: 3052-AA87

3542. CAPITAL ADEQUACY RELATED

Legal Authority: PL 99-205; 12 USC 2252(a)(10); 12 USC 2154; 12 USC 2243; PL 100-233

CFR Citation: 12 CFR 614.4270; 12 CFR 614.4280; 12 CFR 614.4320; 12 CFR 614.4330; 12 CFR 615.5320; 12 CFR 615.5330; 12 CFR 615.5335; 12 CFR 615.5340; 12 CFR 615.5350; 12 CFR 615.5360; 12 CFR 615.5370

Legal Deadline: Statutory, May 5, 1988.

Abstract: Revisions to various regulations relating to capital adequacy and minimal capital requirements for Farm Credit System institutions.

Timetable:

Action	Date	FR Cite
ANPRM	02/17/88	53 FR 4642
ANPRM Comment Period End	03/01/88	53 FR 4642

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: William Dunn, Chief, Financial Analysis & Standards Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4489**

RIN: 3052-AA88

3543. ● MERGERS/CONSOLIDATIONS

Legal Authority: PL 92-181; PL 100-233

CFR Citation: 12 CFR 611

Legal Deadline: Statutory, July 5, 1988.

Abstract: Due to 1987 legislation, major changes will be required to implement merger and restructuring provisions.

Timetable:

Action	Date	FR Cite
ANPRM	02/16/88	53 FR 4416
ANPRM Comment Period End	02/29/88	53 FR 4416

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: James Thies, Assistant Chief, Financial Analysis & Standards Division, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4475**

RIN: 3052-AB00

3544. ● LOAN POLICIES AND OPERATIONS

Legal Authority: PL 92-181; PL 100-233

CFR Citation: 12 CFR 614

Legal Deadline: Statutory, May 5, 1988.

Abstract: Implement Agricultural Credit Act of 1987 which establishes new borrower rights and procedures for the restructuring of loans from System institutions and requires issuance of regulations requiring System institutions to cooperate in certain State mediation programs.

Timetable:

Action	Date	FR Cite
ANPRM	02/16/88	53 FR 4417
ANPRM Comment Period End	02/29/88	53 FR 4417

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Nancy Lynch, Senior Attorney, Office of General Counsel, Farm Credit Administration, 1501 Farm

FCA — Proposed Rule Stage

Credit Drive, McLean, Virginia 22102-5090, **703 883-4020**

RIN: 3052-AB04

FARM CREDIT ADMINISTRATION (FCA) — Final Rule Stage

3545. PART 606 - ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN PROGRAMS OR ACTIVITIES CONDUCTED BY THE FARM CREDIT ADMINISTRATION

Legal Authority: 12 USC 2252(a)(10); PL 92-181; 29 USC 794; PL 99-205

CFR Citation: 12 CFR 606.601-699

Legal Deadline: None.

Abstract: Provide enforcement of section 504 of the Rehabilitation Act of 1973 to prohibit discrimination on the basis of handicap, as it applies to the programs or activities conducted by the Farm Credit Administration.

Timetable:

Action	Date	FR Cite
NPRM	12/18/85	50 FR 51540
NPRM Comment Period End	02/17/86	50 FR 51540

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Nancy E. Lynch, Senior Attorney, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, VA 22102-5090, **703 883-4020**

RIN: 3052-AA67

3546. ● DISCLOSURE TO SHAREHOLDERS

Legal Authority: PL 92-181; PL 99-205; 12 USC 2252(a)(9); 12 USC 2252(a)(10); PL 100-233, Sec 424

CFR Citation: 12 CFR 620.3

Legal Deadline: Statutory, February 5, 1988.

Abstract: Relates to shareholder disclosure of problem loans from the reporting institution to its senior officers, directors and their immediate families and affiliated organizations.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/05/88	53 FR 3334

Next Action Undetermined

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Dorothy Acosta, Senior Attorney, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4020**

RIN: 3052-AB01

FARM CREDIT ADMINISTRATION (FCA) — Completed Actions

3547. COOPERATIVE ELIGIBILITY

CFR Citation: 12 CFR 613.3110

Completed:

Reason	Date	FR Cite
Withdrawn See RIN AA94	02/23/88	

Small Entity: No

Agency Contact: Cindy R. Nicholson **703 883-4020**

RIN: 3052-AA11

3548. LOANS OUTSIDE OF BANK'S TERRITORY - BANKS FOR COOPERATIVES

CFR Citation: 12 CFR 614.4080

Completed:

Reason	Date	FR Cite
Withdrawn See RIN AA94	02/23/88	

Small Entity: No

Agency Contact: Cindy R. Nicholson **703 883-4020**

RIN: 3052-AA13

3549. METHODS OF FINANCING

CFR Citation: 12 CFR 614.4600

Completed:

Reason	Date	FR Cite
Withdrawn 1987 legislation mandates reprioritizing of regulations.	02/23/88	

Small Entity: No

Agency Contact: Cindy R. Nicholson **703 883-4020**

RIN: 3052-AA36

3550. OBLIGATIONS ELIGIBLE FOR DISCOUNT OR PURCHASE

CFR Citation: 12 CFR 614.4610

Completed:

Reason	Date	FR Cite
Withdrawn 1987 legislation mandates reprioritizing of regulations.	02/23/88	

Small Entity: No

Agency Contact: Cindy R. Nicholson **703 883-4020**

RIN: 3052-AA37

3551. OVERALL REVIEW OF 12 CFR PARTS 611 - 618

CFR Citation: 12 CFR 611.1010(c); 12 CFR 611.1140; 12 CFR 612.2110; 12 CFR 612.2120(b); 12 CFR 612.2080; 12 CFR 612.2090; 12 CFR 613.3020(c); 12 CFR 613.3040; 12 CFR 613.3110(a)(4); 12 CFR 613.3110(b)(2); 12 CFR 614.4015; 12 CFR 614.4051; 12 CFR 614.4070; 12 CFR 614.4130; 12 CFR 614.4160(c); ...

Completed:

Reason	Date	FR Cite
Withdrawn 1987 legislation mandates reprioritizing of regulations.	02/23/88	

Small Entity: No

Agency Contact: Gary L. Norton 703 883-4020

RIN: 3052-AA48

3552. BANKS FOR COOPERATIVES

CFR Citation: 12 CFR 614.4354

Completed:

Reason	Date	FR Cite
Withdrawn See RIN AA94	02/23/88	

Small Entity: No

Agency Contact: Cindy R. Nicholson 703 883-4020

RIN: 3052-AA51

3553. PART 614 - LOAN POLICIES AND OPERATIONS SUBPART Q -- BANKS FOR COOPERATIVES FINANCING INTERNATIONAL TRADE

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
Withdrawn See RIN AA94	02/23/88	

Small Entity: No

Agency Contact: Cindy R. Nicholson 703 883-4020

RIN: 3052-AA52

3554. PART 615 - FUNDING AND FISCAL AFFAIRS

CFR Citation: 12 CFR 615.5135; 12 CFR 615.5136; 12 CFR 615.5140; 12 CFR 615.5141; 12 CFR 615.5142; 12 CFR 615.5144; 12 CFR 615.5130

Completed:

Reason	Date	FR Cite
Withdrawn 1987 legislation mandates reprioritizing of regulations.	02/23/88	

Small Entity: No

Agency Contact: Cindy R. Nicholson 703 883-4020

RIN: 3052-AA60

3555. PART 612; PERSONNEL ADMINISTRATION; STANDARDS OF CONDUCT FOR DIRECTORS, OFFICERS AND EMPLOYEES OF SYSTEM INSTITUTIONS

CFR Citation: 12 CFR 612.2150

Completed:

Reason	Date	FR Cite
Withdrawn 1987 legislation mandates reprioritizing of regulations.	02/23/88	

Small Entity: No

Agency Contact: Dorothy J. Acosta 703 883-4020

RIN: 3052-AA81

3556. PART 624-FARM CREDIT SYSTEM REGULATORY ACCOUNTING PRACTICES; TEMPORARY REGULATIONS

CFR Citation: 12 CFR 624.100; 12 CFR 624.101; 12 CFR 624.102; 12 CFR 624.103; 12 CFR 624.104; 12 CFR 624.110; 12 CFR 624.111; 12 CFR 624.112; 12 CFR 624.113; 12 CFR 624.114

Completed:

Reason	Date	FR Cite
Final Action	11/16/87	52 FR 43733
Final Action Effective	12/21/87	52 FR 48673

Small Entity: No

Agency Contact: Thomas Dalton 703 883-4460

RIN: 3052-AA82

3557. LOAN POLICIES AND OPERATIONS; BORROWER RIGHTS

CFR Citation: 12 CFR 614.4440 to 614.4442

Completed:

Reason	Date	FR Cite
Final Action	11/25/87	52 FR 45161
Final Action Effective	02/02/88	53 FR 2825

Small Entity: No

Agency Contact: Nancy Lynch 703 883-4020

RIN: 3052-AA83

3558. INTEREST RATES

CFR Citation: 12 CFR 614.4270 to 614.4321

Completed:

Reason	Date	FR Cite
Withdrawn 1987 legislation mandates reprioritizing of regulations.	02/23/88	

Small Entity: No

Agency Contact: Nancy Lynch 703 883-4020

RIN: 3052-AA84

3559. DISCLOSURE TO SHAREHOLDERS; ACCOUNTING AND REPORTING REQUIREMENTS

CFR Citation: 12 CFR 620; 12 CFR 621

Completed:

Reason	Date	FR Cite
Final Action	02/05/88	53 FR 3335
Final Action Effective	03/08/88	53 FR 7340

Small Entity: No

Agency Contact: Dorothy Acosta 703 883-4020

RIN: 3052-AA86

3560. ● LOAN POLICIES AND OPERATIONS; LOSS-SHARING AGREEMENTS

Legal Authority: 12 USC 2183; 12 USC 2199; 12 USC 2202; 12 USC 2243; 12 USC 2244; 12 USC 2252(a)(10); 12 USC 2012(22); 12 USC 2053; 12 USC 2072(18); 12 USC 2093(15); 12 USC 2122(18); 12 USC 2216g

CFR Citation: 12 CFR 614.4341

Legal Deadline: Statutory, January 11, 1988.

Abstract: Relates to the reversal of previously accrued financial assistance under Farm Credit System loss-sharing agreements. The amendment

implements provisions of the Agricultural Credit Act of 1987 and will facilitate the conversion of certain accounts payable of contributing banks into accounts payable of the Financial Assistance Corporation.

Timetable:

Action	Date	FR Cite
Final Action	01/11/88	53 FR 775
Effective		

Action	Date	FR Cite
Final Action	01/13/88	53 FR 775

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Cindy R. Nicholson, Paralegal Specialist, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090 (703) 883-4020

Agency Contact: Gary Norton, Senior Attorney, Office of General Counsel, Farm Credit Administration, 1501 Farm Credit Drive, McLean, Virginia 22102-5090, **703 883-4020**

RIN: 3052-AA90

[FR Doc. 88-5105 Filed 04-22-88; 8:45 am]

BILLING CODE 6705-01-T

federal register

Monday
April 25, 1988

Part XLVI

Federal Communications Commission

Semiannual Regulatory Agenda

FEDERAL COMMUNICATIONS COMMISSION (FCC)

FEDERAL COMMUNICATIONS COMMISSION

47 CFR Ch. I

Unified Agenda of Federal Regulations; April 1988

AGENCY: Federal Communications Commission.

ACTION: Publication of the Unified Agenda of Federal Regulations.

SUMMARY: Twice a year, the Commission publishes a list in the Unified Agenda of those major items and other significant proceedings under development or review that pertain to the Regulatory Flexibility Act. The agenda also provides the CFR Citations and Legal Authorities which govern these proceedings. The Regulatory Flexibility Act (94 Stat. 1167: 5 U.S.C. 605) includes notations on the applicability of the Regulatory Flexibility Act to each item.

The Unified Agenda is published in the **Federal Register** in April and October of each year.

ADDRESS: Federal Communications Commission, 1919 M Street, NW., Washington, DC 20554.

FOR FURTHER INFORMATION CONTACT: Tenecia Moncrief, Office of Managing Director, (202) 632-3906.

SUPPLEMENTARY INFORMATION:

Unified Agenda of Major and Other Significant Proceedings.

The Commission encourages public participation in the FCC rulemaking process. To help keep the public informed of significant rulemaking proceedings, the Commission has prepared an agenda of important proceedings now in progress. OMB publishes the Unified Agenda in the **Federal Register** in April and October of each year.

The following terms may be helpful in understanding the status of the proceedings included in this report:

A Docket Number - is assigned to a proceeding if the Commission has issued either a Notice of Proposed Rulemaking or a Notice of Inquiry in regard to the matter under consideration. Since January 1, 1978, the Commission has used docket numbers which consist of the last two digits of the calendar year in which the docket was established plus a sequential number which begins at 1 with the first docket initiated during a calendar year (e.g., Docket 80-1 or Docket 83-1). The abbreviation for the responsible Bureau usually precedes the docket number, as in "Docket 79-164." When a docket number consists of only five digits (e.g., Docket 29622), this indicates that the docket was established before January 1, 1978.

Notice of Inquiry (NOI) - issued by the Commission when it is seeking information on a broad subject or trying to generate ideas on a given topic. A comment period is specified during which all interested parties may submit comments.

Notice of Proposed Rulemaking (NPRM) - issued by the Commission when it is proposing a specific change to the FCC Rules and Regulations. Before any changes are actually made, interested parties may submit written comments on the proposals.

Memorandum Opinion and Order (MO&O) - issued by the Commission to deny a petition for rulemaking, conclude an inquiry, modify a decision, or deny a petition for reconsideration of a decision.

Rulemaking (RM) Number - assigned to a proceeding after the appropriate Bureau/Office has reviewed a petition for rulemaking, but before the Commission has taken action on the petition.

Report & Order (R&O) - issued by the Commission to state a new or amended rule or state that the FCC Rules will not be changed.

H. Walker Feaster,

Acting Secretary, Federal Communications Commission.

COMMON CARRIER BUREAU—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3561	Jurisdictional Separations Procedures: Petitions for Reconsideration of Items in Order Reflected in the New Part 36 Separation Manual	3060-AE05
3562	Jurisdictional Separations Procedures: Central Office Equipment Category 3, Local Switching Equipment	3060-AE06

COMMON CARRIER BUREAU—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3563	Cellular Radio Licensing Procedures for Small Markets	3060-AD38
3564	In the Matter of Revision of Part 21 of the Commission's Rules, CC Docket No. 86-128	3060-AD71
3565	Jurisdictional Separations	3060-AD93
3566	Application of Access Charges with regard to Providers of Enhanced Services	3060-AE01
3567	Deregulation of Certain Basic Services	3060-AE02
3568	Regulatory Policies and International Telecommunications: Notice of Inquiry and Proposed Rulemaking	3060-AE03
3569	Jurisdictional separations procedures: Reconsideration of the decision to exclude access revenues from the allocation of marketing expenses	3060-AE07

FCC

COMMON CARRIER BUREAU—Proposed Rule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
3570	Jurisdictional Separation Procedures: Central Office Equipment (Circuit Equipment) and Cable and Wire Facilities	3060-AE14

COMMON CARRIER BUREAU—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3571	Satellite Communications	3060-AD70

COMMON CARRIER BUREAU—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3572	MTS and WATS Market Structure Amendment of Part 67/Establishment of Joint Board	3060-AD89

OFFICE OF ENGINEERING AND TECHNOLOGY—Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3573	900 MHz G/NG Fixed	3060-AD55

OFFICE OF ENGINEERING AND TECHNOLOGY—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3574	216 - 225 MHz Allocations	3060-AC91
3575	DORCMA/SEIA-REMOTE CONTROL/SECURITY DEVICES	3060-AC96
3576	Public Safety National Plan	3060-AD66
3577	LTTS Reallocation	3060-AD67
3578	Part 15 Review (Auditory Assistance and Iggulton Petitions to be Disposed of Concurrent with this Action)	3060-AD68
3579	900 MHz Reserve Reconsideration	3060-AD91
3580	EIA Petition for Extension of Time for 46/49 MHz	3060-AD95
3581	EIA Petition for Cordless Telephone Allocation at 900 MHz	3060-AD97
3582	Alternative Type Acceptance Procedure	3060-AD99
3583	Verification of Parts 73, 74, and Devices	3060-AE00
3584	Scanning Receiver Labelling	3060-AE18

OFFICE OF ENGINEERING AND TECHNOLOGY—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3585	Cellular Flexibility	3060-AE15

FCC

OFFICE OF ENGINEERING AND TECHNOLOGY—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3586	Reconsideration of Third & Order re 1-40 GHz	3060-AD96

MASS MEDIA BUREAU—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3587	Technical Deregulation: Part 73: TV	3060-AD58
3588	Section 73.37(e): Petition for Reconsideration	3060-AD63
3589	Foreign Clears: Ct. Remand: Minority Preference	3060-AD72
3590	Broadcast EEO: Reconsideration	3060-AD73
3591	FM Technical Clean-up: Reconsideration	3060-AD74
3592	Main Studio Location	3060-AD75
3593	Noncommercial Broadcast: Issues-Programs Lists	3060-AD76
3594	Radio Multiple Ownership & Cross Ownership Rules	3060-AD78
3595	Satellite Television Stations	3060-AD79
3596	Radio Reading Services	3060-AD80
3597	Daytimers Issues	3060-AD85
3598	AM Expanded Band: Domestic	3060-AD92
3599	Wireless Cameras	3060-AE10
3600	FM Translators: Moody Bible	3060-AE11
3601	FM/TV Directional Antenna	3060-AE12
3602	Channels 14/69 Interference: NOI/NPRM	3060-AE13
3603	FM Translators:NOI/NPRM	3060-AE23
3604	Advanced Television Systems	3060-AE24

MASS MEDIA BUREAU—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3605	AM Daytimers: Daylight Savings Time	3060-AD77
3606	Broadcast Call Signs	3060-AD81
3607	UHF Impact Policy/Carroll Doctrine	3060-AD83

PRIVATE RADIO BUREAU—Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3608	Wireline Common Carriers - Operation of SMRS	3060-AD54
3609	Revision and reorganization of Aviation rules (Part 87)	3060-AE08
3610	Multiple Address Systems	3060-AE09
3611	Multiple Address Systems	3060-AE20
3612	Revision and reorganization of Aviation Rules (Pt. 87)	3060-AE21

FCC

PRIVATE RADIO BUREAU—Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3613	Part 90 Review - Subparts M&S incl. ASNA pet., Subpart S Wait List	3060-AD69
3614	Special Emergency Radio Private Carriers	3060-AE19

PRIVATE RADIO BUREAU—Completed Actions

Sequence Number	Title	Regulation Identifier Number
3615	External Frequency Controls	3060-AD53

FEDERAL COMMUNICATIONS COMMISSION (FCC) —COMMON CARRIER BUREAU

Prerule Stage

3561. JURISDICTIONAL SEPARATIONS PROCEDURES: PETITIONS FOR RECONSIDERATION OF ITEMS IN ORDER REFLECTED IN THE NEW PART 36 SEPARATION MANUAL

Significance: Agency Priority

Legal Authority: 47 USC 221(c); 47 USC 403; 47 USC 410

CFR Citation: 47 CFR 36

Abstract: With the issuance of this Order inviting comments and requests for data we are seeking comments on the appropriate subcategorization and allocation of Central Office Equipment (Circuit Equipment) Investment and Cable & Wire Facilities investment. We will use the data to calculate the effects of alternative allocators and examine the need for changes in the jurisdictional separations procedures for this investment.

Timetable:

Action	Date	FR Cite
Order Inviting Comments	05/07/86	51 FR 21000
Recommended Decision and Order	04/08/87	52 FR 15354
R&O	05/01/87	52 FR 17228
Order Inviting Comments	06/01/88	52 FR 43206

Small Entity: Yes

Additional Information: CC Docket No. 80-286

Agency Contact: Michael Wilson, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554, 202 632-7500

RIN: 3060-AE05

3562. JURISDICTIONAL SEPARATIONS PROCEDURES: CENTRAL OFFICE EQUIPMENT CATEGORY 3, LOCAL SWITCHING EQUIPMENT

Significance: Agency Priority

Legal Authority: 47 USC 221(c); 47 USC 403; 47 USC 410

CFR Citation: 47 CFR 36

Abstract: With the issuance of this Order inviting comments and requests for Data we are seeking further comments on the development of other relative use allocators, including Switched Minutes of Use (SMOU) to allocate Central Office Equipment investment included in the Local Switching Equipment Category in the Part 36 Separations Manual.

Timetable:

Action	Date	FR Cite
Order Inviting Comments	05/07/86	51 FR 21000
R&O	05/01/87	52 FR 17228

Joint Board

Recommended Decision and Order 04/08/87 (52 FR 15354)

Request for Data (Joint Board)

Order Inviting Comments 06/01/88 (52 FR 25263)

Small Entity: Yes

Additional Information: CC Docket 80-286

Agency Contact: Michael Wilson, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554, 202 632-7500

RIN: 3060-AE06

FEDERAL COMMUNICATIONS COMMISSION (FCC) —COMMON CARRIER BUREAU

Proposed Rule Stage

3563. CELLULAR RADIO LICENSING PROCEDURES FOR SMALL MARKETS

Significance: Agency Priority

Legal Authority: 47 USC 151; 47 USC 301; 47 USC 303; 47 USC 307; 47 USC 308; 47 USC 309

CFR Citation: 47 CFR 22.900

Abstract: Modification of licensing procedures for cellular mobile radio

systems in smaller markets to make cellular radio service available more rapidly.

Timetable:

Action	Date	FR Cite
R&O	07/18/86	
FNPRM	10/16/86	
R&O	06/00/88	

Small Entity: Yes

Additional Information: cc 85-388

Agency Contact: G. Goldstein, Attorney, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554, 202 632-6450

RIN: 3060-AD38

3564. IN THE MATTER OF REVISION OF PART 21 OF THE COMMISSION'S RULES, CC DOCKET NO. 86-128

Significance: Agency Priority

Legal Authority: 47 USC 4(i); 47 USC 303(r); 47 USC 154(i); 47 USC 303; 47 USC 4; 5 USC 553

CFR Citation: 47 CFR 21

Abstract: Make licensing procedure as efficient as possible for carriers and FCC staff, update and simplify the rules to reflect recent changes in the industry and the introduction of new communication services; and to eliminate those requirements that appear to be no longer necessary. By replacing a two-step licensing process with a one-step licensing process and eliminating unnecessary regulations, the burden on small businesses (applicants) will be substantially reduced, delays in implementing services will be minimized and service will be provided to the public in the most efficient and expeditious manner possible.

Timetable:

Action	Date	FR Cite
ANPRM	04/11/87	
R&O	06/01/88	

Small Entity: Yes

Agency Contact: Geraldine A. Matise, Attorney, Federal Communications Commission, 1919 M Street, N.W., Room 6010, Washington, D.C. 20554, 202 634-1841

RIN: 3060-AD71

3565. JURISDICTIONAL SEPARATIONS

Significance: Agency Priority

Legal Authority: 47 USC 410; 47 USC 154(i); 47 USC 154(j); 47 USC 201 to 205; 47 USC 218

CFR Citation: 47 CFR 36; 47 CFR 69

Legal Deadline: None.

Abstract: This proceeding concerns the allocation between the state and federal jurisdictions of the costs of special access lines (including those used with WATS service) that carry significant amounts of both interstate and intrastate traffic.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	

Small Entity: Not Applicable

Agency Contact: Claudia Pabo, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C., 202 632-4047

RIN: 3060-AD93

3566. APPLICATION OF ACCESS CHARGES WITH REGARD TO PROVIDERS OF ENHANCED SERVICES

Significance: Agency Priority

Legal Authority: 47 USC 154; 47 USC 201 to 205; 47 USC 218; 47 USC 403

CFR Citation: 47 CFR 69.2; 47 CFR 69.5; 47 CFR 69.105; 47 CFR 69.106; 47 CFR 69.107; 47 CFR 69.108; 47 CFR 69.111; 47 CFR 69.112

Abstract: Enhanced service providers currently have an exemption from interstate access charges. The NPRM proposes to eliminate that exemption and have enhanced service providers pay the same interstate access charges that other service providers pay now.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	
NPRM Comment Period End	06/27/88	
Order	06/00/88	

Small Entity: Yes

Agency Contact: Ruth Milkman, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554, 202 632-6363

RIN: 3060-AE01

3567. DEREGULATION OF CERTAIN BASIC SERVICES

Significance: Agency Priority

Legal Authority: 47 USC 151; 47 USC 154(i); 47 USC 154(j); 47 USC 201; 47 USC 202; 47 USC 203; 47 USC 204; 47 USC 205; 47 USC 218; 47 USC 220; 47 USC 303(g); 47 USC 303(r); 47 USC 403; 47 USC 404; 5 USC 553

CFR Citation: 47 CFR 1.48; 47 CFR 1.49; 47 CFR 1.419

Abstract: Proposed reduction of regulation for certain basic services offered by dominant carriers based on a service-by-service analysis of competition. Contract services and packet switched services are targeted for such potential deregulation.

Timetable:

Action	Date	FR Cite
NPRM	01/09/87	
NPRM Comment Period End	04/10/87	
FNPRM	06/00/88	

Small Entity: Yes

Additional Information: CC Docket 86-421

Agency Contact: Melanie Haratunian, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554, 202 632-4047

RIN: 3060-AE02

3568. REGULATORY POLICIES AND INTERNATIONAL TELECOMMUNICATIONS: NOTICE OF INQUIRY AND PROPOSED RULEMAKING

Significance: Agency Priority

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 201 to 205; 47 USC 214; 47 USC 218 to 222; 47 USC 301; 47 USC 302

CFR Citation: 47 CFR 63.01; 47 CFR 63.701; 47 CFR 68.226; 47 CFR 63.703; 47 CFR 63.10; 47 CFR 63.702; 47 CFR 68.01; 47 CFR 69.01

Abstract: This Notice of Inquiry and Propose Rulemaking asks whether the public interest requires that the Commission consider the telecommunications policies of foreign governments in the formulation of its regulatory policies concerning the provision of telecommunications services and goods within the United States and the provision of services between the United States and foreign countries. The Notice proposes certain information gathering measures designed to increase the Commission's knowledge of the extent of participation

in the US market by foreign companies and service providers.

Timetable:

Action	Date	FR Cite
NPRM	01/30/87	
NPRM Comment Period End	05/22/87	
R&O	06/00/88	

Small Entity: Yes

Agency Contact: William J. Kirsch, Special Counsel for International Policy, Federal Communications Commission, 1919 M Street, N.W. Room 544, Washington, D.C. 20554, **202 632-4047**

RIN: 3060-AE03

3569. JURISDICTIONAL SEPARATIONS PROCEDURES: RECONSIDERATION OF THE DECISION TO EXCLUDE ACCESS REVENUES FROM THE ALLOCATION OF MARKETING EXPENSES

Significance: Agency Priority

Legal Authority: 47 USC 221(c); 47 USC 403; 47 USC 410

CFR Citation: 47 CFR 36; 47 CFR 69

Abstract: With the issuance of this order we are addressing the petitions for reconsideration filed by parties urging the FCC to reconsider its decision to exclude access revenues from the allocation factor for marketing expenses. We also are initiating a further proceeding to re-examine the separations treatment of marketing expenses.

Timetable:

Action	Date	FR Cite
Order Inviting Comments	05/07/86	51 FR 21000
R&O	05/01/87	52 FR 17228
(RD&O) (Joint Board)		
Recommended Decision and Order	04/08/87	(52 FR 15354)
Joint Board		
R&O	04/01/88	
Recon. & Supp. NPRM		
MO&O	09/01/87	(52 FR 32937)

Small Entity: Yes

Additional Information: CC Docket 78-72 CC Docket 80-286 CC Docket 86-297

Agency Contact: Michael Wilson, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554, **202 632-7500**

RIN: 3060-AE07

3570. JURISDICTIONAL SEPARATION PROCEDURES: CENTRAL OFFICE EQUIPMENT (CIRCUIT EQUIPMENT) AND CABLE AND WIRE FACILITIES

Significance: Agency Priority

Legal Authority: 47 USC 221(c); 47 USC 403; 47 USC 410

CFR Citation: 47 CFR 36; 47 CFR 69

Abstract: With the issuance of this order we are addressing the petitions for reconsideration of the FCC Report and Order released May 1, 1987. The FCC Order adopted the Federal State Joint Board's recommendations regarding the jurisdictional separations treatment of revenue accounting expenses in account 662 and procedures prescribed in the new Separations Manual which will conform to the new USOA.

Timetable:

Action	Date	FR Cite
Order Inviting Comments	05/07/86	51 FR 21000
R&O	05/01/87	52 FR 17228
MO&O	06/00/88	

Small Entity: Yes

Additional Information: CC Docket No. 78-72 CC Docket No. 80-286 CC Docket No. 86-297

Agency Contact: Michael Wilson, Federal Communications Commission, 1919 M Street, N.W., Washington, D.C. 20554, **202 632-7500**

RIN: 3060-AE14

FEDERAL COMMUNICATIONS COMMISSION (FCC) —COMMON CARRIER BUREAU

Final Rule Stage

3571. SATELLITE COMMUNICATIONS

Significance: Agency Priority

Legal Authority: 47 USC 303; 47 USC 553

CFR Citation: 47 CFR 25

Legal Deadline: None.

Abstract: The Commission seeks to develop a record & to solicit comments on the proposed rules. These proposed rules are designed to implement recommendations made by the joint industry/government Advisory Committee on 2 degree satellite spacing; and they will codify basic applications requirements for satellite services. The proposed rules would apply to all entities including small entities who seek authorization under Part 25 of the Commission's rules to construct and operate Fixed-Satellite communications facilities. The proposed rules would establish operational and technical procedures designed to alleviate adjacent satellite interference and may increase the reporting and cost burdens on all satellite licensees. The rules codifying basic applications requirements are codifications of existing policies. Will impose no additional burdens, and may, in fact, reduce the burden by eliminating several current requirements. In order to be effective, these rules must apply to all licensees and thus there is no significant alternative.

Timetable:

Action	Date	FR Cite
ANPRM	09/01/87	52 FR 6175
ANPRM Comment Period End	11/01/87	
Final Action	12/00/88	
Final Action Effective	02/00/89	

Small Entity: Yes

Agency Contact: Rosalee Gorman or Fern Jarmulnek, Staff Attornies, Federal Communications Commission, 2025 M Street, N.W., Room 6324, Washington, D.C. 20554, **202 634-1624**

RIN: 3060-AD70

FEDERAL COMMUNICATIONS COMMISSION (FCC) —COMMON CARRIER BUREAU

Completed Actions

3572. MTS AND WATS MARKET STRUCTURE AMENDMENT OF PART 67/ESTABLISHMENT OF JOINT BOARD

Significance: Agency Priority

CFR Citation: 47 CFR 67; 47 CFR 69

Completed:

Reason	Date	FR Cite
Withdrawn	04/01/87	

Small Entity: Yes

Agency Contact: Cindy Work 202 632-6363

RIN: 3060-AD89

FEDERAL COMMUNICATIONS COMMISSION (FCC) —OFFICE OF ENGINEERING AND TECHNOLOGY

Prerule Stage

3573. 900 MHZ G/NG FIXED

Significance: Agency Priority

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 2; 47 CFR 74; 47 CFR 94

Abstract: Development of operating rules and sharing arrangement for use of the 932-935 and 941-943 MHz bands for G/NG fixed services.

Timetable:

Action	Date	FR Cite
NPRM	11/25/86	
R&O	06/30/88	

Small Entity: Yes

Additional Information: 82-243

Agency Contact: Rodney Small, Federal Communications Commission, 2025 M St., NW, Rm. 7332, Washington, DC 20554, **202 653-8116**

RIN: 3060-AD55

FEDERAL COMMUNICATIONS COMMISSION (FCC) —OFFICE OF ENGINEERING AND TECHNOLOGY

Proposed Rule Stage

3574. 216 - 225 MHZ ALLOCATIONS

Significance: Agency Priority

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 2

Abstract: Proceeding to reallocate frequencies in the 216 - 225 MHz band including reallocation of 220 - 225 MHz from amateur to Land Mobile Services.

Timetable:

Action	Date	FR Cite
NPRM	12/31/84	
NPRM	12/31/86	
R&O	06/01/88	

Small Entity: Yes

Additional Information: Gen. 87-14

Agency Contact: Fred Thomas, Federal Communications Commission, 2025 M St., N.W., Rm. 7320, Washington, D.C. 20554, **202 653-8112**

RIN: 3060-AC91

3575. DORCMA/SEIA-REMOTE CONTROL/SECURITY DEVICES

Significance: Agency Priority

Legal Authority: 47 USC 302

CFR Citation: 47 CFR 15.201 to 215

Abstract: Review and overhaul of technical standards for remote control and security devices in Part 15. Initiated by petitions for rulemaking filed by Door Operator and Remote Control Manufactures association, the Security Equipment Industry Association, and Transcience Industries.

Timetable:

Action	Date	FR Cite
NPRM	10/22/86	
R&O	06/01/88	

Small Entity: Yes

Additional Information: 86-442

Agency Contact: John Reed, Federal Communications Commission, 2025 M St., N.W., Rm. 8302, Washington, D.C. 20554, **202 653-7313**

RIN: 3060-AC96

3576. PUBLIC SAFETY NATIONAL PLAN

Significance: Agency Priority

Legal Authority: 47 USC 4(i); 47 USC 303(r)

CFR Citation: 47 CFR 90

Abstract: Phase III of a project to meet spectrum allocation needs of the public safety community.

Timetable:

Action	Date	FR Cite
NPRM	09/01/87	
R&O	06/01/88	

Small Entity: Yes

Additional Information: 87-112

Agency Contact: Fred Thomas, Federal Communications Commission, 2025 M Street, N.W., Room 7130, Washington, D.C. 20554, **202 653-8112**

RIN: 3060-AD66

3577. LTTS REALLOCATION

Significance: Agency Priority

Legal Authority: 47 USC 4(i); 47 USC 303(r)

CFR Citation: 47 CFR 2; 47 CFR 74

Abstract: Response to petition from Chadborne and Parke requesting secondary allocation of frequencies to the local transmission service.

Timetable:

Action	Date	FR Cite
NPRM	09/01/87	
R&O	06/01/88	

Small Entity: Yes

Additional Information: 87-136

Agency Contact: Ray LaForge, Federal Communications Commission, 2025 M Street, N.W., Room 7328, Washington, D.C. 20554, **202 653-8117**

RIN: 3060-AD67

3578. PART 15 REVIEW (AUDITORY ASSISTANCE AND IGGULTON PETITIONS TO BE DISPOSED OF CONCURRENT WITH THIS ACTION)

Significance: Agency Priority

Legal Authority: 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 4(i)

CFR Citation: 47 CFR 15

Abstract: A comprehensive revision of Part 15 which proposes to allow marketing and use of a greater variety of devices, and to reduce the regulatory burden on the public.

Timetable:

Action	Date	FR Cite
NPRM	10/02/87	
NPRM public comment period	05/09/88	
Report and Order	12/00/88	

Small Entity: Yes

Additional Information: Docket 87-389

Agency Contact: John Reed, Federal Communications Commission, 2025 M Street, N.W., Room 7122, Washington, D.C. 20554, **202 653-7313**

RIN: 3060-AD68

3579. 900 MHZ RESERVE RECONSIDERATION

Significance: Agency Priority

Legal Authority: 47 USC 301

CFR Citation: 47 CFR 2

Abstract: In this MO&O, the Commission will address eight petitions for reconsideration of frequency allocations made in the R&O in this proceeding. Principal issues are: (1) a request to allocate an additional 2 MHz to public safety, (2) a request to reallocate the general purpose mobile radio service instead to private land mobile, and (3) a request from aeronautical interests to delete the L-band allocation for mobile-satellite service and retain the band exclusively for aeronautical mobile-satellite (R) service.

Timetable:

Action	Date	FR Cite
MO&O	06/01/88	

Small Entity: Yes

Additional Information: 84-1231, 84-1233, and 84-1234

Agency Contact: Julie Knapp, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C. 20554, **202 653-8108**

RIN: 3060-AD91

3580. EIA PETITION FOR EXTENSION OF TIME FOR 46/49 MHZ

Significance: Agency Priority

Legal Authority: 47 USC 301

CFR Citation: 47 CFR 15

Abstract: The Electronic Industry Association has requested an extension of time from February 1989 to February 1994 to continue manufacture of cordless telephones on government frequencies at 46/49 MHz under Part 15.

Timetable:

Action	Date	FR Cite
order	06/00/88	

Small Entity: Yes

Additional Information: RM-5320

Agency Contact: Julie Knapp, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C. 20554, **202 653-8108**

RIN: 3060-AD95

3581. EIA PETITION FOR CORDLESS TELEPHONE ALLOCATION AT 900 MHZ

Significance: Agency Priority

Legal Authority: 47 USC 301

CFR Citation: 47 CFR 2

Abstract: The Electronic Industries Association has petitioned the Commission seeking an allocation of 4 MHz for cordless telephones in the 800/900 MHz land mobile reserve.

Timetable:

Action	Date	FR Cite
order	06/00/88	

Small Entity: Yes

Additional Information: RM-4780

Agency Contact: Julie Knapp, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C. 20554, **202 653-8108**

RIN: 3060-AD97

3582. ALTERNATIVE TYPE ACCEPTANCE PROCEDURE

Significance: Agency Priority

Legal Authority: 47 USC 4(i); 47 USC 303(r)

CFR Citation: 47 CFR 2; 47 CFR 22; 47 CFR 90

Abstract: That proceeding in Docket No. 85-171 proposed a new technique that would allow maximum flexibility in getting innovative new equipment designs into the marketplace. This proposal will be a new approach to solve some of the technical and administrative problems identified in Docket 85-171.

Timetable:

Action	Date	FR Cite
NPRM	03/31/88	
R&O	12/30/88	

Small Entity: Yes

Additional Information: 85-171

Agency Contact: Ken Nichols, Federal Communications Commission, 7435 Oakland Mills Road, Guilford, MD 21045, **301 725-1585**

RIN: 3060-AD99

3583. VERIFICATION OF PARTS 73, 74, AND DEVICES

Significance: Agency Priority

Legal Authority: 47 USC 302; 47 USC 303

CFR Citation: 47 CFR 73; 47 CFR 74; 47 CFR 78

Abstract: Proposal for relaxation of the rules to change the equipment authorization procedure for certain devices subject to Parts 73, 74, and 78 from notification to the less burdensome verification procedure.

Timetable:

Action	Date	FR Cite
NPRM	09/30/87	
NPRM	01/29/88	
Report and Order	12/30/88	

Small Entity: Yes

Agency Contact: George Harenberg, Federal Communications Commission,

FCC—OET

Proposed Rule Stage

2025 M Street, N.W., Washington, D.C. 20554, **202 653-8107**

RIN: 3060-AE00

3584. ● SCANNING RECEIVER LABELLING

Significance: Agency Priority

Legal Authority: 47 USC 301; 47 USC 302; 47 USC 303; 47 USC 4(i)

CFR Citation: 47 CFR 15

Abstract: Consideration of a petition requesting changes to Part 15 to require scanner manufacturers to label their receivers to alert users that it is not legal to listen to certain transmissions taking place on specified bands.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	

Small Entity: Yes

Agency Contact: Paul Marrangoni, Federal Communications Commission, 2025 M St., N.W. Rm. 7336, Washington, D.C. 20554, **202 653-8107**

RIN: 3060-AE18

FEDERAL COMMUNICATIONS COMMISSION (FCC) —OFFICE OF ENGINEERING AND TECHNOLOGY

Final Rule Stage

3585. CELLULAR FLEXIBILITY

Significance: Agency Priority

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 22

Abstract: Proceeding will investigate approach to relax technical standards for new cellular spectrum at 800 MHZ in order to provide flexibility to licensees for implementation of new technologies and new service offerings.

Timetable:

Action	Date	FR Cite
NPRM	06/30/87	
R&O	09/30/88	

Small Entity: Yes

Additional Information: 84-1231

Agency Contact: Julius Knapp, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C. 20554, **202 653-8108**

RIN: 3060-AE15

FEDERAL COMMUNICATIONS COMMISSION (FCC) —OFFICE OF ENGINEERING AND TECHNOLOGY

Completed Actions

3586. RECONSIDERATION OF THIRD & ORDER RE 1-40 GHZ

Significance: Agency Priority

CFR Citation: 47 CFR 21; 47 CFR 74; 47 CFR 94

Completed:

Reason	Date	FR Cite
Final Action	09/30/87	

Small Entity: Yes

Agency Contact: Julie Knapp 202 653-8108

RIN: 3060-AD96

FEDERAL COMMUNICATIONS COMMISSION (FCC) —MASS MEDIA BUREAU

Proposed Rule Stage

3587. TECHNICAL DEREGULATION: PART 73: TV

Legal Authority: 47 USC 154; 47 USC 303

CFR Citation: 47 CFR 73.685; 47 CFR 73.688; 47 CFR 73.691; 47 CFR 73.698; 47 CFR 73.699

Abstract: Review and elimination of unnecessary technical regulations which govern broadcast television.

Timetable:

Action	Date	FR Cite
NPRM	03/00/88	
R&O	00/00/00	

Small Entity: Yes

Agency Contact: Bernard Gorden, Federal Communications Commission, **202 632-9660**

RIN: 3060-AD58

3588. SECTION 73.37(E): PETITION FOR RECONSIDERATION

Legal Authority: 47 USC 307

CFR Citation: 47 CFR 73.37(e)

Abstract: On October 31, 1985, the Commission adopted a Report and Order deleting the non-technical AM application acceptance criteria in Section 73.37(e) of the Commission's Rules. Reconsideration Requested.

Timetable:

Action	Date	FR Cite
NPRM	02/13/85	
R&O	10/31/85	
MO&O	00/00/00	

Small Entity: Yes

Additional Information: mm-077 NPRM mm-85-39 R&O

Agency Contact: Jonathan David, Federal Communications Commission, **202 632-6955**

RIN: 3060-AD63

3589. FOREIGN CLEARS: CT. REMAND: MINORITY PREFERENCE

Significance: Agency Priority

FCC—MMB

Proposed Rule Stage

Legal Authority: 47 USC 307

CFR Citation: 47 CFR 73.3571

Abstract: Remand from the Court of Appeals of Commission decision regarding new stations to be established on Foreign Class I-A AM clear channels.

Timetable:

Action	Date	FR Cite
R&O	04/26/85	
MO&O	02/03/86	
FNPRM	07/28/87	
2nd R&O	06/01/88	

Small Entity: Yes

Additional Information: mm-84-281 mm-84-281(a)

Agency Contact: Vicki Assevero, Federal Communications Commission, 202 632-7792

RIN: 3060-AD72

3590. BROADCAST EEO: RECONSIDERATION

Significance: Agency Priority

Legal Authority: 47 USC 154; 47 USC 303

CFR Citation: 47 CFR 73.2080

Abstract: The Commission has adopted new Equal Employment Opportunity (EEO) rules and reporting requirements for broadcasters that emphasize a licensee's overall EEO efforts rather than the numerical composition of its workforce. Reconsideration requested.

Timetable:

Action	Date	FR Cite
NPRM	11/14/85	
Interim Final Rule	10/31/86	
R&O	04/16/87	
MO&O	06/00/88	

Small Entity: Yes

Additional Information: mmb-298 NPRM mm-85-350 FNPRM

Agency Contact: Marcia Glauberman, Federal Communications Commission, 202 632-6302

RIN: 3060-AD73

3591. FM TECHNICAL CLEAN-UP: RECONSIDERATION

Significance: Agency Priority

Legal Authority: 47 USC 154; 47 USC 303

CFR Citation: 47 CFR 73.211; 47 CFR 73.206; 47 CFR 73.207; 47 CFR 73.213

Abstract: On September 10, 1987, the FCC amended its rules to provide a specific method for classifying FM stations according to effective transmitting power and antenna height, and increased the accuracy in the procedures for predicting FM station coverage and calculating distances between FM stations. Also, Section 73.213 was simplified to only permit modifications that do not increase the potential for interference. Reconsideration has been requested.

Timetable:

Action	Date	FR Cite
NPRM	04/03/86	
R&O	09/10/87	
MO&O	06/01/88	

Small Entity: Yes

Additional Information: mmb-311 NPRM

Agency Contact: Jay Jackson, Federal Communications Commission, 202 632-9660

RIN: 3060-AD74

3592. MAIN STUDIO LOCATION

Significance: Agency Priority

Legal Authority: 47 USC 154(i)

CFR Citation: 47 CFR 73.1125; 47 CFR 73.1130

Abstract: The Commission will reconsider whether it should modify its requirements that every broadcast station locate its public inspection file in the community of license and maintain a local or toll-free telephone number. The Commission will also consider whether it should exempt noncommercial education stations from the amended main studio rule.

Timetable:

Action	Date	FR Cite
NPRM	10/16/86	
R&O	04/16/87	
MO&O	06/01/88	

Small Entity: Yes

Additional Information: mmb-410 NPRM mmb-86-406

Agency Contact: Eileen Huggard, Federal Communications Commission, 202 632-7792

RIN: 3060-AD75

3593. NONCOMMERCIAL BROADCAST: ISSUES-PROGRAMS LISTS

Significance: Agency Priority

Legal Authority: 47 USC 154; 47 USC 303

CFR Citation: 47 CFR 73.3527

Abstract: The Commission will consider adopting a Report and Order to conform noncommercial stations issues/programs list public file requirement with that applicable to commercial stations.

Timetable:

Action	Date	FR Cite
NPRM	12/29/86	
R&O	06/01/88	

Small Entity: Yes

Additional Information: mm-83-670(b) mmb-418 NPRM

Agency Contact: Barbara A. Kreisman, Federal Communications Commission, 202 632-7792

RIN: 3060-AD76

3594. RADIO MULTIPLE OWNERSHIP & CROSS OWNERSHIP RULES

Significance: Agency Priority

Legal Authority: 47 USC 154; 47 USC 303

CFR Citation: 47 CFR 73.3555

Abstract: The Commission has proposed to relax a portion of the "duoploy" rule as it applies to AM and FM station ownership. The Commission also has proposed to relax a section of the one-to-a-market" rule to permit combinations of AM, FM, and UHF television stations in the top fifty markets. Under the proposed rule, common ownership of radio-television combinations would be considered on a case-by-case basis.

Timetable:

Action	Date	FR Cite
NPRM	01/15/87	
R&O	06/00/88	

Small Entity: Yes

Additional Information: mmb-414 NPRM

Agency Contact: Andrew J. Rhodes, Federal Communications Commission, 202 632-7792

RIN: 3060-AD78

FCC—MMB

Proposed Rule Stage

3595. SATELLITE TELEVISION STATIONS

Significance: Agency Priority

Legal Authority: 47 USC 154; 47 USC 303

CFR Citation: 47 CFR 73.614

Abstract: The FCC proposes to: (1) eliminate authorization of satellites in urban areas of larger markets, allowing them only in rural areas that cannot economically support a full service operation; and (2) either remove restrictions limiting locally originated programming or, in the alternative, establishing a cap on the amount of programming originated once satellite operation has been justified. Also, the FCC seeks comment as to how urban and rural areas should be defined.

Timetable:

Action	Date	FR Cite
NPRM	01/15/87	
R&O	06/00/88	

Small Entity: Yes

Additional Information: mmb-421 NPRM

Agency Contact: Scott Roberts, Federal Communications Commission, 202 632-6302

RIN: 3060-AD79

3596. RADIO READING SERVICES

Significance: Agency Priority

Legal Authority: 47 USC 154; 47 USC 303; 47 USC 403

CFR Citation: 47 CFR 73.593

Abstract: On 1/16/87 the Commission adopted a Notice of Inquiry seeking comments on appropriate costs to be imposed by non-commercial educational radio stations for radio reading services for the visually impaired. The Commission will consider issuance of a policy statement regarding this matter.

Timetable:

Action	Date	FR Cite
NPRM	01/16/87	
Policy Statement	06/01/88	

Small Entity: Yes

Additional Information: RM-5434(PRB) RM-5509 NOI

Agency Contact: Vicki Assevero, Federal Communications Commission, 202 632-7792

RIN: 3060-AD80

3597. DAYTIMERS ISSUES

Significance: Agency Priority

Legal Authority: 47 USC 303; 47 USC 307(b)

CFR Citation: 47 CFR 73.21

Abstract: Further Notice of Proposed Rulemaking to explore implications of authorizing nighttime operation by AM daytime-only stations on U.S. clear channels.

Timetable:

Action	Date	FR Cite
NPRM	04/29/87	
R&O	04/29/87	
FNPRM	06/00/88	

Small Entity: Yes

Agency Contact: Louis Stephens, Federal Communications Commission, 202 632-6955

RIN: 3060-AD85

3598. AM EXPANDED BAND: DOMESTIC

Significance: Agency Priority

Legal Authority: 47 USC 154; 47 USC 303

CFR Citation: 47 CFR 73

Abstract: Inquiry into domestic issues resulting from expansion of the Am broadcasting band.

Timetable:

Action	Date	FR Cite
FNOI	06/01/88	
NPRM	00/00/00	

Small Entity: Yes

Agency Contact: Freda Thyden, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C. 20554, 202 632-7792

RIN: 3060-AD92

3599. WIRELESS CAMERAS

Significance: Agency Priority

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 74.602; 47 CFR 74.604; 47 CFR 74.636; 47 CFR 74.637; 47 CFR 74.802

Abstract: Proposal to permit low power wireless cameras to operate on vacant UHF and VHF TV channels.

Timetable:

Action	Date	FR Cite
FNPRM	05/04/87	
R&O	00/00/00	

Small Entity: Yes

Additional Information: MM-85-36(a)

Agency Contact: Hank Van Deursen, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C. 20554, 202 632-9660

RIN: 3060-AE10

3600. FM TRANSLATORS: MOODY BIBLE

Significance: Agency Priority

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 74.1231

Abstract: This proceeding addresses the possible use of satellite and microwave facilities to deliver signals to noncommercial FM translators that are owned and operated by the primary noncommercial FM stations.

Timetable:

Action	Date	FR Cite
NPRM	04/03/86	
R&O	06/01/88	

Small Entity: Yes

Additional Information: mmb-311 RM-5219

Agency Contact: Eugenia R. Hull, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C. 20554, 202 632-6302

RIN: 3060-AE11

3601. FM/TV DIRECTIONAL ANTENNA

Significance: Agency Priority

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 73.316; 47 CFR 73.211

Abstract: Proposal for routine use of directional antennas to accommodate short-spaced transmitter/antenna locations.

Timetable:

Action	Date	FR Cite
NPRM	06/01/88	
R&O	00/00/00	

Small Entity: Yes

FCC—MMB

Proposed Rule Stage

Agency Contact: Bernard Gorden, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C. 20554, 202 632-9660

RIN: 3060-AE12

3602. CHANNELS 14/69 INTERFERENCE: NOI/NPRM

Significance: Agency Priority

Legal Authority: 47 USC 154; 47 USC 304

CFR Citation: 47 CFR 73

Abstract: This proceeding addresses the problem of interference from TV stations on Channels 14 and 69 to land mobile operations on adjacent channels, including a proposal that all applications for CP's for new stations be required to meet spacing criteria or, in the alternative, be permitted to resolve interference problems through private agreement.

Timetable:

Action	Date	FR Cite
NOI/NPRM	06/01/88	
FNPRM/R&O	00/00/00	

Small Entity: Yes

Agency Contact: Louis Whitsett, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C. 20554, 202 632-7792

RIN: 3060-AE13

3603. ● FM TRANSLATORS:NOI/NPRM

Significance: Agency Priority

Legal Authority: 47 USC 303

CFR Citation: 47 CFR 74.1202; 47 CFR 74.1203; 47 CFR 74.1231; 47 CFR 74.1232; 47 CFR 74.1235

Abstract: This proceeding will provide a comprehensive reexamination of the Commission's FM translator rules.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	
R&O	00/00/00	

Small Entity: Yes

Agency Contact: Marcia Glauberman, Federal Communications Commission, 202 632-6302

RIN: 3060-AE23

3604. ● ADVANCED TELEVISION SYSTEMS

Significance: Agency Priority

Legal Authority: 47 USC 151; 47 USC 154; 47 USC 303

CFR Citation: 47 CFR 73

Abstract: This is a wide ranging proceeding into advanced TV systems, including: systems now under development, compatibility with existing TV systems, and the public interest implications for TV broadcast service in the United States.

Timetable:

Action	Date	FR Cite
NOI	07/16/87	
NPRM	00/00/00	
R&O	00/00/00	

Small Entity: Yes

Additional Information: RM-5811 NOI

Agency Contact: Steven Kaminer, Federal Communications Commission, 202 632-5414

RIN: 3060-AE24

FEDERAL COMMUNICATIONS COMMISSION (FCC) —MASS MEDIA BUREAU

Completed Actions

3605. AM DAYTIMERS: DAYLIGHT SAVINGS TIME

Significance: Agency Priority

CFR Citation: 47 CFR 73.99

Completed:

Reason	Date	FR Cite
Final Action R&O	10/31/87	

Small Entity: Yes

Agency Contact: Lou Stephens 202 632-6955

RIN: 3060-AD77

3606. BROADCAST CALL SIGNS

Significance: Agency Priority

CFR Citation: 47 CFR 73.3550

Completed:

Reason	Date	FR Cite
Final Action R&O	10/20/87	

Small Entity: Yes

Agency Contact: Sharon Briley 202 632-6302

RIN: 3060-AD81

3607. UHF IMPACT POLICY/CARROLL DOCTRINE

Significance: Agency Priority

CFR Citation: 47 CFR 73

Completed:

Reason	Date	FR Cite
Final Action Report and Policy Statement adopted	11/24/87	

Small Entity: Yes

Agency Contact: Judith Herman 202 632-6302

RIN: 3060-AD83

FEDERAL COMMUNICATIONS COMMISSION (FCC) —PRIVATE RADIO BUREAU

Proposed Rule Stage

3608. WIRELINE COMMON CARRIERS - OPERATION OF SMRS

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 90.603

Abstract: The FCC has proposed amending Subparts M & S of Part 90 of its rules governing private land mobile radio to permit wireline common carriers to be eligible to apply for a license in the Specialized Mobile Radio Service.

Timetable:

Action	Date	FR Cite
NPRM	01/03/86	51 FR 2910
NPRM Comment Period End	07/03/86	
R&O	07/00/88	

Small Entity: Yes

Agency Contact: Gay Ludington, Federal Communications Commission, 202 634-2443

RIN: 3060-AD54

3609. REVISION AND REORGANIZATION OF AVIATION RULES (PART 87)

Significance: Agency Priority

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 87

Abstract: NPRM proposes to reorganize and revise the rules for the aviation services. Includes proposals regarding aeronautical advisor stations, making greater use of 25 and 50 MHz channels, and licensing of Civil Air Patrol.

Timetable:

Action	Date	FR Cite
NPRM	06/10/87	52 FR 26360
NPRM Comment Period End	10/21/87	
R&O	06/00/88	

Small Entity: Yes

Agency Contact: M. Cesaitis, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C. 20554, 202 632-7175

RIN: 3060-AE08

3610. MULTIPLE ADDRESS SYSTEMS

Significance: Agency Priority

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 94

Abstract: The FCC has proposed to re-examine rules and policies governing 900 MHz multiple address system (MAS) operations. A number of rule sections are proposed for revision and clarification.

Timetable:

Action	Date	FR Cite
NPRM	01/15/87	52 FR 4161
NPRM Comment Period End	04/07/87	
R&O	06/01/88	

Small Entity: Yes

Agency Contact: Herb Zeiler/Molly Nichols, Federal Communications Commission, 2025 M Street, N.W., Washington, D.C. 20554, 202 634-2443

RIN: 3060-AE09

3611. ● MULTIPLE ADDRESS SYSTEMS

Significance: Agency Priority

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 94

Abstract: The FCC has proposed to reexamine rules and policies governing 900 MHz multiple address system (MAS) operations. A number of rule sections are proposed for revision and clarification.

Timetable:

Action	Date	FR Cite
NPRM	01/15/87	52 FR 4161
NPRM Comment Period End	05/29/87	
R&O	06/01/88	

Small Entity: Yes

Agency Contact: Herb Zeiler, Federal Communications Commission, 202 634-2443

RIN: 3060-AE20

3612. ● REVISION AND REORGANIZATION OF AVIATION RULES (PT. 87)

Significance: Agency Priority

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 87

Abstract: NPRM proposes to reorganize and revise the rules for the aviation services. Includes proposals regarding aeronautical advisory stations, making greater use of 25 and 50 MHz channels, and licensing of Civil Air Patrol.

Timetable:

Action	Date	FR Cite
NPRM	06/10/87	52 FR 26360
NPRM Comment Period End	12/21/87	
R&O	06/00/88	

Small Entity: Yes

Agency Contact: M. Cesaitis, Federal Communications Commission, 202 632-7175

RIN: 3060-AE21

FEDERAL COMMUNICATIONS COMMISSION (FCC) —PRIVATE RADIO BUREAU

Final Rule Stage

3613. PART 90 REVIEW - SUBPARTS M&S INCL. ASNA PET., SUBPART S WAIT LIST

Significance: Agency Priority

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 90.364; 47 CFR 90.627

Abstract: NPRM proposes to permit greater flexibility and enhanced service options for SMR licensees and end users. Includes proposals regarding loading standards, waiting list procedures and eligibility requirements.

Timetable:

Action	Date	FR Cite
ANPRM	10/16/86	51 FR 45025
ANPRM Comment Period End	02/20/87	
NPRM	04/03/87	
R&O	06/00/88	

FCC—PRB

Final Rule Stage

Small Entity: Yes

Agency Contact: Nia Cresham, Federal Communications Commission, 202 634-2443

RIN: 3060-AD69

3614. ● SPECIAL EMERGENCY RADIO PRIVATE CARRIERS

Significance: Agency Priority

Legal Authority: 47 USC 154(i); 47 USC 303(r)

CFR Citation: 47 CFR 90.35

Abstract: The FCC has proposed that commercial entities be eligible to obtain a license to directly offer private carrier service to medical service to Special Emergency Radio Service eligibles.

Timetable:

Action	Date	FR Cite
NPRM	08/04/87	52 FR 35281
NPRM Comment Period End	11/16/87	
R&O	06/00/88	

Small Entity: Yes

Agency Contact: Irene Bleiweiss, Federal Communications Commission, 202 634-2443

RIN: 3060-AE19

FEDERAL COMMUNICATIONS COMMISSION (FCC) —PRIVATE RADIO BUREAU

Completed Actions

3615. EXTERNAL FREQUENCY CONTROLS

CFR Citation: 47 CFR 90.203

Completed:

Reason	Date	FR Cite
Final Action R&O adopted	12/15/87	52 FR 47569

Small Entity: Yes

Agency Contact: Rockie Patterson 202 634-6497

RIN: 3060-AD53

[FR Doc. 88-5806 Filed 04-22-88; 8:45 am]

BILLING CODE 6712-01-T

federal register

Monday
April 25, 1988

Part XLVII

Federal Deposit Insurance Corporation

Semiannual Regulatory Agenda

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

FEDERAL DEPOSIT INSURANCE CORPORATION

12 CFR Ch. III

Semiannual Agenda of Regulations

AGENCY: Federal Deposit Insurance Corporation.

ACTION: Publication of semiannual agenda of regulations.

SUMMARY: The Federal Deposit Insurance Corporation ("FDIC") is hereby publishing items for the April 1988 Regulatory Agenda. The agenda contains information about FDIC's current and projected rulemakings, existing regulations under review, and completed rulemakings.

FOR FURTHER INFORMATION CONTACT: Persons identified under regulations listed in the agenda. The address for all FDIC staff identified in the agenda is Federal Deposit Insurance Corporation, 550 17th Street, NW., Washington, DC 20429.

SUPPLEMENTARY INFORMATION: Twice each year, the FDIC publishes an agenda of regulations to inform the public of its regulatory actions and to enhance public participation in the rulemaking process. Publication of the agenda is in accordance with both the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*) and the FDIC statement of policy entitled "Development and Review of FDIC Rules and Regulations" (44 FR 31007, May 30, 1979; 44 FR 32353, June 6, 1979; 44 FR 76858, December 28, 1979; 49 FR 7288, February 28, 1984).

The FDIC amends its regulations under the general rulemaking authority prescribed in section 9 of the Federal Deposit Insurance Act (12 U.S.C. 1819) and under specific authority granted by the Act and other statutes.

Interested persons may petition the FDIC for the issuance, amendment or repeal of any regulation by submitting a written petition to the Executive Secretary, Federal Deposit Insurance Corporation, Washington, DC 20429. Petitioners should include complete and concise statements of their interest in the subject matter and reasons why the petitions should be granted.

Dated: February 10, 1988.

Federal Deposit Insurance Corporation.

Hoyle L. Robinson,

Executive Secretary.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3616	12 CFR 309 Disclosure of Information	3064-AA65
3617	12 CFR 311 Rules Governing Public Observation of Meetings of the Corporation's Board of Directors	3064-AA66
3618	12 CFR 330 Clarification and Definition of Deposit Insurance Coverage	3064-AA68

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3619	12 CFR 308 Rules of Practice and Procedures	3064-AA64
3620	12 CFR 346 Foreign Banks	3064-AA78
3621	12 CFR 344 Securities Recordkeeping and Confirmations	3064-AA30
3622	12 CFR 335 Securities of Insured Nonmember Banks	3064-AA45
3623	12 CFR 303 Applications, Requests, Submittals, Delegations of Authority, and Notices of Acquisition of Control	3064-AA90
3624	12 CFR 324 Agricultural Loan Loss Amortization	3064-AA87

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3625	12 CFR 338 Fair Housing	3064-AA81

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3626	12 CFR 310 Privacy Act Regulations	3064-AA91
3627	12 CFR 332 Powers Inconsistent with Purposes of Federal Deposit Insurance Law	3064-AA29

FDIC

Completed Actions—Continued

Sequence Number	Title		Regulation Identifier Number
3628	12 CFR 337	Unsafe and Unsound Banking Practices	3064-AA80
3629	12 CFR 325	Capital Maintenance	3064-AA82
3630	12 CFR 350	Disclosure of Financial and Other Information by FDIC-Insured State Nonmember Banks	3064-AA83
3631	12 CFR 304	Reporting Requirements on Deposits Placed by Deposit Brokers and Depository Institutions	3064-AA88
3632	12 CFR 346	Foreign Banks	3064-AA89
3633	12 CFR 308	Rules of Practice and Procedures: Subpart B -- Rules of Practice Generally	3064-AA64
3634	12 CFR 346	Foreign Banks	3064-AA78

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) — Prerule Stage

3616. DISCLOSURE OF INFORMATION

Legal Authority: 5 USC 552; 12 USC 1819

CFR Citation: 12 CFR 309

Legal Deadline: None.

Abstract: Part 309 sets forth the basic policies of the FDIC regarding the information it maintains and the procedures for obtaining access to such information.

This regulation has been selected for review under the FDIC's Regulation Review Program.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: James R. Dudine, Chief, Special Activities Section, Division of Bank Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-6750**

RIN: 3064-AA65

3617. RULES GOVERNING PUBLIC OBSERVATION OF MEETINGS OF THE CORPORATION'S BOARD OF DIRECTORS

Legal Authority: 5 USC 552b; 12 USC 1819

CFR Citation: 12 CFR 311

Legal Deadline: None.

Abstract: Part 311 implements the policy of the "Government in the Sunshine Act," section 552b of Title 5, United States Code, which is to provide the public with as much information as possible regarding the decision-making processes of certain Federal agencies, including the FDIC, while preserving the rights of individuals and the ability of the agency to carry out its responsibilities.

This regulation has been selected for review under the FDIC's Regulation Review Program.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: Hoyle L. Robinson, Executive Secretary, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-3813**

RIN: 3064-AA66

3618. CLARIFICATION AND DEFINITION OF DEPOSIT INSURANCE COVERAGE

Legal Authority: 12 USC 1813; 12 USC 1817; 12 USC 1821; 12 USC 1822

CFR Citation: 12 CFR 330

Legal Deadline: None.

Abstract: Part 330 provides for the determination by the FDIC of the insured depositors of an insured bank and the amount of their insured deposit accounts. It sets forth the rules for determining the insurance coverage of deposit accounts maintained by depositors.

This regulation has been selected for review under the FDIC's Regulation Review Program.

Timetable:

Action	Date	FR Cite
End Review	00/00/00	

Small Entity: No

Agency Contact: J. William Via, Jr., Counsel, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-3733**

RIN: 3064-AA68

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC)

Proposed Rule Stage

3619. ● RULES OF PRACTICE AND PROCEDURES

Legal Authority: 5 USC 504; 12 USC 1819; 12 USC 1972; 15 USC 78w

CFR Citation: 12 CFR 308

Legal Deadline: None.

Abstract: The FDIC is preparing for public comment revisions to Part 308 of FDIC's rules and regulations which governs the conduct of administrative proceedings before the FDIC. The changes will include a reorganization of existing sections of Part 308, revisions of some sections that existed previously, and the addition of new sections. The purpose of the revised regulation is to secure a just, orderly, and speedy determination of administrative proceedings before the FDIC. The revised Part 308 is a result of the review conducted under FDIC's Regulation Review Program.

Timetable:

Action	Date	FR Cite
NPRM	02/24/88	53 FR 5392
NPRM Comment Period End	04/25/88	
Final Action	06/00/88	

Small Entity: No

Agency Contact: John V. Thomas, Senior Attorney, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429, 202 898-7275

RIN: 3064-AA64

3620. ● FOREIGN BANKS

Legal Authority: 12 USC 1815; 12 USC 1817; 12 USC 1819; 12 USC 1820; 12 USC 3103; 12 USC 3104; 12 USC 3108

CFR Citation: 12 CFR 346

Legal Deadline: None.

Abstract: The FDIC is preparing for public comment revisions to Part 346 of its rules and regulations which sets out the rules governing FDIC-insured branches of foreign banks. The rules relate to: policy regarding the operation of insured and noninsured branches by a foreign bank; pledge of assets; and asset maintenance. The revised Part 346 is a result of the review conducted under FDIC's Regulation Review Program.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Charles V. Collier, Assistant Director, Division of Bank Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429, 202 898-6850

RIN: 3064-AA78

3621. SECURITIES RECORDKEEPING AND CONFIRMATIONS

Legal Authority: 12 USC 1817; 12 USC 1818; 12 USC 1819

CFR Citation: 12 CFR 344

Legal Deadline: None.

Abstract: The FDIC expects to propose an amendment to 12 CFR Part 344, which governs an insured nonmember bank's recordkeeping and confirmation requirements for securities transactions. The proposed amendment would expand an existing exception under Part 344 for low activity. The exception would be increased to allow banks which effect an average of fewer than 1,000 securities transactions per year to be exempt from certain recordkeeping and written policymaking requirements. The current "low-activity" threshold is 200 transactions per year. The amendment is needed to eliminate unnecessary paperwork burden and is intended to reduce the impact of FDIC's regulation on insured nonmember banks that engage in a low number of securities transactions per year.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: John F. Harvey, Chief, Review Unit, Division of Bank Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429, 202 898-6762

RIN: 3064-AA30

3622. SECURITIES OF INSURED NONMEMBER BANKS

Legal Authority: 12 USC 1819 Federal Deposit Insurance Act; 15 USC 78l(i) Securities Exchange Act of 1934

CFR Citation: 12 CFR 335

Legal Deadline: None.

Abstract: The Securities Exchange Act of 1934 requires the FDIC to issue regulations substantially similar to regulations of the Securities and Exchange Commission, or publish reasons for not doing so. The staff is currently preparing such conforming amendments for public comment based on recent rulemaking actions by the Commission.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Lawrence H. Pierce, Securities Activities Officer, Division of Bank Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429, 202 898-6885

RIN: 3064-AA45

3623. ● APPLICATIONS, REQUESTS, SUBMITTALS, DELEGATIONS OF AUTHORITY, AND NOTICES OF ACQUISITION OF CONTROL

Legal Authority: 12 USC 1817(j)(13); 12 USC 1819; PL 99-570, Sec 1360

CFR Citation: 12 CFR 303

Legal Deadline: None.

Abstract: The FDIC is preparing for public comment amendments to section 303.4 of Part 303 of its regulations to implement certain amendments to the Change in Bank Control Act of 1986. Under the planned proposal, the FDIC may waive the newspaper publication or comment solicitation requirements of the regulation, or may act on a proposed change in control prior to the expiration of the comment period. The planned proposal also provides that the FDIC may shorten the public comment period to a period of not less than 10 days.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: Claude A. Rollin, Attorney, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429, 202 898-3985

RIN: 3064-AA90

3624. ● AGRICULTURAL LOAN LOSS AMORTIZATION

Legal Authority: 12 USC 1823(j); 12 USC 1819

CFR Citation: 12 CFR 324

Legal Deadline: Statutory, November 9, 1987.

FDIC — Proposed Rule Stage

Abstract: The FDIC approved an interim rule which establishes eligibility requirements and application procedures for FDIC-insured state nonmember banks in distressed agricultural regions of the country that are interested in amortizing farm loan losses. The FDIC is requesting comments from the public prior to adopting a final regulation.

Timetable:

Action	Date	FR Cite
Interim Rule	11/02/87	52 FR 41966
Interim Rule Effective	11/09/87	
Interim Rule Comment Period End	01/08/88	
Interim Rule Terminates	06/30/88	

Small Entity: No

Agency Contact: William C. Crothers, Examination Specialist, Division of Bank Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-6906**

RIN: 3064-AA87

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) — Final Rule Stage

3625. FAIR HOUSING

Legal Authority: 12 USC 1817; 12 USC 1818; 12 USC 1819; 12 USC 1820; 15 USC 1691 et seq; 42 USC 3605; 42 USC 3608

CFR Citation: 12 CFR 338

Legal Deadline: None.

Abstract: The FDIC is preparing final amendments to its fair housing regulation, 12 CFR Part 338, which applies to insured state nonmember banks. The amendments would eliminate home-equity loans, as well as home improvement, maintenance and repair loans from the data-gathering requirement. Accordingly, the data-gathering requirement would then only apply to home purchase, construction and refinancing loans. The FDIC believes that the amendments would reduce the paperwork burden on the banking industry without impairing enforcement of fair housing lending laws.

Timetable:

Action	Date	FR Cite
NPRM	08/18/87	52 FR 30928
NPRM Comment Period End	10/19/87	
Final Action	04/00/88	

Small Entity: No

Agency Contact: Patricia A. McCormick, Fair Lending Analyst, Office of Consumer Affairs, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-3538**

RIN: 3064-AA81

FEDERAL DEPOSIT INSURANCE CORPORATION (FDIC) — Completed Actions

3626. ● PRIVACY ACT REGULATIONS

Legal Authority: 5 USC 552a

CFR Citation: 12 CFR 310

Legal Deadline: None.

Abstract: The FDIC is amending the title of a Privacy Act system of records listed as exempt by regulation (12 CFR 310.13(a)) from certain provisions of the Privacy Act in order to reflect a name change made to the system as amended. The Bank and Proposed Bank Irregularity Records System will be retitled the Financial Institutions Investigative and Enforcement Records System.

Timetable:

Action	Date	FR Cite
Final Action	03/08/88	53 FR 7339
Final Action Effective	05/23/88	

Small Entity: No

Agency Contact: Robert E. Feldman, Assistant Executive Secretary, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-3811**

RIN: 3064-AA91

3627. POWERS INCONSISTENT WITH PURPOSES OF FEDERAL DEPOSIT INSURANCE LAW

Legal Authority: 12 USC 1816; 12 USC 1818(a); 12 USC 1818(b); 12 USC 1819; 12 USC 1821(f); 12 USC 1828(j)(2)

CFR Citation: 12 CFR 332

Legal Deadline: None.

Abstract: The FDIC has withdrawn its proposed amendments to Part 332 of its regulations which would have, among other things, prohibited insured banks, subject to certain exceptions, from directly engaging in real estate development activities or insurance underwriting activities and would have established certain restrictions on the indirect conduct of such activities.

Timetable:

Action	Date	FR Cite
ANPRM	09/12/83	48 FR 40900
ANPRM Comment Period End	11/14/83	48 FR 40900
NPRM	12/13/84	49 FR 48552
NPRM Comment Period End	02/11/85	49 FR 48552
NPRM- Revised	06/07/85	50 FR 23964
Revised NPRM Comment Period Begin	06/07/85	50 FR 23964
Revised NPRM Comment Period End	07/22/85	
Withdrawn	12/22/87	52 FR 48447

Small Entity: No

Agency Contact: Pamela E. F. LeCren, Senior Attorney, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-3730**

RIN: 3064-AA29

3628. UNSAFE AND UNSOUND BANKING PRACTICES

Legal Authority: 12 USC 1819; 12 USC 1828; PL 97-320, Sec 442

CFR Citation: 12 CFR 337

Legal Deadline: None.

Abstract: The FDIC amended its regulations governing the securities activities of certain subsidiaries of insured nonmember banks and the affiliate relationships of insured nonmember banks with certain securities companies. The amendments: (1) delete the requirement that the offices of securities subsidiaries and affiliates must be accessed through a separate entrance from that used by the bank, (2) delete the prohibition against securities subsidiaries and affiliates sharing a common name or logo with the bank, and (3) establish a number of affirmative disclosure requirements to the effect that securities recommended, offered or sold by or through a securities subsidiary or affiliate are not FDIC insured deposits unless otherwise indicated and that such securities are not obligations of, nor are guaranteed by the bank.

Timetable:

Action	Date	FR Cite
NPRM	04/09/87	52 FR 11492
NPRM Comment Period End	05/11/87	
Final Action	12/14/87	52 FR 47379
Final Action Effective	12/14/87	

Small Entity: No

Agency Contact: Pamela E. F. LeCren, Senior Attorney, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-3730**

RIN: 3064-AA80

3629. CAPITAL MAINTENANCE

Legal Authority: 12 USC 1815; 12 USC 1816; 12 USC 1818; 12 USC 1819; 12 USC 1828; 12 USC 3907; 12 USC 3909

CFR Citation: 12 CFR 325

Legal Deadline: None.

Abstract: The FDIC amended its capital regulation by revising the definitions of the terms "assets classified loss," "subordinated note or debenture" and "total assets." The amendments also allow the FDIC to include in primary and secondary capital any capital instrument or account that has the characteristics of capital. Also included is a safety and soundness test regarding the terms and conditions affecting capital instruments. Finally, limits are set on when the FDIC may deny mergers solely because a capital deficiency would exist in the resulting entity.

Timetable:

Action	Date	FR Cite
NPRM	04/10/87	52 FR 11660
NPRM Comment Period End	06/09/87	
Final Action	11/02/87	52 FR 41969
Final Action Effective	12/02/87	

Small Entity: No

Agency Contact: Robert F. Storch, Planning and Program Development Specialist, Division of Bank Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-6903**

RIN: 3064-AA82

3630. DISCLOSURE OF FINANCIAL AND OTHER INFORMATION BY FDIC-INSURED STATE NONMEMBER BANKS

Legal Authority: 12 USC 1817; 12 USC 1819

CFR Citation: 12 CFR 350

Legal Deadline: None.

Abstract: The FDIC has adopted a new Part 350 to its rules and regulations that requires FDIC-insured state-chartered banks that are not members of the Federal Reserve System and FDIC-insured state-licensed branches of foreign banks to prepare, and make available on request, annual disclosure statements consisting of (1) required financial data comparable to specified schedules in call reports filed for the previous two year-ends, (2) information that the FDIC may require of particular organizations, and (3) other optional information.

Timetable:

Action	Date	FR Cite
NPRM	06/23/87	52 FR 23554
NPRM Comment Period End	08/24/87	
Final Action	12/31/87	53 FR 49377
Final Action Effective	02/01/88	

Small Entity: No

Agency Contact: William P. Carley, Planning and Program Development Specialist, Division of Bank Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-6903**

RIN: 3064-AA83

3631. ● REPORTING REQUIREMENTS ON DEPOSITS PLACED BY DEPOSIT BROKERS AND DEPOSITORY INSTITUTIONS

Legal Authority: 5 USC 552; 12 USC 1817 to 1820

CFR Citation: 12 CFR 304

Legal Deadline: None.

Abstract: The FDIC amended Part 304 of its rules and regulations to change from monthly to quarterly the frequency with which each FDIC-insured bank with combined fully insured brokered deposits and fully insured deposits placed directly by depository institutions in excess of either the bank's total capital and reserves or five percent of the bank's total deposits must report their holdings of such deposits to the FDIC.

Timetable:

Action	Date	FR Cite
Final Action	12/21/87	52 FR 48183
Final Action Effective	01/20/88	

Small Entity: No

Agency Contact: Robert F. Storch, Planning and Program Development Specialist, Division of Bank Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-6903**

RIN: 3064-AA88

3632. ● FOREIGN BANKS

Legal Authority: 12 USC 1815; 12 USC 1817; 12 USC 1819; 12 USC 1820; 12 USC 3103; 12 USC 3104; 12 USC 3108

CFR Citation: 12 CFR 346

Legal Deadline: None.

Abstract: The FDIC amended Part 346 of its rules and regulations in order to extend the time for compliance by insured branches of foreign banks for operating within prescribed limits of country exposures. The rule extends the deadline for compliance 180 days, until June 14, 1988.

Timetable:

Action	Date	FR Cite
Final Action Effective	12/17/87	
Final Action	12/30/87	52 FR 49156

Small Entity: No

Agency Contact: Charles V. Collier, Assistant Director, Division of Bank Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-6850**

RIN: 3064-AA89

3633. RULES OF PRACTICE AND PROCEDURES: SUBPART B -- RULES OF PRACTICE GENERALLY

Legal Authority: 5 USC 504; 12 USC 1819; 12 USC 1972; 15 USC 78w

CFR Citation: 12 CFR 308

Legal Deadline: None.

Abstract: Subpart B to Part 308 prescribes rules of practice and procedures followed by the FDIC in hearings pursuant to the provisions of the Federal Deposit Insurance Act or other applicable law pertaining to involuntary termination of the insured status of any bank; issuance of cease-and-desist orders against any nonmember bank or its official; assessment of civil penalties against a bank or its official; issuance of orders that remove or suspend from office a director or officer of an insured nonmember bank; disapproval of a proposed acquisition of control of an insured nonmember bank; and imposition of sanctions upon a municipal securities dealer or a person associated with such a dealer.

This regulation was selected for review under the FDIC's Regulation Review Program. The review has been completed and a revised regulation is under development.

Timetable:

Action	Date	FR Cite
Begin Review	04/15/87	
End Review	10/30/87	

Small Entity: No

Agency Contact: John V. Thomas, Senior Attorney, Legal Division, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-7275**

RIN: 3064-AA64

3634. FOREIGN BANKS

Legal Authority: 12 USC 1815; 12 USC 1817; 12 USC 1819; 12 USC 1820; 12 USC 3103; 12 USC 3104; 12 USC 3108

CFR Citation: 12 CFR 346

Legal Deadline: None.

Abstract: Part 346 sets out the rules governing FDIC-insured branches of foreign banks. It implements the insurance provisions of section 6 of the International Banking Act of 1978 (12 USC 3104). The rules relate to: policy regarding the operation of insured and noninsured branches by a foreign bank; pledge of assets; and asset maintenance.

This regulation was selected for review under the FDIC's Regulation Review Program. The review has been completed and a revised regulation is under development.

Timetable:

Action	Date	FR Cite
Begin Review	06/02/87	
End Review	12/17/87	

Small Entity: No

Agency Contact: Charles V. Collier, Assistant Director, Division of Bank Supervision, Federal Deposit Insurance Corporation, Washington, DC 20429, **202 898-6850**

RIN: 3064-AA78

[FR Doc. 88-5106 Filed 04-22-88; 8:45 am]

BILLING CODE 6714-01-T

federal register

Monday
April 25, 1988

Part XLVIII

Federal Energy Regulatory Commission

Semiannual Regulatory Agenda

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

DEPARTMENT OF ENERGY

Federal Energy Regulatory Commission

18 CFR Ch. I

Semiannual Regulatory Agenda

AGENCY: Federal Energy Regulatory Commission, DOE.

ACTION: Semiannual regulatory agenda.

SUMMARY: In response to Office of Management and Budget Bulletin No. 88-1, the Federal Energy Regulatory Commission voluntarily submits information about rulemakings under development. Of the 30 rulemakings listed, 22 are current and projected rulemakings and 8 are completed actions.

DATES: The dates provided represent goals, not commitments, and may be revised due to shifts in workload, changes in priorities, or extensive public comments. See various dates listed for each specific rulemaking.

ADDRESS: Federal Energy Regulatory Commission, 825 North Capitol Street, NE., Washington, DC 20426.

FOR FURTHER INFORMATION CONTACT: Person listed for each specific rulemaking.

Lois D. Cashell,

Acting Secretary.

FEDERAL ENERGY REGULATORY COMMISSION (FERC) — Proposed Rule Stage

3635. FEES FOR HYDROPOWER PROJECTS

Legal Authority: 31 USC 9701 Independent Offices Appropriations Act; 16 USC 803 Federal Power Act; 42 USC 7101 to 7352 DOE Organization Act; EO 12009

CFR Citation: 18 CFR 381

Legal Deadline: None.

Abstract: The rulemaking would establish a fee for services performed by the Commission under the FPA for hydropower projects. The rule would cover permits, licenses and exemptions. Docket No. RM83-33-000

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, **202 357-5597**

RIN: 1902-AA48

3636. ● REGULATIONS GOVERNING BIDDING PROGRAMS

Significance: Agency Priority

Legal Authority: 42 USC 7101 to 7352 (1982); 3 CFR 1978 Comp., p.142; 31 USC 9701 (1982); 16 USC 7919 to 8252 (1982); 16 USC 2601 to 2645 (1982)

CFR Citation: 18 CFR 35; 18 CFR 293

Legal Deadline: None.

Abstract: The Commission proposes to adopt regulations which would authorize state regulatory authorities and nonregulated electric utilities to implement bidding procedures as a means of establishing rates for power purchases from qualifying facilities (QFs) under section 210 of PURPA. (Docket No. RM88-5-000).

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, **202 357-5597**

RIN: 1902-AA98

3637. ● REGULATIONS GOVERNING INDEPENDENT POWER PRODUCERS

Significance: Agency Priority

Legal Authority: PL 99-509 Title III, Subtitle C, Sec. 3401; 42 USC 7101 to 7352 (1982); 3 CFR 1978 Comp., p.142; 5 USC 551 to 557 (1982); 15 USC 717 to 717w (1982); 16 USC 791a to 828c (1982); 15 USC 3301 to 3432 (1982); 16 USC 2601 to 2645 (1982); 49 USC 1 to 27 (1976)

CFR Citation: 18 CFR 38; 18 CFR 385

Legal Deadline: None.

Abstract: The Commission is proposing to streamline regulation of a class of non-traditional utility suppliers, called independent power producers (IPPS). The proposed regulations would: (1) authorize rates for IPPS to be determined through competition or rate negotiation subject to a price cap, thereby freeing IPPS from cost-based ratemaking while ensuring rates fall within the zone of reasonableness; (2) authorize IPPS to file rate schedules without having to provide extensive cost support; (3) exempt IPPS from cost-related accounting, reporting and recordkeeping requirements; (4) streamline the corporate and financial regulation of IPPS; (5) provide the blanket prior authorizations to engage in certain corporate activities; and (6) adopt and advance certification procedure to qualify as an IPP. (Docket No. RM88-4-000).

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, **202 357-5597**

RIN: 1902-AA99

3638. ● ADMINISTRATIVE DETERMINATION OF FULL AVOIDED COSTS, RATES FOR SALES OF POWER TO QUALIFYING FACILITIES AND INTERCONNECTION FACILITIES

Significance: Agency Priority

Legal Authority: PL 99-495; 42 USC 7101 to 7352 (1982); 3 CFR 1978 Comp., p.142; 31 USC 9701 (1982); 16 USC 791a to 825r (1982); 16 USC 2601 to 2645 (1982)

CFR Citation: 18 CFR 292

Legal Deadline: None.

Abstract: The Commission is proposing to amend its regulations governing purchases and sales of electricity between electric utilities and qualifying

FERC — Proposed Rule Stage

cogeneration facilities and qualifying small power production facilities (QFs). (Docket No. RM 88-6-000).

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-5597

RIN: 1902-AB00

3639. ● STANDARDS OF CONDUCT

Significance: Agency Priority

Legal Authority: EO 11272

CFR Citation: 18 CFR 3c

Legal Deadline: None.

Abstract: This rulemaking proceeding would update and revise the Commission's Standards of Conduct for employees and Commissioners. (RM88-8-000.)

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-5597

RIN: 1902-AB01

3640. ● RELICENSING REGULATIONS UNDER THE FEDERAL POWER ACT

Significance: Agency Priority

Legal Authority: 16 USC 791a to 825r

CFR Citation: 18 CFR 4; 18 CFR 16

Legal Deadline: None.

Abstract: This proposed rule revises requirements for new licenses and nonpower licenses for projects subject to sections 14 and 15 of the Federal Power Act and proposes new requirements for new licenses for projects that are not subject to sections 14 and 15 of the Federal Power Act. This proposed rule includes Docket No. RM87-7-000, "Information to be Made Available by Hydroelectric Licensees Under Section 4(a) of the Electric Consumers Protection Act of 1986." (Docket No. RM87-33-000.)

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-5597

RIN: 1902-AB02

3641. ● OPTIONAL CERTIFICATES

Significance: Agency Priority

Legal Authority: 15 USC 717f

CFR Citation: 18 CFR 157

Legal Deadline: None.

Abstract: The rulemaking will consider revision of the Commission's regulations with respect to reservation fees and environmental considerations for optional certificates for new service under section 7 of the Natural Gas Act. (Docket No. RM 99-11-000).

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-5597

RIN: 1902-AB03

FEDERAL ENERGY REGULATORY COMMISSION (FERC) — Final Rule Stage

3642. CALCULATION OF CASH WORKING CAPITAL ALLOWANCE FOR PUBLIC UTILITIES

Significance: Agency Priority

Legal Authority: 16 USC 791a to 828c

CFR Citation: 18 CFR 35

Legal Deadline: None.

Abstract: The proposed rule would provide that the cash working capital requirements of a public utility that files an electric rate schedule will be presumed to be zero dollars, and thus will not affect the utility's rate base, unless the utility shows there is a significant difference between the time it pays certain current operating expenses and the time it receives revenues from ratepayers. The proposed rule would establish a threshold standard that must be met to support a cash working capital adjustment to a utility's rate base, the expense elements to be considered in calculating cash working capital adjustments to rate base, and criteria applicable to studies submitted in support of a request for an adjustment to rate base. Docket No. RM84-9-000.

Timetable:

Action	Date	FR Cite
NPRM	04/05/84	49 FR 14384
NPRM Comment Period End	06/04/84	
Final Action	05/00/88	

Small Entity: No

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-5597

RIN: 1902-AA33

3643. HYDROELECTRIC APPLICANTS SEEKING BENEFITS UNDER THE PUBLIC UTILITY REGULATORY POLICIES ACT OF 1978 ON PROJECTS LOCATED AT A NEW DAM OR DIVERSION. PETITION ALLEGING COMMITMENT OF (CONT)

Significance: Agency Priority

FERC

Final Rule Stage

Legal Authority: 16 USC 791a to 825r (1982) Federal Power Act; 16 USC 2601 to 2645 (1982) Pub. Utility Reg. Pol. Act of 1978; 42 USC 7101 to 7352 (1982) Dept. of Energy Organization Act; EO 12009, 3 CFR 142 (1978)

CFR Citation: 18 CFR 4; 18 CFR 292; 18 CFR 375

Legal Deadline: None.

Abstract: This interim rule prescribes the form in which a petition alleging commitment of substantial monetary resources prior to the enactment of the Electric Consumers Protection Act of 1986 (ECPA) will be filed and processed. This petition, if granted, would except from some of the provisions of section 8 of ECPA a hydroelectric project that impounds or diverts the water of a natural watercourse by means of a new dam or diversion, for which benefits under section 210 of the Public Utility Regulatory Policies Act of 1978 (PURPA) are sought, if application for license or exemption for the project is filed between October 16, 1986 and April 16, 1988. This interim rule will be merged into a final rule in Docket No. RM87-13-000. This docket number (RM87-8-000) will be terminated. Docket No. RM87-8-000.

Timetable:

Action	Date	FR Cite
Interim Final Rule	02/20/87	52 FR 5276
Final Action	00/00/00	

Small Entity: No

Additional Information: TITLE CONT: Substantial Monetary Resources.

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-5597

RIN: 1902-AA78

3644. INFORMATION THAT EXISTING HYDROELECTRIC LICENSEES MUST MAKE AVAILABLE UPON NOTICE OF THEIR INTENTION TO FILE FOR AN APPLICATION FOR A NEW LICENSE

Significance: Agency Priority

Legal Authority: 16 USC 791a to 825r Federal Power Act; PL 99-495 Electric Consumers Protection Act of 1986; 42 USC 7101 to 7352 (1982) Dept. of Energy Organization Act; EO 12009, 3 CFR 1978 Comp., p.142

CFR Citation: 18 CFR 16

Legal Deadline: None.

Abstract: This interim rule prescribes the information that an existing hydroelectric licensee must make available to the public upon notifying the Commission whether or not it intends to file an application for new license. Revisions to this rule are being prepared in Docket No. RM87-33-000 and the record is incorporated in that docket. Docket No. RM87-7-000.

Timetable:

Action	Date	FR Cite
Interim Final Rule	03/30/87	52 FR 11035
Final Action	00/00/00	

Small Entity: No

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-5597

RIN: 1902-AA88

3645. INQUIRY INTO ALLEGED ANTICOMPETITIVE PRACTICES RELATING TO MARKETING AFFILIATES OF INTERSTATE PIPELINES

Significance: Agency Priority

Legal Authority: 15 USC 717 to 717w (1982) Natural Gas Act; 15 USC 3301 to 3432 (1982) Natural Gas Policy Act of 1978

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: The notice of inquiry seeks information about allegations of anticompetitive activity related to the relationship between interstate pipelines and their marketing affiliates. The notice of inquiry also seeks information on how to ensure competitive business practices by pipelines and their marketing affiliates in the natural gas sales and transportation markets. The notice of proposed rulemaking, issued June 2, 1987, proposed standards of conduct and reporting requirements to prevent undue discrimination by a pipeline in favor of its marketing affiliate. A draft final rule was discussed by the Commission on January 27, 1988. Docket No. RM87-5-000.

Timetable:

Action	Date	FR Cite
Notice of Inquiry	11/14/86	51 FR 41982
NPRM	06/08/87	52 FR 21578
NPRM Comment Period End	07/23/87	52 FR 21578
Final Action	00/00/00	

Small Entity: No

Additional Information: Although the Commission discussed the draft final rule on January 27, 1988, no vote was taken.

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, 202 357-5597

RIN: 1902-AA90

3646. NATURAL GAS DATA COLLECTION SYSTEM

Significance: Agency Priority

Legal Authority: 42 USC 7102 to 7352, (1982); EO 12009, 3 CFR 142 (1978); 5 USC 551 to 557, (1982); 15 USC 717 to 717w, (1982); 16 USC 791 to 828c, (1982); 15 USC 3301 to 3402, (1982); 16 USC 2601 to 2645, (1982)

CFR Citation: 18 CFR 154; 18 CFR 157; 18 CFR 260; 18 CFR 284

Legal Deadline: None.

Abstract: The rule proposes to amend the Commission's regulations to establish the Natural Gas Data Collection System through the adoption of FERC Form No. 591. FERC Form No. 591 requires natural gas pipelines to submit various data, rate filings and certificate applications to the Commission on 9-track magnetic tape. In addition, FERC Form No. 591 revises the data presently submitted by natural gas pipelines to reflect the Commission's current regulatory responsibilities. This revision results in the filing of much of the same data at the same time as presently, eliminates data presently filed and requires the submission of data in more detail or more frequently than presently filed. Docket No. RM-87-17-000.

Timetable:

Action	Date	FR Cite
NPRM	07/07/87	52 FR 25530
NPRM Comment Period End	09/08/87	52 FR 25530
Final Action	00/00/00	

FERC

Final Rule Stage

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, **202 357-5597**

RIN: 1902-AA94

3647. PROCEDURES FOR THE ASSESSMENT OF CIVIL PENALTIES UNDER SECTION 31 OF THE FEDERAL POWER ACT

Significance: Agency Priority

Legal Authority: 42 USC 7102 to 7352, (1982); EO 12009, 3 CFR 1978 Comp., p.142; 5 USC 551 to 557, (1982); 15 USC 717 to 717w, (1982); 16 USC 791 to 828c, (1982); 15 USC 3301 to 3402, (1982); 16 USC 2601 to 2645, (1982)

CFR Citation: 18 CFR 385

Legal Deadline: None.

Abstract: The Federal Energy Regulatory Commission is issuing a notice of proposed rulemaking establishing procedures for the assessment of civil penalties pursuant to section 12 of the Electric Consumers Protection Act of 1986, which amended and added a new section 31 to the Federal Power Act. Docket No. RM87-24-000.

Timetable:

Action	Date	FR Cite
NPRM	08/03/87	52 FR 29216
NPRM Comment Period End	10/05/87	52 FR 29216
Final Action	00/00/00	

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, **202 357-5597**

RIN: 1902-AA96

3648. REGULATION OF NATURAL GAS PIPELINES AFTER PARTIAL WELLHEAD DECONTROL

Significance: Agency Priority

Legal Authority: 42 USC 7102 to 7352 (1982); EO 12009, 3 CFR 1978 Comp., p.142; 5 USC 551 to 557, (1982); 15 USC 717 to 717w, (1982); 16 USC 791 to 828c, (1982); 15 USC 3301 to 3402, (1982); 16 USC 2601 to 2645, (1982)

CFR Citation: 18 CFR 2; 18 CFR 284.10; 18 CFR 284.8; 18 CFR 284.9; 18 CFR 2.104; 18 CFR 2.105

Legal Deadline: None.

Abstract: Order No. 500 required that producers submit an offer of take-or-pay credits to an open access pipeline in order to make the pipeline's gas eligible for transportation (unless the pipeline and producer agree to a different arrangement); it also adopted a policy on passthrough mechanisms for take-or-pay buyout and buydown costs, repromulgated the contract demand conversion option of Order No. 436, and adopted a policy on gas inventory charges. Order Nos. 500-A, 500-B, and 500-C made changes to the crediting provisions and extended certain deadlines. Docket No. RM87-34-000.

Timetable:

Action	Date	FR Cite
Interim Final Rule	08/07/87	

Next Action Undetermined

Small Entity: No

Additional Information: See Order Explaining Crediting (Oct. 16, 1987) and 0-500, 0-500-B, and 0-500-C themselves for more details.

Agency Contact: Susan J. Court, Associate General Counsel, Gas and Oil, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, **202 357-8448**

RIN: 1902-AA97

3649. ● IMPLEMENTATION OF SECTION 8 OF THE ELECTRIC CONSUMER PROTECTION ACT OF 1986; HYDROELECTRIC APPLICANTS WITH NEW DAM OR DIVERSION PROJECTS SEEKING BENEFITS UNDER PURPA (1978)

Significance: Agency Priority

Legal Authority: 16 USC 791a to 824r (1982); 16 USC 2601 to 2645 (1982); 42 USC 7101 to 7352 (1982); EO 12009, 3 CFR 1978 Comp., p.142; 31 USC 9701 (1982)

CFR Citation: 18 CFR 4; 18 CFR 292; 18 CFR 375

Legal Deadline: None.

Abstract: The final rule would promulgate regulations governing applicants for hydroelectric licenses and exemptions that seek benefits under section 210 of the Public Utility Regulatory Policies Act of 1978 (PURPA). In so doing, the final rule will implement section 8 of the Electric Consumer's Protection Act of 1986 (ECPA) which sets forth three new environmental requirements that must be satisfied before a hydroelectric project at a new dam or diversion can obtain PURPA benefits. (Docket No. RM87-13-000.)

Timetable:

Action	Date	FR Cite
NPRM	10/05/87	52 FR 38460
NPRM Comment Period End	11/16/87	52 FR 38460
Final Action	00/00/00	

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Analysis, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20425, **202 357-5597**

RIN: 1902-AB04

3650. ● FILING FEES UNDER INDEPENDENT OFFICES APPROPRIATIONS ACT OF 1952

Significance: Agency Priority

Legal Authority: 31 USC 9701 Independent Offices Appropriation Act of 1952

CFR Citation: 18 CFR 3; 18 CFR 4; 18 CFR 157; 18 CFR 292; 18 CFR 375; 18 CFR 381

Legal Deadline: None.

Abstract: The rulemaking proceeding will establish several new filing fees pursuant to the Independent Offices Appropriations Act of 1952 and will revise certain existing filing fees and procedures. (Docket No. RM87-26-000.)

Timetable:

Action	Date	FR Cite
NPRM	11/05/87	52 FR 43612
NPRM Comment Period End	12/14/87	52 FR 43612
Final Action	00/00/00	

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser, Assistant General Counsel, Rulemaking and Legislative Affairs, Federal Energy Regulatory Commission, 825 North Capitol Street, NE, Washington, DC 20426, **202 357-5597**

RIN: 1902-AB05

FEDERAL ENERGY REGULATORY COMMISSION (FERC)

Completed Actions

3651. REVISION OF FERC RULES OF PRACTICE, SEPARATION OF FUNCTIONS AND EX PARTE RULES FOR TRIAL-TYPE PROCEEDINGS

CFR Citation: 18 CFR 385.2201; 18 CFR 385.2202

Completed:

Reason	Date	FR Cite
No action expected in the next 12 months.	02/26/88	

Small Entity: No

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA31

3652. LIST OF UNITS OF PROPERTY FOR USE IN ACCOUNTING FOR ADDITIONS AND RETIREMENTS OF REACTOR PLANT EQUIPMENT

CFR Citation: 18 CFR 116

Completed:

Reason	Date	FR Cite
Final Action	11/18/87	52 FR 45167
Final Action Effective	11/28/87	52 FR 45167

Small Entity: No

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA43

3653. AMENDMENTS TO UNIFORM SYSTEM OF ACCOUNTS TO REVISE ACCOUNTING RETIREMENT FOR NUCLEAR FUEL

CFR Citation: 18 CFR 101

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA52

3654. EXEMPTION FROM THE LICENSING REQUIREMENTS OF PART I OF THE FEDERAL POWER ACT OF CERTAIN CATEGORIES OF SMALL HYDROELECTRIC POWER PROJECTS WITH AN INSTALLED CAPACITY OF 5 MW OR LESS

CFR Citation: 18 CFR 4.109; 18 CFR 4.110; 18 CFR 4.111; 18 CFR 4.112

Completed:

Reason	Date	FR Cite
Final Action	10/20/87	52 FR 39628
Final Action Effective	10/20/87	52 FR 39628

Small Entity: Undetermined

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA59

3655. ACCOUNTING AND RATEMAKING TREATMENT FOR NUCLEAR PLANT DECOMMISSIONING COSTS

CFR Citation: 18 CFR 35; 18 CFR 101; 18 CFR 141

Completed:

Reason	Date	FR Cite
No action expected in next 12 months	02/26/88	

Small Entity: No

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA64

3656. NOI - REGULATION OF ELECTRICITY SALES - FOR RESALES AND TRANSMISSION SERVICE

CFR Citation: 18 CFR 290; 18 CFR 35

Completed:

Reason	Date	FR Cite
No action expected in the next 12 months.	02/26/88	

Small Entity: No

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA68

3657. REGULATION OF NATURAL GAS PIPELINES AFTER PARTIAL WELLHEAD DECONTROL; PART D

Significance: Agency Priority

CFR Citation: 18 CFR 154

Completed:

Reason	Date	FR Cite
No action expected in the next 12 months.	02/26/88	

Small Entity: No

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA70

3658. ABANDONMENT OF SALES AND PURCHASES OF NATURAL GAS UNDER EXPIRED, TERMINATED, OR MODIFIED CONTRACTS

Significance: Agency Priority

CFR Citation: 18 CFR 157; 18 CFR 284

Completed:

Reason	Date	FR Cite
Final Action	02/05/88	53 FR 4121
Final Action Effective	04/12/88	53 FR 4121

Small Entity: No

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA81

3659. NATURAL GAS RATE DESIGN

CFR Citation: Not yet determined

Completed:

Reason	Date	FR Cite
No action expected in the next 12 months	02/26/88	

Small Entity: No

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA82

3660. FEES FOR HYDROELECTRIC PROJECT APPLICATIONS TO REIMBURSE FISH AND WILDLIFE AGENCIES

Significance: Agency Priority

CFR Citation: 18 CFR 4; 18 CFR 11; 18 CFR 375

Completed:

Reason	Date	FR Cite
Final Action	12/16/87	52 FR 48398
Final Action Effective	01/21/88	52 FR 48398

FERC

Completed Actions

Small Entity: Undetermined

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA84

3661. REGULATIONS IMPLEMENTING THE NATIONAL ENVIRONMENTAL POLICY ACT OF 1969

Significance: Agency Priority

CFR Citation: 18 CFR 2; 18 CFR 380

Completed:

Reason	Date	FR Cite
Final Action	12/10/87	52 FR 47897
Final Action Effective	01/19/88	52 FR 47897

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA91

3662. REVISION OF FREEDOM OF INFORMATION ACT RULES

Significance: Agency Priority

CFR Citation: 18 CFR 3; 18 CFR 381; 18 CFR 388

Completed:

Reason	Date	FR Cite
Final Action	01/20/88	53 FR 1469
Final Action Effective	02/19/88	53 FR 1469

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA92

3663. GENERIC DETERMINATION OF RATE OF RETURN ON COMMON EQUITY FOR PUBLIC UTILITIES

Significance: Agency Priority

CFR Citation: 18 CFR 37

Completed:

Reason	Date	FR Cite
Final Action	02/05/88	53 FR 3342
Final Action Effective	02/01/88	53 FR 3342

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA93

3664. REVISIONS TO THE PURCHASED GAS ADJUSTMENT REGULATIONS

Significance: Agency Priority

CFR Citation: 18 CFR 154; 18 CFR 282; 18 CFR 375; 18 CFR 381

Completed:

Reason	Date	FR Cite
Final Rule issued in RM86-14-000	11/10/87	52 FR 43854

Small Entity: Not Applicable

Agency Contact: Michael A. Stosser 202 357-5597

RIN: 1902-AA95

[FR Doc. 88-5107 Filed 04-22-88; 8:45 am]

BILLING CODE 6717-01-T

federal register

Monday
April 25, 1988

Part XLIX

Federal Home Loan Bank Board

Semiannual Regulatory Agenda

FEDERAL HOME LOAN BANK BOARD (FHLBB)

FEDERAL HOME LOAN BANK BOARD

12 CFR Ch. V

[No. 88-89]

Agenda of Federal Regulations

AGENCY: Federal Home Loan Bank Board.

ACTION: Publication of agenda items.

SUMMARY: The Federal Home Loan Bank Board is hereby publishing items for the "April Unified Agenda of Federal Regulations."

ADDRESS: Information Services Division, Office of the Secretariat, Federal Home Loan Bank Board, 1700 G Street, NW., Washington, DC 20552.

FOR FURTHER INFORMATION CONTACT: See persons listed below for specific agenda items.

By the Federal Home Loan Bank Board.

John F. Ghizzoni,

Assistant Secretary.

FEDERAL HOME LOAN BANK BOARD (FHLBB) — Final Rule Stage

3665. CONSERVATORS AND RECEIVERS

Legal Authority: 12 USC 1464; 12 USC 1724(d); 12 USC 1729; PL 99-120, Sec 6

CFR Citation: 12 CFR 547; 12 CFR 548; 12 CFR 549; 12 CFR 563.8-3, (proposed new section); 12 CFR 563.39(a); 12 CFR 569a; 12 CFR 569b, (proposed new Part); 12 CFR 569c, (proposed new Part)

Legal Deadline: None.

Abstract: The Board is proposing extensive revisions to its regulations governing the conservatorship and receivership of associations chartered by the Board or the accounts of which that are insured by the Federal Savings and Loan Insurance Corporation. The Board will unify the appointment of receiver procedures for state and federal institutions; adopt procedures for appointment of receivers under section 406(c)(1)(B) of the National Housing Act; and address the priorities in liquidation and participation interests in liquidation, which are absent from or inadequately covered in the present regulations. The Board is also proposing that its regulations cover topics such as the effect of the receivership appointment on executory contracts, employment agreements, certain "Golden Parachute" agreements, participation agreements, repurchase agreements, and on agreements relating to secured and unsecured borrowings by an insured institution, including agreements providing for prepayment or default penalties. The proposed regulations provide for new rules of general applicability in the areas previously mentioned, clarify existing provisions, and reorganize and recodify all the (cont)

Timetable:

Action	Date	FR Cite
NPRM	11/08/85	50 FR 48970
Publication of Board Action	11/27/85	50 FR 48970
NPRM Comment Period End	01/22/86	
Final Action	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: regulations governing conservatorships and receiverships.

There are no alternatives being considered by the Board in lieu of the proposed regulation that would have less impact on small institutions, consistent with the intended result, than the concerns expressed in the supplementary information to the proposed rule and the existing statutory requirements concerning receiverships and conservatorships.

The potential costs and benefits of the proposed regulation on the industry have not been quantified.

Agency Contact: Lawrence W. Hayes, Deputy General Counsel for FSLIC, O.G.C., Federal Home Loan Bank Board, 1700 G St. NW, Washington, DC 20552, **202 377-6428**

RIN: 3068-AA07

3666. LOANS TO ONE BORROWER

Legal Authority: 12 USC 1421 to 1429; 12 USC 1464(c); 12 USC 1724 to 1730

CFR Citation: 12 CFR 563.9-3

Legal Deadline: None.

Abstract: The Bank Board proposes to amend its regulation pertaining to loans to one borrower in a number of ways, most significantly to reduce the amount of aggregate loans to one borrower that may be made by an institution the accounts of which are insured by the FSLIC. The proposal is intended to reduce risk to insured institutions and the FSLIC without depriving institutions of appropriate operational flexibility. To this end, the Board invites comment on all aspects of the proposal.

The Bank Board is soliciting comment on possible alternatives to the rule as proposed in addressing the concerns expressed above.

The potential costs and benefits of the proposed regulation on the industry have not been quantified.

The proposed rule would apply equally to all insured institutions.

Timetable:

Action	Date	FR Cite
NPRM	08/15/86	51 FR 30225
Publication of Board Action	08/25/86	51 FR 30225
NPRM Comment Period End	10/24/86	51 FR 30225
Final Action	00/00/00	

Small Entity: Yes

Analysis: Regulatory Flexibility Analysis

Agency Contact: Daniel G. Lonergan, Staff Attorney, Regulations and Legislation Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, NW, Washington, DC 20552, **202 377-6458**

RIN: 3068-AA19

3667. REGULATORY CAPITAL REQUIREMENTS OF INSURED INSTITUTIONS

Legal Authority: 12 USC 1726

CFR Citation: 12 CFR 563.3-10; 12 CFR 563.13

Legal Deadline: None.

Abstract: The Bank Board is proposing to amend its regulation setting the regulatory capital requirements for institutions insured by the Federal Savings and Loan Insurance Corporation by changing the method of computing the annual calculation of industry profits; by deleting the provision concerning the effect upon base liabilities of acquisitions and sales of less than substantially all of the liabilities of an insured institution (branch sales); and by amending the earnings-based accounts regulation to conform that regulation's provisions establishing regulatory capital thresholds to the current regulatory capital requirements. The proposed rule would apply equally to all insured institutions.

There are no alternatives that would be less burdensome than the proposal in addressing the concerns expressed above.

The potential costs and benefits of the proposed regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
NPRM	06/25/87	52 FR 23845
NPRM Comment Period End	08/24/87	52 FR 23845
Final Action	00/00/00	

Small Entity: No

Analysis: Regulatory Flexibility Analysis

Agency Contact: **Jerilyn Rogin, Staff** Attorney, Regulations and Legislation Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, NW, Washington, DC 20552, **202 377-7018**

RIN: 3068-AA22

3668. SETTLEMENT OF INSURANCE; FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

Legal Authority: 12 USC 1724 to 1730g

CFR Citation: 12 CFR 564.2; 12 CFR 564.9

Legal Deadline: None.

Abstract: The Bank Board is proposing to amend its regulations pertaining to the settlement of insurance on accounts held jointly. The Bank Board proposes to delete the current requirement that each co-owner of a joint account must personally execute a signature card for the account in order for the account to be separately insured. The Bank Board believes the current rule may have caused hardship to depositors and added to the recordkeeping burden on institutions without appreciably reducing the risks of fraudulent claims of entitlement to separate joint account insurance coverage. The Bank Board also is proposing to consolidate provisions of its regulations governing joint accounts and to clarify the provisions affecting joint accounts established by intermediaries.

There are no alternatives that would be less burdensome than the rule in addressing the concerns expressed above.

The potential costs and benefits of the proposed regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
NPRM	07/10/87	52 FR 26017
NPRM Comment Period End	09/08/87	52 FR 26017
Final Action	00/00/00	

Small Entity: No

Analysis: Regulatory Flexibility Analysis

Agency Contact: **Deborah Dakin, Assistant Director**, Regulations and Legislation Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, NW, Washington, DC 20552, **202 377-6445**

RIN: 3068-AA23

3669. BANK SECRECY ACT COMPLIANCE PROCEDURES

Significance: Agency Priority

Legal Authority: 31 CFR 103; 12 USC 1464; 12 USC 1730; PL 99-570, Sec 1359; 31 USC 5311 to 5322

CFR Citation: 12 CFR 563.17-7

Legal Deadline: Statutory, April 27, 1987. Section 1359 of the Anti-Drug Abuse Act of 1986, Pub.L.No. 99-570, required establishment of a Bank Secrecy Act compliance program by April 27, 1987.

Abstract: The Bank Board is proposing to amend for purposes of clarification, its recently adopted regulation which requires insured institutions to establish and maintain procedures to assure and monitor compliance with the requirements of the Bank Secrecy Act ("BSA"), including the Currency and Foreign Transactions Reporting Act and the implementing regulations of the U.S. Department of the Treasury, 31 CFR Part 103. The proposed rule sets forth in greater detail the elements required to be in a BSA compliance program, in particular, the requirements of BSA compliance testing and continuing education. The proposed rule would apply equally to all insured institutions.

The proposed rule for BSA compliance programs establishes a minimum system for verifying and encouraging compliance with the BSA in accordance with Congressional concern. Alternatively, the Bank Board could have required an in-depth audit of insured institutions' compliance by independent auditors. The Bank Board believes that such an alternative would have been less flexible and more restrictive for insured institutions. (cont)

Timetable:

Action	Date	FR Cite
NPRM	05/08/87	52 FR 17406
NPRM Comment Period End	07/07/87	52 FR 17406
Final Action	00/00/00	

Small Entity: No

Additional Information: 9. Abstract Cont:

The potential costs and benefits of the proposed regulation on the industry have not been quantified.

Analysis: Regulatory Flexibility Analysis

Agency Contact: **C. Dawn Causey**, Attorney, Office of Enforcement, Federal Home Loan Bank Board, 1700 G Street, NW, Washington, DC 20552, **202 653-2624**

RIN: 3068-AA24

3670. CORPORATE GOVERNANCE, PARTS III AND IV

Legal Authority: 12 USC 1464; 12 USC 2609

CFR Citation: 12 CFR 501.12, (new section); 12 CFR 543.10-5; 12 CFR 544.9-2, (new section); 12 CFR 544.10-5; 12 CFR 545.2; 12 CFR 545.3; 12 CFR 545.12; 12 CFR 545.21; 12 CFR 454.32; 12 CFR 545.33; 12 CFR 545.34; 12 CFR 545.46; 12 CFR 545.74; 12 CFR 545.91; 12 CFR 545.95; ...

Legal Deadline: None.

Abstract: The Bank Board is proposing extensive revisions to its regulations regarding the corporate governance of Federal associations in order to update and clarify these regulations. Due to the magnitude of the revisions, the Bank Board has presented the proposal in

FHLBB

Final Rule Stage

parts, issued separately for public comment. The proposed regulations would reorganize portions of Subchapter C (the regulations for federally chartered associations) and amend and add sections to provide a more cohesive and complete body of rules for the corporate governance of Federal associations. Part I, previously proposed, would provide definitions and rules for the organization and incorporation of Federal associations. Part II, also previously proposed, would contain provisions regarding the corporate structure and governing processes for Federal stock associations and Federal mutual associations. Part III proposes revisions to the rules governing operations of and charter conversion from and to Federal associations. Part IV proposes provisions regarding conservatorships, receiverships, trust powers, miscellaneous provisions, Board rulings, and statements of policy. The (cont)

Timetable:

Action	Date	FR Cite
NPRM	07/09/87	52 FR 25870
NPRM Comment Period End	02/01/88	52 FR 42116
Final Action	00/00/00	

Small Entity: No

Additional Information: CFR citation (cont'd) 12 CFR 545.114, 12 CFR 545.121, 12 CFR 545.123, 12 CFR 545.131, 12 CFR 546.1, 12 CFR 546.2, 12 CFR 546.3, 12 CFR 546.4, 12 CFR 546.5, 12 CFR 546.6, 12 CFR 546.7, 12 CFR 546.8, 12 CFR 546.9, 12 CFR 546.10, 12 CFR 546.11, and 12 CFR 551.

Abstract Cont: proposed rule would apply equally to all insured institutions.

There are no alternatives that would be less burdensome than the proposal in addressing the concerns expressed above.

The potential costs and benefits of the proposed regulation on the industry have not been quantified.

Analysis: Regulatory Flexibility Analysis

Agency Contact: Kathleen M. Ulrich, Staff Attorney, Corporate and Securities Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, NW, Washington, DC 20552, 202 377-7049

RIN: 3068-AA25

3671. ADJUSTABLE-RATE MORTGAGE HOME LOAN DISCLOSURES

Legal Authority: 12 USC 1724 to 1730; 12 USC 3801 et seq; 12 CFR 226.17; 12 CFR 226.19

CFR Citation: 12 CFR 545.33; 12 CFR 563.9-9

Legal Deadline: None.

Abstract: The Bank Board proposed to amend its regulations regarding the disclosures and notices that lenders must give to borrowers concerning adjustable-rate mortgage ("ARM") home loans. The proposed rule would retain the Bank Board's current regulations concerning the timing for disclosures and continue to allow the use of the ARMs Handbook, but would require additional disclosure of specific information concerning the ARM program being offered to the consumer. The revision would clarify the Bank Board's regulation and would implement the uniform disclosure of ARMs recommended by the Federal Financial Institutions Examination Council on August 12, 1986. In addition, the proposal would consolidate and clarify existing Bank Board regulations on disclosures and notices for all loans. The proposed rule would apply equally to all insured institutions.

There are no alternatives that would be less burdensome than the proposed rule in addressing the concerns expressed above.

The potential costs and benefits of the proposed regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
NPRM	02/05/87	52 FR 3665
NPRM Comment Period End	03/09/87	52 FR 3665
Final Action	00/00/00	

Small Entity: No

Analysis: Regulatory Flexibility Analysis

Agency Contact: Stephen D. Johnson, Attorney/Advisor, Division of Consumer and Civil Rights, Office of Community Investment, Federal Home Loan Bank Board, 1700 G Street, NW, Washington, DC 20552, 202 653-2692

RIN: 3068-AA26

3672. ACCOUNTING POLICY RELATING TO ACQUISITION, DEVELOPMENT AND CONSTRUCTION LOANS

Legal Authority: Notice to Practitioners on ADC Loans, CPA Letter, Feb 10, 1986

CFR Citation: 12 CFR 571.17

Legal Deadline: None.

Abstract: The Bank Board proposed to amend its statement of accounting policy relating to acquisition, development and construction ("ADC") loans used by all institutions the accounts of which are insured by the Federal Savings and Loan Insurance Corporation ("FSLIC") or affiliates thereof when preparing reports or financial statements for filing with the Bank Board or the FSLIC. The amendments relate to the recent "Notice to Practitioners" issued by the American Institute of Certified Public Accountants, which superseded two prior notices issued in November 1983 and November 1984, and to the public position regarding the effective date of the recent notice taken by the Chief Accountant of the Securities and Exchange Commission. By proposing this amendment to its statement of policy, the Bank Board is adhering to its policy that insured institutions are expected to apply the guidance of the accounting profession for determining whether a transaction characterized as an ADC loan is in fact a loan or whether, in substance, it is a real estate investment or a joint venture. The proposed rule would apply equally to all insured institutions. (cont)

Timetable:

Action	Date	FR Cite
NPRM	03/13/87	52 FR 7887
NPRM Comment Period End	05/12/87	52 FR 7887
Final Action	00/00/00	

Small Entity: No

Additional Information:

There are no alternatives that would be less burdensome than the proposed rule in addressing the concerns expressed above.

The potential costs and benefits of the proposed regulation on the industry have not been quantified.

Analysis: Regulatory Flexibility Analysis

Agency Contact: Deborah Dakin, Assistant Director, Regulations and Legislation Division, Office of General

FHLBB

Final Rule Stage

Counsel, Federal Home Loan Bank Board, 1700 G Street, NW, Washington, DC 20552, **202 377-6445**

RIN: 3068-AA27

3673. INSURANCE TERMINATION PROVISIONS

Legal Authority: 12 USC 1464; 12 USC 1727; 12 USC 1730

CFR Citation: 12 CFR 565

Legal Deadline: None.

Abstract: The Bank Board is reviewing a number of issues relating to the extent to which institutions insured by the Federal Savings and Loan Insurance Corporation ("FSLIC") that terminate their insured status in connection with transfers by operation of law must pay a final insurance premium to the FSLIC. As part of its review, the Bank Board is soliciting public comment to ascertain whether to issue a proposal in this area. On October 7, 1986, the Bank Board adopted a clarifying amendment to the definition of "transfers" set forth in its statement of policy regarding mergers and transfers of assets. (12 CFR 571.5(a)). However, as the clarification indicates, the interpretation did not specifically address the separate issues of whether an insured institution undertaking a transfer of assets and liabilities by operation of law in which the surviving entity is not FSLIC-insured must pay a final insurance premium to the FSLIC, and if so, the amount of such payment. The Bank Board has been reviewing this so-called "exit premium" issue on an ongoing basis and as yet has made no final determination with respect to this matter.

Timetable:

Action	Date	FR Cite
ANPRM	05/08/87	52 FR 17408
ANPRM Comment Period End	07/07/87	52 FR 17408
Final Action	00/00/00	

Small Entity: No

Additional Information: ABSTRACT CONT: In view of the continued importance of this issue as it relates to the financial condition of the FSLIC insurance fund, the Bank Board is hereby soliciting public comment on this subject.

Since the proposal is only an advance notice of proposed rulemaking, the potential costs and benefits of a proposed regulation on the industry have not been quantified.

Agency Contact: **John A. Buchman, Assistant Deputy Director,** Corporate and Securities Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, NW, Washington, DC 20552, **202 377-6963**

RIN: 3068-AA28

3674. INDEMNIFICATION OF DIRECTORS, OFFICERS AND EMPLOYEES OF FEDERAL HOME LOAN BANKS

Legal Authority: 5 USC 553

CFR Citation: 12 CFR 522.72

Legal Deadline: None.

Abstract: The Bank Board is proposing to amend its regulations governing the indemnification of directors, officers, and employees of the Federal Home Loan Banks ("FHL Banks"). This amendment would clarify that expenses incurred by FHL Bank directors, officers, and employees in connection with litigation are to be reimbursed as they are incurred, but that, by majority vote of its board of directors, a FHL Bank could require repayment of expenses that it finds to have been beyond the scope of the Bank Board's indemnification regulation. The proposal applies only to directors, officers, and employees of the FHL Banks, none of which falls within the definition of a "small financial institution" given by the Small Business Administration.

There are no alternatives that would be less burdensome than the proposal in addressing the concerns expressed above.

The potential costs and benefits of the proposal on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
NPRM	04/16/87	52 FR 12425
NPRM Comment Period End	06/15/87	52 FR 12425
Final Action	00/00/00	

Small Entity: No

Analysis: Regulatory Flexibility Analysis

Agency Contact: **Joan Van Berg, Attorney,** Regulations and Legislation Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, NW, Washington, DC 20552, **202 377-7023**

RIN: 3068-AA30

3675. ● ISSUANCE AND FORM OF STOCK IN FEDERAL HOME LOAN BANKS

Legal Authority: 12 USC 1426

CFR Citation: 12 CFR 522.10

Legal Deadline: None.

Abstract: The Bank Board proposed to amend its regulations to authorize the capital stock of a Federal Home Loan Bank ("Bank") to be put in uncertificated or book entry form. Currently, the Bank Board's regulations provide for Bank stock to be issued in certificated form only, but on the basis of an earlier legal opinion by the Bank Board's Office of General Counsel some Banks are now using uncertificated stock. The amendment would clarify a Bank's authority both to issue uncertificated stock and to convert certificated stock to book entry form. Any member, however, would be entitled to stock in certificated form upon written request.

Other than the current rule relating to issuance of certificated stock, which would be amended by the proposal, the Bank Board has no rules prescribing the manner in which the existence of Bank stock may be evidenced.

The potential costs and benefits of the proposed regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
NPRM	08/05/87	52 FR 29030
NPRM Comment Period End	10/05/87	52 FR 29030
Final Action	00/00/00	

Small Entity: No

Analysis: Regulatory Flexibility Analysis

Agency Contact: **Richard L. Little, Associate General Counsel,** Corporate and Securities Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, N. W. 20552, **202 377-6447**

RIN: 3068-AA43

FHLBB

Final Rule Stage

3676. ● AVAILABILITY AND CHARACTER OF RECORDS

Legal Authority: 5 USC 552; 12 USC 552; 12 USC 1421 et seq; 12 USC 1725; PL 99-570

CFR Citation: 12 CFR 505.4

Legal Deadline: None.

Abstract:

The Bank Board proposed to amend its public access to information regulations on fees and fee waivers in order to comply with the Freedom of Information Reform Act of 1986 ("FOI Reform Act"). The Bank Board's regulations are issued in conformance with Office of Management and Budget ("OMB") guidelines and schedule of fees. Pursuant to the FOI Reform Act and the final OMB guidelines, the Bank Board proposes to set fees to recover the full direct costs incurred by the Bank Board in searching for, reviewing, and duplicating documents in response to FOIA requests. New fees are established for manual search, computer search, and review of records. In compliance with the FOI Reform Act, requesters are classified into four categories for the purposes of making fee assessments; commercial use requesters; educational and noncommercial scientific institution requesters; representatives of the news media; and all other requesters.

There are no alternatives that would be less burdensome than the proposed rule in addressing the concerns expressed above.

The potential costs and benefits of the proposed regulation

Timetable:

Action	Date	FR Cite
NPRM	11/27/87	52 FR 45346
NPRM Comment Period End	12/28/87	52 FR 45346
Final Action	00/00/00	

Small Entity: No

Additional Information:

ABSTRACT CONT:

on the industry have not been quantified.

Analysis: Regulatory Flexibility Analysis

Agency Contact: William Van Lenten, Assistant General Counsel, Office of General, Counsel, Federal Home Loan Bank Board, 1700 G Street, N. W., Washington, D. C. 20552, 202 377-6773

RIN: 3068-AA51

FEDERAL HOME LOAN BANK BOARD (FHLBB)

Completed Actions

3677. ● DEFINITION OF REGULATORY CAPITAL

Legal Authority: 12 USC 1464; 12 USC 1726

CFR Citation: 12 CFR 500 to 591, (revision of Chapter V); 12 CFR 541.17; 12 CFR 541.20; 12 CFR 545.115; 12 CFR 561.13; 12 CFR 563.17-4; 12 CFR 563.23-1; 12 CFR 563.23-2; 12 CFR 563.23-3; 12 CFR 563c.14; 12 CFR 570.4; 12 CFR 570.11; 12 CFR 570.12

Legal Deadline: None.

Abstract:

The Bank Board amended its regulations in May 1987, to require that all financial statements issued by insured institutions, including statements of condition required pursuant to 12 CFR 545.115, and all financial reports filed with the Bank Board shall be prepared in accordance with generally accepted accounting principles. The rule also substituted the term "regulatory capital" for "regulatory net worth" and defined "regulatory capital" to mean the sum of equity capital as determined in accordance with generally accepted accounting principles plus certain other items as determined appropriate by the Bank Board based on risk analysis reporting. The Bank Board has delayed the effective date of this final rule until January 1, 1989.

The potential costs and benefits of this delay of the effective date of the final rule on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
Final Action	05/15/87	52 FR 18340
Final Action Effective	01/01/89	52 FR 39068

Small Entity: No

Analysis: Regulatory Flexibility Analysis

Agency Contact: Christina M. Gattuso, Acting Regulatory, Counsel, Regulations and Legislation, Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, N. W., Washington, D. C. 20552, 202 377-6649

RIN: 3068-AA12

3678. APPRAISAL POLICIES AND PRACTICES OF INSURED INSTITUTIONS AND SERVICE CORPORATIONS

Legal Authority: 12 USC 1421 to 1429; 12 USC 1437; 12 USC 1724 to 1730

CFR Citation: 12 CFR 563.17-1a, (new section); 12 CFR 571.1b, (new section)

Legal Deadline: None.

Abstract: The Bank Board is proposing to adopt a rule and a statement of policy pertaining to appraisal policies and practices of insured institutions and service corporations of such institutions. The proposed rule is intended to codify the standards to be used by insured institutions and service corporations, as well as examiners and supervisory staff, in determining compliance with the appraisal requirements of 12 CFR 563.17-1 and 563.17-2. The proposed rule and policy statement address the same four components of the Bank Board's appraisal standards and reporting requirements addressed in R-41c as clarified: management policies, appraisal management, appraisal content, and related considerations. This proposed rule, however, has been designed to clarify and simplify the R-41c guidelines. The proposed rule would apply equally to all insured institutions.

There are no alternatives that would be less burdensome than the rule in addressing the concerns expressed above.

The potential costs and benefits of the proposed regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
NPRM	05/15/87	52 FR 18386
NPRM Comment Period End	09/01/87	52 FR 27219
Withdrawn	10/20/87	52 FR 39070

Small Entity: No

Analysis: Regulatory Flexibility Analysis

Agency Contact: Joan Van Berg, Attorney, Regulations and Legislation Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, NW, Washington, DC 20552, 202 377-7023

RIN: 3068-AA35

3679. CLASSIFICATION OF ASSETS

Significance: Agency Priority

Legal Authority: 12 USC 1464; 12 USC 1726; 12 USC 1730

CFR Citation: 12 CFR 561.15; 12 CFR 561.16c; 12 CFR 563.13; 12 CFR 563.17-2; 12 CFR 571.1a

Legal Deadline: Statutory, January 7, 1988. The Competitive Equality Banking Act of 1987, Pub. L. No. 100-86, 101 Stat. 552, requires the Bank Board to promulgate final regulations regarding classification of assets by January 7, 1988.

Abstract:

The Bank Board amended its regulations governing the classification of assets of insured institutions pursuant to the mandate of the Competitive Equality Banking Act of 1987 ("CEBA"). CEBA requires the Bank Board to establish an asset classification system consistent with the asset classification practices of the Federal banking agencies. The final rule broadens the scope of the existing rule and ensures the use of broader, but judicious, examiner discretion in the classification of assets, consistent with the asset classification practices of the bank regulatory agencies. Specifically, the final rule employs the existing classification categories of Substandard, Doubtful, and Loss, but alters the consequences of these classifications with respect to valuation allowance requirements and their effect on capital. Assets classified Substandard are no longer to be treated as scheduled items. Moreover, under this final rule, the Bank Board no longer requires institutions to establish specific valuation allowances for assets classified Doubtful. With respect to assets classified Substandard or Doubtful, if the examiner concludes that the valuation allowances established by the

Timetable:

Action	Date	FR Cite
NPRM	05/15/87	52 FR 18369
Publication of Board Action	05/15/87	52 FR 18369
NPRM Comment Period End	09/01/87	52 FR 27218
Final Action Effective	12/31/87	53 FR 338
Final Action	01/06/88	53 FR 338

Small Entity: No

Additional Information: Abstract Cont: institutions are inadequate, the examiner will determine the need for, and extent of, any increase necessary in the insured institution's general valuation allowances, subject to review by the Principal Supervisory Agent or his designee. For the portion of assets classified Loss, the Bank Board will continue to require institutions either to establish specific allowances for losses of 100 percent of the amount classified, or charge off such amount. The final rule also requires insured institutions to classify their own assets and to establish prudent general valuation allowances. Consistent with CEBA, the final rule deletes the Bank Board's scheduled item regulation, thus broadening the scope of the classification of assets regulation to encompass those assets formerly deemed scheduled items.

There are no alternatives that would be less burdensome than the rule in addressing the concerns expressed above.

The potential costs and benefits of the regulation on the industry have not been quantified.

Analysis: Regulatory Flexibility Analysis

Agency Contact: Daniel G. Lonergan, Staff Attorney, Regulations and Legislation Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, NW, Washington, DC 20552, 202 377-6458

RIN: 3068-AA37

3680. REGULATIONS REQUIRED BY THE COMPETITIVE EQUALITY BANKING ACT OF 1987

Significance: Agency Priority

Legal Authority: PL 100-86

CFR Citation: 12 CFR 500 to 591

Legal Deadline: Statutory, January 7, 1988. The Competitive Equality Banking Act of 1987, PL 100-86, 101 Stat. 552, requires the Bank Board to adopt certain regulations identified in this advance notice of proposed rulemaking by January 7, 1988.

Abstract: The Bank Board issued a rulemaking to inform the public of its intention to promulgate regulations required by the Competitive Equality Banking Act of 1987 ("CEBA"). Within 2 to 6 months of the date of CEBA's enactment, the Bank Board was required to issue regulations or guidelines in the following areas: qualified thrift lender test; classification of assets; appraisals; uniform generally accepted accounting principles; gain and loss deferrals; capital forebearance; minimum capital requirements; procedures setting time limits for approval or disapproval of applications submitted to Bank Board; and asset disposition. The Bank Board requested comment on these areas and others to assist in implementing the requirements of the CEBA. Additionally, the Bank Board solicited comment on the possible promulgation of other regulations not covered by this notice as well as amendments to existing regulations that may be necessary to implement the provisions of the CEBA the most effective way.

Timetable:

Action	Date	FR Cite
ANPRM	09/04/87	52 FR 33595
ANPRM Comment Period End	10/05/87	52 FR 33595
Final Action Mandatory regulations required by CEBA adopted by the Bank Board.	01/06/88	53 FR 312
Final Action Effective	01/07/88	53 FR 312

Small Entity: No

Agency Contact: Christina M. Gattuso, Acting Regulatory Counsel, Regulations and Legislation Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, NW, Washington, DC 20552, 202 377-6649

RIN: 3068-AA38

3681. ● ORGANIZATION AND OPERATION

Legal Authority: 12 USC 1421 et seq; 12 USC 1724 et seq; 18 USC 207; 42 USC 8101 et seq

CFR Citation: 12 CFR 522.90

Legal Deadline: None.

Abstract:

The Bank Board adopted amendments making minor modifications to the organizational structure of the Federal Home Loan Bank System's Office of Regulatory Policy, Oversight and Supervision ("ORPOS"). ORPOS was established pursuant to regulation in July 1986, that became effective in September 1986. The primary purpose of this amendment is to add an Executive Director as the head of ORPOS. The potential costs and benefits of the regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
Final Action	10/09/87	52 FR 37763
Final Action Effective	10/09/87	52 FR 37763

Small Entity: No

Agency Contact: Randy W. Thomas, Legal Counsel, Office of Regulatory Policy, Oversight and, Supervision, Federal Home Loan Bank System, Federal Home Loan Bank Board, 900 19th Street, N. W., Washington, D. C. 20006, **202 778-2524**

RIN: 3068-AA40

3682. ● OPERATIONS, DEFINITIONS

Legal Authority: 12 USC 1421 et seq; 12 USC 1724 et seq

CFR Citation: 12 CFR 501.10; 12 CFR 501.11; 12 CFR 583.5

Legal Deadline: None.

Abstract:

The Bank Board amended and consolidated its regulations on officers as agents by delegating to the Principal Supervisory Agents ("PSA") at each Federal Home Loan Bank, authority to designate Supervisory Agents ("SA") to assist in the performance of duties delegated by the Bank Board and the FSLIC. This change is being implemented to increase administrative efficiency and relieve the Bank Board of a time-consuming, routine procedure. The designation of a SA by a PSA will be immediately communicated, in writing, accompanied by the individual's resume and statement of qualifications, to the Secretary of the Board, the Director of the Office of Regulatory Policy, Oversight and Supervision and the Director of the Office of District Banks. The designation of the PSA and Director of Agency Functions, or equivalent position, at each Federal Home Loan Bank remains the responsibility of the Bank Board.

The potential costs and benefits of the regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
Final Action	01/15/88	53 FR 1003
Final Action Effective	01/15/88	53 FR 1003

Small Entity: No

Agency Contact: Randy Thomas, Legal Counsel, Office of Regulatory Policy, Oversight and, Supervision, Federal Home Loan Bank System, Federal Home Loan Bank Board, 900 19th Street, N. W., Washington, D. C. 20006, **202 778-2524**

RIN: 3068-AA44

3683. ● OPERATIONS

Legal Authority: 12 USC 1421 et seq; 12 USC 1724 et seq

CFR Citation: 12 CFR 563.45

Legal Deadline: None.

Abstract:

The Bank Board amended its regulations on Annual Report disclosure requirements by expanding the authority delegated to the Principal Supervisory Agent. This expansion of authority will establish a shorter decision process and enable the agency to respond more quickly and efficiently to annual report disclosure waiver requests and review of annual report disclosure reports requiring preapproval.

The potential costs and benefits of the regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
Final Action	01/15/88	53 FR 1004
Final Action Effective	01/15/88	53 FR 1004

Small Entity: No

Agency Contact: Robyn Dennis, Financial Analyst, Office of Regulatory Policy, Oversight and, Supervision, Federal Home Loan Bank System, Federal Home Loan Bank Board, 900 19th Street, N. W., Washington, D. C. 20006, **202 778-2660**

RIN: 3068-AA45

3684. ● ACQUISITION OF SECURITIES OF CONVERTING AND CONVERTED INSURED INSTITUTIONS

Legal Authority: 12 USC 1421 et seq; 12 USC 1724 et seq; 15 USC 78c; 15 USC 78l to 78n; 15 USC 78w

CFR Citation: 12 CFR 563b.3; 12 CFR 563b.8

Legal Deadline: None.

Abstract:

The Bank Board amended its regulations pertaining to the processing of applications involving offers to acquire or acquisitions of securities of converting and converted institutions whose accounts are insured by the FSLIC. The Bank Board amended its regulations to authorize the General Counsel, or his designee, to grant approval of any application to offer to acquire or acquire the beneficial ownership of more than ten percent of any class of an equity security of a recently converted insured institution, submitted under section 563b.3 (i) (3) of the FSLIC regulations which does not raise a significant issue of law or policy. The Bank Board also amended its regulations to specify where such applications are to be filed.

The potential costs and benefits of the regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
Final Action	11/03/87	52 FR 42091
Final Action Effective	12/03/87	52 FR 42091

Small Entity: No

Agency Contact: Steven J. Gray, Attorney, Corporate and Securities Division, Office of, General Counsel, Federal Home Loan Bank Board, 1700 G Street, N. W., Washington, D. C. 20552, **202 377-7506**

RIN: 3068-AA46

FHLBB

Completed Actions

3685. ● APPLICATIONS PROCESSING GUIDELINES

Significance: Agency Priority

Legal Authority: 12 USC 1728; 12 USC 1729; 12 USC 1730; 12 USC 1730a; PL 100-86, Sec 410

CFR Citation: 12 CFR 571.12, (new section)

Legal Deadline: Statutory, October 9, 1987. The Competitive Equality Banking Act of 1987, PL 100-86, 101 Stat. 552, requires the Bank Board to promulgate applications processing guidelines to take effect on October 9, 1987.

Abstract: The Bank Board adopted a policy statement that promulgates guidelines concerning processing of applications filed with the Bank Board. This policy statement sets forth maximum time periods for approval of completed applications filed with the Bank Board. The guidelines provide that each completed application filed with the Bank Board or the FSLIC (other than an application submitted under 12 USC 1730a, concerning holding company indebtedness) shall be deemed to be approved as of the end of the period prescribed by such guidelines unless the Bank Board or the FSLIC approves or disapproves the application before the end of the period.

There are no alternatives that would be less burdensome than the rule in addressing the concerns expressed above.

The potential costs and benefits of the regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
Final Action Effective	10/09/87	52 FR 39064
Final Action Comments on the policy statement must be received by 12/09/87.	10/20/87	52 FR 39064

Small Entity: No

Analysis: Regulatory Flexibility Analysis

Agency Contact: John A. Buchman, Assistant Deputy Director, Corporate and Securities Division, Office of, General Counsel, Federal Home Loan Bank Board, 1700 G Street, N. W., Washington, D. C. 20552, 202 377-6963

RIN: 3068-AA47

3686. ● CAPITAL FORBEARANCE

Significance: Agency Priority

Legal Authority: 12 USC 1462; 12 USC 1464; 12 USC 1729; 12 USC 1818; 12 USC 1821; PL 100-86, Sec 404; PL 100-86, Sec 416

CFR Citation: 12 CFR 563.9-3; 12 CFR 563.47, (new section)

Legal Deadline: Statutory, January 7, 1988. The Competitive Equality Banking Act of 1987, PL 100-86, 101 Stat. 552, requires the Bank Board to promulgate final regulations no later than January 7, 1988.

Abstract: The Bank Board adopted regulations to implement section 404 of the Competitive Equality Banking Act of 1987, which provides that the Bank Board shall establish a program of capital forbearance for well-managed, viable Federal associations and FSLIC-insured institutions if certain requirements are met. The regulation sets forth the requirements that institutions must meet to obtain forbearance under this program, the procedures for requesting forbearance, the procedures under which an applicant's Principal Supervisory Agent will consider such requests, the effect of forbearance, and the termination of a grant of forbearance.

There are no alternatives that would be less burdensome than the rule in addressing the concerns expressed above.

The potential costs and benefits of the regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/88	53 FR 354
Final Action	01/06/88	53 FR 354

Small Entity: No

Analysis: Regulatory Flexibility Analysis

Agency Contact: Jerome L. Edelstein, Acting Deputy Director, Regulations and Legislation Division, Office, of General Counsel, Federal Home Loan Bank Board, 1700 G Street, N. W., Washington, D. C. 20552, 202 377-7057

RIN: 3068-AA48

3687. ● APPRAISAL POLICIES AND PRACTICES OF INSURED INSTITUTIONS AND SERVICE CORPORATIONS

Significance: Agency Priority

Legal Authority: 12 USC 1421 et seq; 12 USC 1724 et seq; PL 100-86, Sec 402

CFR Citation: 12 CFR 563.17-1a, (new section); 12 CFR 571.1b, (new section)

Legal Deadline: Statutory, January 7, 1988. The Competitive Equality Banking Act of 1987, PL 100-86, 101 Stat. 552, requires the Bank Board to promulgate final regulations no later than January 7, 1988.

Abstract: The Bank Board adopted a final rule and a statement of policy pertaining to appraisal policies and practices of institutions insured by the FSLIC and their service corporations consistent with the requirements of the Competitive Equality Banking Act of 1987 ("CEBA"). This rule requires the management of insured institutions and service corporations to develop and implement prudent appraisal policies and procedures. The Bank Board also adopted a statement of policy to accompany the rule. The statement of policy sets forth certain appraisal standards that the Bank Board recommends to management for consideration in the development of the appraisal policies and procedures required by the rule.

There are no alternatives that would be less burdensome than the rule in addressing the concerns expressed above.

The potential costs and benefits of the regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
Final Action	01/06/88	53 FR 372
Final Action Effective	01/07/88	53 FR 372

Small Entity: No

Analysis: Regulatory Flexibility Analysis

Agency Contact: Joan S. Van Berg, Attorney, Regulations and Legislation Division, Office, of General Counsel, Federal Home Loan Bank Board, 1700 G Street, N. W., Washington, D. C. 20552, 202 377-7023

RIN: 3068-AA49

3688. ● ACQUISITION OF CONTROL OF INSURED INSTITUTIONS; PROCEDURAL REQUIREMENTS

Legal Authority: 12 USC 1730; 12 USC 1730a

CFR Citation: 12 CFR 574.6

Legal Deadline: None.

Abstract:

The Bank Board revised the procedural requirements applicable to applications, notices, and rebuttal filings filed pursuant to 12 CFR Part 574 by changing certain filing procedures, modifying the time frames for public notification, and revising the time frames that apply to the FSLIC's determination that an application or notice is sufficient. The amendments are intended to expedite the processing of filings under 12 CFR Part 574 and to simplify the calculation of critical dates in the processing of applications and notices. In particular, the amendments are intended to conform various time frames employed in 12 CFR Part 574 as closely as practicable to the FSLIC's recently adopted general guidelines for processing applications. See 52 FR 39064 (Oct. 20, 1987), to be codified at, 12 CFR 571.12. These guidelines address such issues as multiple filings, automatic approval time frames, and the exclusion of FSLIC- assisted cases from automatic approval time frames.

The potential costs and benefits of the regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
Final Action	12/23/87	52 FR 48519
Final Action Effective	12/23/87	52 FR 48519

Small Entity: No

Agency Contact: Kevin A. Corcoran, Deputy Director for, Corporate, Corporate and Securities Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, N. W., Washington, D. C. 20552, 202 377-6962

RIN: 3068-AA50

3689. ● FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION INDUSTRY ADVISORY COMMITTEE

Legal Authority: 12 USC 1421 et seq; PL 100-86, Sec 302

CFR Citation: 12 CFR 514, (new part)

Legal Deadline: None.

Abstract:

On August 10, 1987, the Federal Savings and Loan Insurance Corporation Recapitalization Act of 1987 (the "Recapitalization Act") was enacted into law as part of the Competitive Equality Banking Act of 1987. The Recapitalization Act created a new advisory committee, to be called the Federal Savings and Loan Insurance Corporation Industry Advisory Committee ("Advisory Committee") by which means the savings and loan industry will become involved in the efforts to strengthen the FSLIC. The Bank Board adopted regulations that established the minimum procedures defining the responsibilities of its members. These regulations also established the method of operation and administration of the Advisory Committee. Although these regulations were effective immediately, the Bank Board solicited post-promulgation comment on these regulations for possible subsequent amendment.

The potential costs and benefits of the regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
Final Action	10/30/87	52 FR 41700
Comments to be received on or before 11/30/87.		
Final Action Effective	10/30/87	52 FR 41700

Small Entity: No

Agency Contact: Charles J. Szlenker, Attorney, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, N. W., Washington, D. C. 20552, 202 377-6664

RIN: 3068-AA52

3690. ● TROUBLED DEBT RESTRUCTURING

Significance: Agency Priority

Legal Authority: 12 USC 1461 et seq; 12 USC 1724 et seq; PL 100-86, Sec 402

CFR Citation: 12 CFR 563.23-4, (new section); 12 CFR 571.18, (new section)

Legal Deadline: Statutory, January 7, 1988. The Competitive Equality Banking Act of 1987, PL 100-86, 101 Stat. 552, requires the Bank Board to promulgate final regulations no later than January 7, 1988.

Abstract:

The Bank Board amended its regulations governing institutions insured by the FSLIC by adopting a rule and statement of policy to clarify that insured institutions have been permitted and may continue to account for troubled debt restructurings ("TDRs") in accordance with generally accepted accounting principles. The rule states that the Bank Board may permit institutions to restructure troubled loans in compliance with Statements 5 and 15 of the Financial Accounting Standards Board and to account for the effects of such restructurings as provided in those statements. The policy statement summarizes the accounting principles applicable to TDRs and sets forth reporting requirements for institutions that engage in such restructuring.

There are no alternatives that would be less burdensome than the rule in addressing the concerns expressed above.

The potential costs and benefits of the regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
Final Action Effective	12/31/87	53 FR 385
Final Action	01/06/88	53 FR 385

Small Entity: No

Analysis: Regulatory Flexibility Analysis

Agency Contact: Deborah Dakin, Assistant Director, Regulations and Legislation Division, Office, of General Counsel, Federal Home Loan Bank Board, 1700 G Street, N. W., Washington, D. C. 20552, 202 377-6445

RIN: 3068-AA53

3691. ● INDIVIDUAL REGULATORY CAPITAL REQUIREMENTS; CAPITAL DIRECTIVES

Significance: Agency Priority

Legal Authority: 12 USC 1437; 12 USC 1464; 12 USC 1725; 12 USC 1726; 12 USC 1730; 12 USC 1736; 12 USC 3907 et seq; PL 100-86, Sec 406

CFR Citation: 12 CFR 563.13; 12 CFR 563.14, (new section); 12 CFR 563.14-1, (new section)

Legal Deadline: None.

Abstract:

The Bank Board adopted rules to implement its authority to set and enforce regulatory capital requirements for all institutions the accounts of which are insured by the FSLIC. The Bank Board adopted these regulations pursuant to the authority granted it by section 406 of the Competitive Equality Banking Act of 1987 ("CEBA") and

pursuant to the Bank Board's general authority to promulgate regulations under 12 USC 1437, 1725, and 1736. These regulations implement the authority granted the Bank Board and the FSLIC by section 406 of CEBA to vary the minimum regulatory capital requirements of an individual insured institution as may be necessary or appropriate in light of the particular circumstances of the insured institution. The regulations also establish procedures for implementing the authority granted by section 406 to issue a directive and enforce a plan for increasing an individual insured institution's capital level.

There are no alternatives that would be less burdensome than the rule in addressing the concerns expressed above.

The potential costs and benefits of the regulation on the industry have not been quantified.

Timetable:

Action	Date	FR Cite
Final Action	01/06/88	53 FR 363
Final Action Effective	02/05/88	53 FR 363

Small Entity: No

Analysis: Regulatory Flexibility Analysis

Agency Contact: Donald G. Edwards, Director, Financial and, Quantitative Analysis, Office of Policy and, Economic Research, Federal Home Loan Bank Board, 1700 G Street, N. W., Washington, D. C. 20552, 202 377-6914

RIN: 3068-AA55

3692. ● QUALIFIED THRIFT LENDER TEST; SAVINGS AND LOAN HOLDING COMPANY AMENDMENTS; FEDERAL HOME LOAN BANK ADVANCES

Significance: Agency Priority

Legal Authority: 12 USC 1425a; 12 USC 1430; 12 USC 1464; 12 USC 1730a; 12 USC 1813; PL 100-86, Sec 104; PL 100-86, Sec 105

CFR Citation: 12 CFR 525.1; 12 CFR 583.6; 12 CFR 583.27, (new section); 12 CFR 584.2; 12 CFR 584.2a, (new section); 12 CFR 584.2-1; 12 CFR 584.2-2

Legal Deadline: Statutory, January 1, 1988. The Competitive Equality Banking Act of 1987, PL 100-86, 101 Stat. 552, requires the Bank Board to adopt a final regulation regarding QTL to take effect on January 1, 1988.

Abstract:

The Bank Board amended its regulations governing savings and loan holding companies to implement the qualified thrift lender test enacted in the Competitive Equality Banking Act of 1987 ("CEBA"). The CEBA amended section 408 of the National Housing Act, 12 USC 1730a, also commonly known as the Savings and Loan Holding Company Act, to provide that the current exemption from the nonthrift activity restrictions for unitary savings and loan holding companies will be available only where the subsidiary institution meets the new qualified thrift lender test. The CEBA also amended section 10 of the Federal Home Loan Bank Act, 12 USC 1430, to reduce the eligibility for advances from the Federal Home Loan Banks of member institutions that do not meet the qualified thrift lender ("QTL") test. This regulation sets forth the new QTL test, which requires that an insured institution must maintain 60 percent of its tangible assets in housing and housing related investments in order for the institution to have QTL status. The regulation also implements new statutory limitations on eligibility for advances and permissible holding company

Timetable:

Action	Date	FR Cite
Final Action Effective	01/01/88	53 FR 312
Final Action	01/06/88	53 FR 312

Small Entity: No

Additional Information:

ABSTRACT CONT:activities where an institution fails to maintain its QTL status.

There are no alternatives that would be less burdensome than the rule in addressing the concerns expressed above.

The potential costs and benefits of the regulation on the industry have not been quantified.

Analysis: Regulatory Flexibility Analysis

Agency Contact: Christina M. Gattuso, Acting Regulatory, Counsel, Regulations and Legislation, Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, N. W., Washington, D. C. 20552, 202 377-6649

RIN: 3068-AA56

3693. ● ASSESSMENTS BY THE FINANCING CORPORATION, FSLIC INSURANCE PREMIUMS, BOOK-ENTRY PROCEDURE FOR FINANCING CORPORATION SECURITIES, AND OFFICE OF FINANCE FUNCTIONS

Significance: Agency Priority

Legal Authority: 12 USC 1421 et seq; 12 USC 1724 et seq; PL 100-86, Sec 302; PL 100-86, Sec 304; PL 100-86, Sec 305

CFR Citation: 12 CFR 522.81; 12 CFR 563.15; 12 CFR 563.16; 12 CFR 592, (new part)

Legal Deadline: None.

Abstract:

On August 10, 1987, the Federal Savings and Loan Insurance Corporation Recapitalization Act of 1987 ("Recapitalization Act") was enacted into law. The Recapitalization Act authorizes the Bank Board to charter a corporation known as the Financing Corporation. The Financing Corporation will issue debt securities in the capital markets, and with the net proceeds thereof, it will purchase capital instruments to be issued by the FSLIC. The Bank Board adopted regulations to clarify the manner in which the Financing Corporation will exercise its assessment authority and to make minor conforming technical amendments to the regulations concerning FSLIC insurance premiums. Additionally, the Bank Board adopted rules regarding book-entry procedure for Financing Corporation securities. Finally, the Bank Board amended a procedural rule governing the responsibilities of the Office of Finance of the Federal Home Loan Bank System so as to reflect the responsibilities of that office with regard to the Financing Corporation's activities.

There are no alternatives that would be less burdensome than the rule in addressing the

Timetable:

Action	Date	FR Cite
Final Action Comments to be received on or before 10/05/87.	09/03/87	52 FR 33399
Final Action Effective	09/03/87	52 FR 33399

Small Entity: No

Additional Information:

ABSTRACT CONT:concerns expressed above.

The potential costs and benefits of the regulation on the industry have not been quantified.

Analysis: Regulatory Flexibility Analysis

Agency Contact: K. Diane Boyle, Manager, Special Projects, Division, Office of Finance, Federal Home, Loan Bank System, Federal Home Loan Bank Board, 655 15th Street, N. W., Washington, D. C. 20005, 202 272-4978

RIN: 3068-AA57

3694. ● UNIFORM ACCOUNTING STANDARDS

Significance: Agency Priority

Legal Authority: 12 USC 1461 et seq; 12 USC 1724 et seq; 15 USC 78a et seq; PL 100-86, Sec 402

CFR Citation: 12 CFR 561.13; 12 CFR 563.23-1; 12 CFR 563.23-3; 12 CFR 563c.11

Legal Deadline: Statutory, December 31, 1987. The Competitive Equality Banking Act of 1987, PL 100-86, 101 Stat. 552, requires the Bank Board to promulgate final regulations regarding uniform accounting standards by December 31, 1987.

Abstract:

The Bank Board amended its regulations applicable to all institutions the accounts of which are insured by the FSLIC pertaining to the definition of regulatory capital. First, the final rule delays the effective date of the definition of regulatory capital regulation ("DRC Regulation"), from January 1, 1988 to January 1, 1989 in order to implement a phase-in of uniform accounting standards. Second, the rule revises the DRC regulation by eliminating treatment of certain items under risk analysis reporting and substituting treatment under generally accepted accounting principles ("GAAP"). The DRC regulation, as amended by this rule, would begin the phase-in to GAAP on January 1, 1989; such phase-in would end on December 31, 1993, at which time insured institutions would be required to report virtually all components of regulatory capital in accordance with GAAP or the regulatory accounting practices employed by commercial banks.

The Competitive Equality Banking Act of 1987 required the Bank Board to issue regulations prescribing "uniformly applicable accounting standards to be used by all insured institutions

Timetable:

Action	Date	FR Cite
Final Action	01/06/88	53 FR 324
Final Action Effective	01/01/89	53 FR 324

Small Entity: No

Additional Information:

ABSTRACT CONT: for the purpose of measuring compliance with any rule or regulation" promulgated by the Bank Board or the FSLIC "to the same degree that generally accepted accounting principles are used to determine compliance with rules and regulations of the Federal banking agencies".

There are no alternatives that would be less burdensome than the rule in addressing the concerns expressed above.

The potential costs and benefits of the regulation on the industry have not been quantified.

Analysis: Regulatory Flexibility Analysis

Agency Contact: Christina M. Gattuso, Acting Regulatory, Counsel, Regulations and Legislation, Division, Office of General Counsel, Federal Home Loan Bank Board, 1700 G Street, N. W., Washington, D. C. 20552, 202 377-6649

RIN: 3068-AA58

[FR Doc. 88-5108 Filed 04-22-88; 8:45 am]

BILLING CODE 6720-01-T

federal register

Monday
April 25, 1988

Part L

Federal Maritime Commission

Semiannual Regulatory Agenda

FEDERAL MARITIME COMMISSION (FMC)

FEDERAL MARITIME COMMISSION

46 CFR Ch. IV

Unified Regulatory Agenda

AGENCY: Federal Maritime Commission.

ACTION: Unified Agenda of Federal Regulations.

SUMMARY: Pursuant to section 5 of E.O. 12291 and the Regulatory Flexibility Act (5 U.S.C. 601 *et seq.*), the Commission anticipates having under consideration during the period from April 1, 1988 to March 31, 1989 actions in the areas listed below.

FOR FURTHER INFORMATION CONTACT: For further information concerning Commission rulemaking proceedings or the status of any matter listed below, contact: Joseph C. Polking, Secretary, 1100 L Street, NW., Washington, DC 20573, (202) 523-5725.

SUPPLEMENTARY INFORMATION: Section 602 of the Regulatory Flexibility Act (5 U.S.C. 602) requires the publication of an agenda of items for which regulatory agencies may propose or promulgate a rule which is likely to have a significant economic impact on a substantial number of small entities. Section 5 of Executive Order 12291 also requires executive agencies to publish a regulatory agenda; the Commission voluntarily complies with this section. The agendas include information on regulatory activities being conducted or reviewed during the succeeding 12 months by the Commission.

The following is the Commission's Unified Regulatory Agenda. The agenda does not necessarily include all petitions for rulemakings which are under staff review.

In addition, the Commission is publishing a compilation of the status of pending rulemaking proceedings and a listing of rules that have become final since the publication of the most recent regulatory agenda (October, 1987). This list will be made available to the press and interested groups.

Joseph C. Polking,

Secretary.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3695	Public Information - Freedom of Information Act	3072-AA12
3696	Costs of Proceedings	3072-AA45
3697	Information Required for Section 18 Study	3072-AA50
3698	Independent Action - Miscellaneous Provisions	3072-AA53
3699	Information Form for Agreements: Miscellaneous Amendments	3072-AA55
3700	Automated Tariff Filing	3072-AA61
3701	Common and Contract Carriage - Miscellaneous Provision	3072-AA63
3702	Index of Documents for Agreements	3072-AA64
3703	User Fees to Recover Agency Costs	3072-AA70
3704	Tariff Publication of Free Time and Detention Charges Applicable to Carrier Equipment Interchanged With Shippers or Their Agents (Docket 85-19)	3072-AA73
3705	Financial Responsibility of Passenger Vessel Operators for Non-Performance	3072-AA78
3706	Independent Action - Miscellaneous Provisions	3072-AA83
3707	Rates Quoted Subject to Booking	3072-AA86
3708	Financial Reports of Vessel Operating Common Carriers by Water in the Domestic Offshore Trades	3072-AA93
3709	Service Contract Provisions; Most Favored Shippers and Liquidated Damages Clauses	3072-AA95
3710	Practices of Common Carriers Regarding Payment of Inland Divisions Petition for Rulemaking	3072-AA99
3711	Service Contracts - Most Favored Shipper and Liquidated Damages Provisions - Petition for Rulemaking	3072-AB00
3712	Practices of Ocean Common Carriers Regarding Effective Date of Rate Changes	3072-AB04
3713	Section 16 Exemption of agreement between or among parent or its subsidiaries	3072-AB06

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3714	Foreign-to-Foreign Agreements; Exemption	3072-AB03
3715	Truck Detention Charges at West Coast Ports	3072-AB07

FMC

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3716	Regulation of Agreements of Domestic Carriers - Miscellaneous Amendments	3072-AA68
3717	Miscellaneous Amendments to Regulations Implementing Section 19 of the Merchant Marine Act of 1920	3072-AA75
3718	Public Information - Miscellaneous Amendments	3072-AA84
3719	Conference Service Contract Authority	3072-AA87
3720	Terminal Agreements and Leases - Exculpatory Provisions	3072-AA92
3721	Service Contract Record Retention and Production of Documents	3072-AA97
3722	Access to Any Record of Identifiable Personal Information	3072-AB05

FEDERAL MARITIME COMMISSION (FMC) — Prerule Stage

3695. PUBLIC INFORMATION - FREEDOM OF INFORMATION ACT

Legal Authority: 5 USC 552(b)(4); 46 USC app 841(a)

CFR Citation: 46 CFR 503

Legal Deadline: None.

Abstract: Amendments to current rules governing treatment of FOIA requests will provide for notification to filers of "business confidential" information to permit responses before a decision to release or not to release information requested under the Act.

Timetable:

Action	Date	FR Cite
End Review	06/00/88	

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA12

3696. COSTS OF PROCEEDINGS

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1716; 46 USC app 1717(a)(4)

CFR Citation: 46 CFR 502

Legal Deadline: Statutory, September 20, 1989.

Abstract: Section 18(a)(4) of the Shipping Act requires the Commission to collect and analyze data concerning the impact of the Act on the costs of major types of regulatory proceedings before the Commission. This action will provide the regulations needed to obtain this information.

Timetable:

Action	Date	FR Cite
End Review	06/00/88	

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA45

3697. INFORMATION REQUIRED FOR SECTION 18 STUDY

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1714; 46 USC app 1716; 46 USC app 1717(a)

CFR Citation: 46 CFR (New)

Legal Deadline: Statutory, September 20, 1989. Legal deadline applies to information to be compiled, not necessarily by a rulemaking.

Abstract: Section 18(a) of the Shipping Act of 1984 requires the Commission to collect information concerning the impact of the Act upon the international ocean shipping industry for a period of 5 years ending on March 20, 1989. To the extent such data are not available, this review will consider Commission rules or orders to develop such information from the regulated industry.

Timetable:

Action	Date	FR Cite
Begin Review	09/01/84	
End Review	06/00/88	

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA50

3698. INDEPENDENT ACTION - MISCELLANEOUS PROVISIONS

Legal Authority: 46 USC 553; 46 USC app 1704; 46 USC app 1709; 46 USC app 1716

CFR Citation: 46 CFR 572

Legal Deadline: None.

Abstract: Section 5(b)(8) of the Shipping Act of 1984 requires that conference members be allowed to take independent rate action under certain conditions. The Commission is considering a rule to require accurate reporting and to clarify other situations with regard to this statutory right.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
End Review	03/00/88	

Next Action Undetermined

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA53

3699. INFORMATION FORM FOR AGREEMENTS: MISCELLANEOUS AMENDMENTS

Legal Authority: 5 USC 553; 46 USC app 1703 to 1705; 46 USC app 1716

CFR Citation: 46 CFR 572.405; 46 CFR 572, Appendix A

Legal Deadline: None.

Abstract: The information form that must accompany certain types of agreements filed under 46 CFR Part 572 may need to be amended to ensure Commission jurisdiction and to show the affiliates of the filing parties.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
End Review	09/00/88	

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA55

3700. AUTOMATED TARIFF FILING

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 816; 46 USC app 817; 46 USC app 841a; 46 USC app 1707; 46 USC app 1708; 46 USC app 1715; 46 USC app 1716; 46 USC app 1717

CFR Citation: 46 CFR 515; 46 CFR 550; 46 CFR 580

Legal Deadline: None.

Abstract: The Commission is considering the development of a fully automated system whereby tariff matters can be made available to the public and to the Commission through automatic data processing in order to reduce paperwork and other burdens. An Industry Advisory Committee is assisting the Commission in the project.

Timetable:

Action	Date	FR Cite
Begin Review	09/01/84	
Notice of Intent to form Advisory Committee	04/12/85	50 FR 14453
Notice of Second Meeting	05/19/86	51 FR 18376
Notice of Third Meeting	10/21/86	51 FR 37347
Notice of Inquiry on System Functionality	12/22/87	52 FR 48504
End Review	01/00/89	

Small Entity: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA61

3701. COMMON AND CONTRACT CARRIAGE - MISCELLANEOUS PROVISION

Legal Authority: 5 USC 553; 46 USC app 801; 46 USC app 841a; 46 USC app 1702; 46 USC app 1716

CFR Citation: 46 CFR 510; 46 CFR 515; 46 CFR 525; 46 CFR 550; 46 CFR 552; 46 CFR 553; 46 CFR 560; 46 CFR 572; 46 CFR 580

Legal Deadline: None.

Abstract: This review will attempt to clarify the status of common carriers vis-a-vis contract carriers and provide reasonable regulations for operations by common carriers subject to the shipping statutes.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
End Review	12/00/88	

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA63

3702. INDEX OF DOCUMENTS FOR AGREEMENTS

Legal Authority: 5 USC 553; 46 USC app 1703 to 1706; 46 USC app 1709; 46 USC app 1712; 46 USC app 1714; 46 USC app 1716; 46 USC app 1717

CFR Citation: 46 CFR 572.704

Legal Deadline: None.

Abstract: Section 572.704 of Title 46 Code of Federal Regulations requires agreement parties who are required to file minutes to maintain an index of certain reports, studies and documents used for certain decisions, and to file such an index quarterly with the Commission. This requirement is being considered along with requirements to file minutes and other reports and with record retention provisions.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
End Review	09/00/86	

Next Action Undetermined

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA64

3703. USER FEES TO RECOVER AGENCY COSTS

Significance: Agency Priority

Legal Authority: 5 USC 552 to 553

CFR Citation: 46 CFR 503.43

Legal Deadline: None.

Abstract: The Commission is reviewing existing fees for services in order to determine whether they are adequate to recover costs.

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
End Review	06/00/88	

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA70

3704. TARIFF PUBLICATION OF FREE TIME AND DETENTION CHARGES APPLICABLE TO CARRIER EQUIPMENT INTERCHANGED WITH SHIPPERS OR THEIR AGENTS (DOCKET 85-19)

Legal Authority: 5 USC 553; 46 USC app 817(a); 46 USC app 841a; 46 USC app 844; 46 USC app 1707; 46 USC app 1708; 46 USC app 1709; 46 USC app 1716

CFR Citation: 46 CFR 550.5; 46 CFR 580.5; 46 CFR 580.7

Legal Deadline: None.

Abstract: Docket 85-19 - Clarification of requirement that terms and conditions, including free time and detention, governing use of carrier-provided equipment by shippers or their agents be published in tariffs and service contracts. (Formal Rulemaking)

Timetable:

Action	Date	FR Cite
NPRM	08/08/85	50 FR 32097
NPRM Comment Period End	09/23/85	50 FR 32097
Final Action	01/01/88	
End Review	06/00/88	

FMC

Prerule Stage

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA73

3705. FINANCIAL RESPONSIBILITY OF PASSENGER VESSEL OPERATORS FOR NON-PERFORMANCE

Legal Authority: 5 USC 553; 46 USC app 817e; 46 USC app 841a; 46 USC app 1716

CFR Citation: 46 CFR 540

Legal Deadline: None.

Abstract: Review would attempt to develop a formula for the amount of bond required to ensure financial responsibility of passenger vessel operators for non-performance.

Timetable:

Action	Date	FR Cite
Begin Review	01/10/86	
End Review	12/00/88	

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA78

3706. INDEPENDENT ACTION - MISCELLANEOUS PROVISIONS

Legal Authority: 5 USC 553; 46 USC app 1701 to 1707; 46 USC app 1709 to 1710; 46 USC app 1712; 46 USC app 1714 to 1717; 46 USC app 1718

CFR Citation: 46 CFR 572; 46 CFR 580

Legal Deadline: None.

Abstract: Review would attempt to analyze certain conference practices to ensure that they do not unduly inhibit the right of individual members to take independent action as provided by the Shipping Act of 1984.

Timetable:

Action	Date	FR Cite
Begin Review	01/10/86	
End Review	06/01/88	

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA83

3707. RATES QUOTED SUBJECT TO BOOKING

Legal Authority: 5 USC 553; 46 USC app 812; 46 USC app 814 to 815; 46 USC app 817(a); 46 USC app 820; 46 USC app 833a; 46 USC app 841a; 46 USC app 843 to 847; 46 USC app 1702 to 1705; 46 USC app 1707; 46 USC app 1709; 46 USC app 1712; 46 USC app 1714 to 1716; 46 USC app 1718

CFR Citation: 46 CFR 550; 46 CFR 580

Legal Deadline: None.

Abstract: Review would determine the necessity of regulations governing the parties of quoting rates subject to booking. Related to FMC Spec. Dkt. 1343.

Timetable:

Action	Date	FR Cite
Begin Review	02/14/86	
End Review	12/00/88	

Small Entity: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA86

3708. FINANCIAL REPORTS OF VESSEL OPERATING COMMON CARRIERS BY WATER IN THE DOMESTIC OFFSHORE TRADES

Legal Authority: 5 USC 553; 46 USC app 817(a); 46 USC app 820; 46 USC app 841a; 46 USC app 843; 46 USC app 844; 46 USC app 845a; 46 USC app 847

CFR Citation: 46 CFR 522

Legal Deadline: None.

Abstract: Current rule providing for domestic rate-making and justification methodology is being reviewed to determine if requirements can be made less stringent.

Timetable:

Action	Date	FR Cite
Begin Review	01/09/86	
End Review	12/00/88	

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA93

3709. SERVICE CONTRACT PROVISIONS; MOST FAVORED SHIPPERS AND LIQUIDATED DAMAGES CLAUSES

Legal Authority: 5 USC 553; 46 USC app 1707(c)

CFR Citation: 46 CFR 580

Legal Deadline: None.

Abstract: The Commission is reviewing the service contract regulations to determine the legality of permitting clauses involving liquidated damages or most favored shippers.

Timetable:

Action	Date	FR Cite
Petition for rulemaking	01/22/87	52 FR 2443
Begin Review	01/22/87	52 FR 2443
Extend time for comments	02/11/87	52 FR 4384
End Review	06/00/88	

Small Entity: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA95

3710. PRACTICES OF COMMON CARRIERS REGARDING PAYMENT OF INLAND DIVISIONS PETITION FOR RULEMAKING

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1709; 46 USC app 1716

CFR Citation: 46 CFR IV

Legal Deadline: None.

Abstract: This petition for rulemaking seeks a requirement that ocean common carriers timely pay over inland divisions to surface carriers participating in through movements.

Timetable:

Action	Date	FR Cite
Notice of Filing of Petition for Rulemaking	06/25/87	52 FR 23890
End Review	03/00/88	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime

FMC — Prerule Stage

Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA99

3711. SERVICE CONTRACTS - MOST FAVORED SHIPPER AND LIQUIDATED DAMAGES PROVISIONS - PETITION FOR RULEMAKING

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1707; 46 USC app 1716

CFR Citation: 46 CFR 581

Legal Deadline: None.

Abstract: This Petition for rulemaking seeks a regulation prohibiting most favored shipper clauses and de minimis liquidated damage clauses in service contracts.

Timetable:

Action	Date	FR Cite
Notice of Filing of Petition for Rulemaking	01/22/87	52 FR 2443
Extend Time for Comments to 02/27/87	02/11/87	52 FR 4384
End Review	06/00/88	

Small Entity: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AB04

3712. ● PRACTICES OF OCEAN COMMON CARRIERS REGARDING EFFECTIVE DATE OF RATE CHANGES

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1707

CFR Citation: 46 CFR 580

Legal Deadline: None.

Abstract: Requested rule would state that tariff rates and rules may not be applicable to cargo that is received by the carrier or its agent prior to the effective date of the tariff provision.

Timetable:

Action	Date	FR Cite
Petition for Rulemaking	12/30/87	52 FR 49205
End Review	06/00/88	

Small Entity: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AB00

3713. ● SECTION 16 EXEMPTION OF AGREEMENT BETWEEN OR AMONG PARENT OR ITS SUBSIDIARIES

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1715

CFR Citation: 46 CFR 572.301

Legal Deadline: None.

Abstract: Requested action would exempt agreements by, between, or among ocean common carriers or marine terminal operators and their subsidiaries.

Timetable:

Action	Date	FR Cite
Petition for Rulemaking	12/28/87	52 FR 48879
Enlargement of Scope	01/28/88	53 FR 2537
End Review	06/00/88	

Small Entity: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AB06

FEDERAL MARITIME COMMISSION (FMC) — Final Rule Stage

3714. ● FOREIGN-TO-FOREIGN AGREEMENTS; EXEMPTION

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1701 to 1707; 46 USC app 1710; 46 USC app 1712; 46 USC app 1714 to 1717

CFR Citation: 46 CFR 572

Legal Deadline: None.

Abstract: The action would exempt certain foreign-to-foreign agreements on contiguous trades from notice, waiting period, and information requirements of the Shipping Act of 1984. Docket No. 87-24.

Timetable:

Action	Date	FR Cite
NPRM	12/08/87	52 FR 46501
NPRM Comment Period End	02/08/88	52 FR 46501
Final Action	09/00/88	

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AB03

3715. ● TRUCK DETENTION CHARGES AT WEST COAST PORTS

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 816; 46 USC app 841a; 46 USC app 1709; 46 USC app 1716

CFR Citation: 46 CFR 530

Legal Deadline: None.

Abstract: Requested action would set truck detention charges at the Ports of Los Angeles, Long Beach, San Francisco, Oakland and San Diego, California.

Timetable:

Action	Date	FR Cite
Petition for Rulemaking	11/30/87	52 FR 45499
Enlargement of time for comments to February 22, 1988	12/29/87	52 FR 49086
Further Enlargement to March 7, 1988	02/19/88	53 FR 5041
Final Action	06/00/88	

Small Entity: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L St., NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AB07

FEDERAL MARITIME COMMISSION (FMC)

Completed Actions

3716. REGULATION OF AGREEMENTS OF DOMESTIC CARRIERS - MISCELLANEOUS AMENDMENTS

Legal Authority: 5 USC 553; 46 USC app 801 et seq

CFR Citation: 46 CFR 558 to 569

Legal Deadline: None.

Abstract: The Shipping Act, 1916, after amendment by the Shipping Act of 1984, applies only to domestic operations. In order to properly implement the 1984 Act, the Commission made the essential, limiting changes to its domestic regulations of agreements within the deadline established by the 1984 Act. This review will now determine what further, substantive changes in the domestic agreements may be desirable. (Docket No. 87-9)

Timetable:

Action	Date	FR Cite
Begin Review	01/25/85	
NPRM	05/04/87	52 FR 16282
NPRM Comment Period End	06/03/87	52 FR 16282
Supplemental NPRM	08/11/87	52 FR 29708
Final Action	11/17/87	52 FR 43906
Final Action Effective	12/17/87	52 FR 45960

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA68

3717. MISCELLANEOUS AMENDMENTS TO REGULATIONS IMPLEMENTING SECTION 19 OF THE MERCHANT MARINE ACT OF 1920

Legal Authority: 5 USC 553; 46 USC app 876(1)(b); 46 USC app 1714; 46 USC app 1716

CFR Citation: 46 CFR 585

Legal Deadline: None.

Abstract: Review would determine necessity of updating the regulations to implement Section 19 of the Merchant Marine Act of 1920.

Timetable:

Action	Date	FR Cite
Begin Review	01/10/86	
Withdrawn	01/01/88	
End Review	06/01/88	

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA75

3718. PUBLIC INFORMATION - MISCELLANEOUS AMENDMENTS

Legal Authority: 5 USC 552; 5 USC 552a; 5 USC 552b; 5 USC 553; EO 12356

CFR Citation: 46 CFR 503

Legal Deadline: None.

Abstract: Review would determine need to update regulations relating to Freedom of Information, Privacy and Sunshine Acts.

Timetable:

Action	Date	FR Cite
Begin Review	07/00/86	
Withdrawn Separate proceedings Amended FOIA and Privacy Regs	01/01/88	
End Review	03/01/88	

Small Entity: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA84

3719. CONFERENCE SERVICE CONTRACT AUTHORITY

Significance: Agency Priority

Legal Authority: 5 USC 553; 46 USC app 1701 to 1707; 46 USC app 1709 to 1710; 46 USC app 1712; 46 USC app 1714 to 1717

CFR Citation: 46 CFR 572

Legal Deadline: None.

Abstract: Clarifies steamship conference authority over the use of service contracts under the Shipping Act of 1984 (Docket No. 86-16).

Timetable:

Action	Date	FR Cite
NPRM	05/02/86	51 FR 16354
NPRM Comment Period End	07/01/86	51 FR 16354
Final Action	03/09/88	53 FR 7520
Final Action Effective	06/07/88	53 FR 7521

Small Entity: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA87

3720. TERMINAL AGREEMENTS AND LEASES - EXCULPATORY PROVISIONS

Significance: Agency Priority

Legal Authority: 46 USC app 801; 46 USC app 814; 46 USC app 816 to 817; 46 USC app 833a; 46 USC app 841a; 46 USC app 1701 to 1707; 46 USC app 1709; 46 USC app 1715 to 1716

CFR Citation: 46 CFR 515; 46 CFR 516, (New); 46 CFR 558; 46 CFR 559; 46 CFR 560; 46 CFR 572

Legal Deadline: None.

Abstract: Review would determine whether further regulations are needed with regard to exculpatory provisions in terminal agreements and leases. (Docket No. 86-32).

Timetable:

Action	Date	FR Cite
Petition Noticed in Federal Register	07/10/86	51 FR 25101
Begin Review	08/10/86	
Petition Noticed in Federal Register	12/24/86	51 FR 46694
End Review	11/00/87	
Withdrawn Proceeding Discontinued	01/15/88	

Small Entity: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA92

3721. SERVICE CONTRACT RECORD RETENTION AND PRODUCTION OF DOCUMENTS

Legal Authority: 5 USC 553; 46 USC app 1702; 46 USC app 1703; 46 USC app 1704; 46 USC app 1705; 46 USC app 1707; 46 USC app 1709; 46 USC app 1712; 46 USC app 1714; 46 USC app 1715; 46 USC app 1716; 46 USC app 1718

CFR Citation: 46 CFR 580

Legal Deadline: None.

Abstract: Docket No. 86-29 - Will require carriers employing service contracts to keep records in U.S. and make them available to FMC upon request.

FMC

Completed Actions

Timetable:

Action	Date	FR Cite
NPRM	11/13/86	51 FR 41132
Correction	12/01/86	51 FR 43267
NPRM Comment Period End	02/13/87	52 FR 1938
Final Action	09/09/87	52 FR 33936
Final Action Effective	11/09/87	52 FR 33936

Small Entity: Undetermined

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AA97

3722. ● ACCESS TO ANY RECORD OF IDENTIFIABLE PERSONAL INFORMATION

Significance: Agency Priority

Legal Authority: 5 USC 552; 5 USC 552a; 5 USC 552b; 5 USC 553; EO 12356

CFR Citation: 46 CFR 503

Legal Deadline: None.

Abstract: Regulation would create further exemptions from the Privacy Act. Docket No. 87-23

Timetable:

Action	Date	FR Cite
NPRM	12/02/87	52 FR 45835
NPRM Comment Period End	01/04/88	52 FR 45835
Final Action	02/11/88	53 FR 4027
Final Action Effective	03/14/88	53 FR 4027

Small Entity: No

Agency Contact: Joseph C. Polking, Secretary, Federal Maritime Commission, 1100 L Street, NW, Washington, DC 20573, 202 523-5725

RIN: 3072-AB05

[FR Doc. 88-5109 Filed 04-22-88; 8:45 am]

BILLING CODE 6730-01-T

federal register

Monday
April 25, 1988

Part LI

Federal Reserve System

Semiannual Regulatory Agenda

FEDERAL RESERVE SYSTEM (FRS)

FEDERAL RESERVE SYSTEM

12 CFR Ch. II

Notice of Semiannual Regulatory Flexibility Agenda

AGENCY: Board of Governors of the Federal Reserve System.

ACTION: Semiannual agenda.

SUMMARY: The Board is issuing this Agenda under the Regulatory Flexibility Act and the Board's Statement of Policy Regarding Expanded Rulemaking Procedures. The Board anticipates having under consideration regulatory matters as indicated below during the period from April 1 through October 1, 1988. The next Semiannual Agenda will be published in October 1988.

DATE: Comments about the form or content of the Agenda may be submitted any time during the next six months.

ADDRESS: Comments should be addressed to William W. Wiles, Secretary of the Board, Board of Governors of the Federal Reserve System, Washington, DC 20551.

FOR FURTHER INFORMATION CONTACT: A staff contact for each item is indicated with the regulatory description below.

SUPPLEMENTARY INFORMATION: The Board is publishing its April 1988 Agenda as part of the April 1988 Unified Agenda of Federal Regulations, which is coordinated by the Office of Management and Budget under Executive Order 12291. Participation by the Board in the Unified Agenda is on a voluntary basis.

The Board's Agenda is divided into three sections. The first, Proposed Rule Stage, reports on matters the Board may consider for public comment during the next six months. The second section, Final Rule Stage, reports on matters that have been proposed and are under Board consideration. A third section, Completed Actions, reports on regulatory matters the Board has completed or is not expected to consider further.

A dot (●) preceding an entry indicates a new matter that was not a part of the Board's previous Agenda, and which the Board has not completed.

Barbara R. Lowrey,

Associate Secretary of the Board.

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3723	Regulation: C - Home Mortgage Disclosure	7100-AA85
3724	Regulation: E - Electronic Fund Transfers	7100-AA77
3725	Regulation: H - Membership of State Banking Institutions in the Federal Reserve System	7100-AA68
3726	Regulation: H - Membership of State Banking Institutions in the Federal Reserve System	7100-AA86
3727	Regulation: K - International Banking Operations	7100-AA67
3728	Regulation: P - Minimum Security Devices and Procedures for Federal Reserve Banks and State Member Banks	7100-AA69
3729	Regulation: T - Credit by Brokers and Dealers	7100-AA72
3730	Regulation: T - Credit by Brokers and Dealers	7100-AA80
3731	Regulation: Y - Bank Holding Companies and Change in Bank Control	7100-AA41
3732	Regulation: Y - Bank Holding Companies and Change in Bank Control	7100-AA87

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3733	Regulation: D - Reserve Requirements of Depository Institutions (Docket Number: R-0571)	7100-AA62
3734	Regulation: K - International Banking Operations (Docket Number: R-0550)	7100-AA58
3735	Regulation: Q - Interest on Deposits (Docket Number R-0514)	7100-AA56
3736	Regulation: Y - Bank Holding Companies and Change in Bank Control (Docket Number: R-0537)	7100-AA52
3737	Regulation: Y - Bank Holding Companies and Change in Bank Control and Regulation H - Membership of State Banking Institutions (Docket Number: R-0616)	7100-AA88
3738	Regulation: Y - Bank Holding Companies and Change in Bank Control (Docket Number: R-0614)	7100-AA89
3739	Regulation: Y - Bank Holding Companies and Change in Bank Control (Docket Number: R-0567)	7100-AA66
3740	Regulation: Z - Truth in Lending (Docket Number R-0625)	7100-AA91
3741	Regulation: CC - Availability of Funds and Collection of Checks and Regulation J - Collection of Checks and Other Items and Transfers of Funds (Docket Number: R-0620)	7100-AA90
3742	Further Proposals to Reduce Risks on Large-Dollar Wire Transfer Systems (Docket Numbers: R-0591 and R-0592)	7100-AA76
3743	Rules Regarding Availability of Information (Docket Number: R-0601)	7100-AA73

FRS

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3744	Regulation: F - Securities of State Member Banks (Docket Number: R-0609)	7100-AA82
3745	Regulation: T - Credit by Brokers and Dealers (Docket Number R-0611)	7100-AA71
3746	Regulation: U - Credit by Banks for the Purpose of Purchasing or Carrying Margin Stocks (Docket Number: R-0608)	7100-AA83
3747	Regulation: Y - Bank Holding Companies and Change in Bank Control (Docket Number: R-0536)	7100-AA51
3748	Regulation: Z - Truth in Lending (Docket Number R-0545)	7100-AA50
3749	Regulation: Z - Truth in Lending (Docket Number: R-0613)	7100-AA81
3750	Proposed Guidelines Regarding the Bank Bribery Act (Docket Number: R-0603)	7100-AA84

FEDERAL RESERVE SYSTEM (FRS)

Proposed Rule Stage

3723. ● REGULATION: C - HOME MORTGAGE DISCLOSURE

Legal Authority: 12 USC 2804, Home Mortgage Disclosure Act of 1975

CFR Citation: 12 CFR 203

Abstract: During the next month the Board will consider proposing amendments to Regulation C to implement Title V, section 565 of the Housing and Community Development Act of 1987. Section 565 amends the Home Mortgage Disclosure Act to bring within its coverage mortgage banking subsidiaries of bank holding companies and savings and loan holding companies, as well as savings and loan service corporations. The proposed regulatory amendments would implement this expansion in coverage and clarify and simplify the regulation where necessary. It is not anticipated that the proposal will have a significant economic impact on a substantial number of small institutions.

Timetable:

Action	Date	FR Cite
Board will consider proposed revisions to Regulation C	04/00/88	

Small Entity: No

Agency Contact: **John Wood**, Senior Attorney, Federal Reserve System, Division of Consumer and Community Affairs, **202 452-2412**

RIN: 7100-AA85

3724. REGULATION: E - ELECTRONIC FUND TRANSFERS

Legal Authority: 15 USC 1693 et seq Electronic Fund Transfer Act

CFR Citation: 12 CFR 205

Abstract: During the next six months, the Board will conduct a review of Regulation E, which implements the Electronic Fund Transfer Act, and establishes the basic rights, liabilities, and responsibilities of consumers who use electronic fund transfer services and of financial institutions that offer these services (whether or not these institutions hold the consumer's account). The review will consider whether any provisions of the regulation are in need of updating and whether any substantive changes are necessary because of technological developments. The Board will also consider whether to make any legislative recommendations for statutory changes.

Public comment will be requested on any regulatory proposals that may be developed following the review. It is not anticipated that revisions would have significant impact on a substantial number of small banks.

Timetable:

Action	Date	FR Cite
Board will consider revisions to Regulation E during the next six months	10/00/88	

Small Entity: No

Agency Contact: **Dolores S. Smith**, Assistant Director, Federal Reserve System, Division of Consumer and Community Affairs, **202 452-2412**

RIN: 7100-AA77

3725. REGULATION: H - MEMBERSHIP OF STATE BANKING INSTITUTIONS IN THE FEDERAL RESERVE SYSTEM

Legal Authority: 12 USC 321

CFR Citation: 12 CFR 208.8(e)

Abstract: The Board will consider issuing for comment an amendment to Regulation H designed to provide a decrease of approximately 20,000 burden hours in paperwork, as requested by the Office of Management and Budget. The regulation would be amended to raise the exemption from various record-keeping requirements in Regulation H for securities transactions, conducted by banks, from 200 to 1,000 transactions per year for customers over the prior three-calendar-year period, exclusive of transactions in U.S. government and federal agency obligations. This action would diminish burdens on smaller state member banks; therefore, the amendment would have no adverse effect on small banks.

This issue will be presented to the Board upon promulgation by the Department of the Treasury of final regulations concerning government securities transactions.

Timetable:

Action	Date	FR Cite
Board will consider amending Regulation H within the next six months	10/00/88	

Small Entity: No

Agency Contact: Robert S. Plotkin, Assistant Director, Federal Reserve System, Div. of Banking Supervision and Regulation, **202 452-2782**

RIN: 7100-AA68

3726. ● REGULATION: H - MEMBERSHIP OF STATE BANKING INSTITUTIONS IN THE FEDERAL RESERVE SYSTEM

Legal Authority: 12 USC 248; 12 USC 321 to 338; 12 USC 486; 12 USC 1814; 12 USC 3907; 12 USC 3909

CFR Citation: 12 CFR 208.17

Abstract: The Board will consider issuing for comment an amendment to Regulation H designed to facilitate the fullest possible dissemination of publicly available information regarding the condition of state member banks. The amendment would require such banks to make available upon request their year-end reports of condition or other suitable documents describing their condition. The proposal is not likely to have a significant economic impact on a substantial number of small banks since it would impose no new reporting requirements, but simply require banks to make existing documents available to members of the public.

Timetable:

Action	Date	FR Cite
Board will consider amending Regulation H within the next two months	04/00/88	

Small Entity: No

Agency Contact: Stephen L. Siciliano, Special Assistant to the General Counsel, Federal Reserve System, Legal Division, **202 452-3920**

RIN: 7100-AA66

3727. REGULATION: K - INTERNATIONAL BANKING OPERATIONS

Legal Authority: 12 USC 601 et seq

CFR Citation: 12 CFR 211

Abstract: The Board will consider an amendment to its regulation governing the establishment of foreign operating subsidiaries by member banks. The amendment would eliminate the requirement in section 211.3(b)(9) of Regulation K that a member bank's operating subsidiary be established only where required by local law or regulation. The revision is intended to promote the efficiency of member banks' foreign operations. Because the revision would remove a restriction, it is not anticipated that comment will be requested.

The proposal would not have a significant economic impact on a substantial number of small businesses because it affects only U.S. banks operating abroad.

Timetable:

Action	Date	FR Cite
Final Action by	10/00/88	

Small Entity: No

Agency Contact: Kathleen O'Day, Senior Counsel, Federal Reserve System, Legal Division, **202 452-3786**

RIN: 7100-AA67

3728. REGULATION: P - MINIMUM SECURITY DEVICES AND PROCEDURES FOR FEDERAL RESERVE BANKS AND STATE MEMBER BANKS

Legal Authority: 12 USC 1881 to 1884

CFR Citation: 12 CFR 216

Abstract: During the next six months, the Board will conduct a zero-based review of Regulation P, which implements the Bank Protection Act of 1968, and establishes minimum security standards for Federal Reserve banks and for state member banks. The review will consider whether any provisions of the regulation are outdated and whether any substantive changes are necessary because of new technological developments. The regulation will also be reorganized and revised for simplicity and clarity. Public comment will be requested following the zero-based review. It is not anticipated that the revised regulation will have a significant impact on a substantial number of small banks.

Timetable:

Action	Date	FR Cite
Board will consider revisions to Regulation P	07/00/88	

Small Entity: No

Agency Contact: Barbara Lowrey, Associate Secretary, Federal Reserve System, Office of the Secretary, **202 452-3742**

RIN: 7100-AA69

3729. REGULATION: T - CREDIT BY BROKERS AND DEALERS

Legal Authority: 15 USC 78g Securities Exchange Act of 1934, as amended; 15 USC 78w Securities Exchange Act of 1934, as amended

CFR Citation: 12 CFR 220

Abstract: During the next four months the Board may consider proposing amendments to Regulation T to accommodate settlement and clearance of foreign securities in accounts covered by Regulation T. A request has been made that amendments be proposed because of the growing internationalization of the securities markets. It is not anticipated that any proposals in this area would affect a significant portion of the overall lending activities of a substantial number of small firms.

Timetable:

Action	Date	FR Cite
Board may review proposal to amend Regulation T	08/00/88	

Small Entity: No

Agency Contact: Laura Homer, Securities Credit Officer, Federal Reserve System, Div. of Banking Supervision and Regulation, **202 452-2781**

RIN: 7100-AA72

3730. REGULATION: T - CREDIT BY BROKERS AND DEALERS

Legal Authority: 15 USC 78g Securities Exchange of 1934, as amended; 15 USC 78w Securities Exchange of 1934, as amended

CFR Citation: 12 CFR 220

Abstract: During 1988 the Board may review a proposal made by a broker-dealer to amend the definition of "OTC margin bond" in Regulation T. The purpose would be to permit marginability of foreign sovereign debt securities.

It is not anticipated that this proposal will affect a significant portion of the overall lending activities of a substantial number of small firms.

FRS

Proposed Rule Stage

Timetable:

Action	Date	FR Cite
Board may review proposal to amend Regulation T	04/00/88	

Small Entity: No

Agency Contact: Laura Homer, Securities Credit Officer, Federal Reserve System, Div. of Banking Supervision and Regulation, 202 452-2781

RIN: 7100-AA80

3731. REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL

Legal Authority: 12 USC 1843 Bank Holding Company Act; 12 USC 1844(b) Bank Holding Company Act

CFR Citation: 12 CFR 225

Abstract: A provision of Regulation Y permits a state bank subsidiary of a bank holding company to engage through a nonbank subsidiary in any activity that is permissible under state law for the bank subsidiary itself, subject to the same limits as if the bank engages in the activity directly. (A similar rule applies to national bank subsidiaries regarding activities permissible for such banks under federal law.) The Board received comments on this provision in connection with its general request for comments in May 1983 regarding the proposed revision of Regulation Y. Some of the commenters challenged the Board's authority to issue this provision, although it has been part of Regulation Y since 1971. In taking final action on the revision of Regulation Y, the Board deferred consideration of the comments on this provision and allowed the existing rule to remain in effect in the interim (49 FR 794, January 5, 1984).

The Board plans to review this provision of the regulation in the near future in connection with the Board's rulemaking regarding real estate investment activities (see Docket Number R-0537 and R-0616). A determination to reverse the rule (CONT)

Timetable:

Action	Date	FR Cite
Board requested comments	05/25/83	48 FR 23520
Board allows existing rule to remain in effect	01/05/84	49 FR 794
Board will review further by	10/00/88	

Small Entity: Yes

Additional Information: ABSTRACT CONT: could have an adverse impact on many small banks that are subsidiaries of holding companies because they might be required to restructure their nonbanking activities or to take other action.

Agency Contact: J. Virgil Mattingly, Deputy General Counsel, Legal Division, Federal Reserve System, 202 452-3430

RIN: 7100-AA41

3732. ● REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL

Legal Authority: 12 USC 1843

CFR Citation: 12 CFR 225

Abstract: In the near future, the Board will consider proposing for comment amendments to Regulation Y to implement the limitations on grandfathered nonbank banks and industrial banks set forth in the Competitive Equality Banking Act of 1987 (CEBA). The limitations in CEBA on nonbank banks include restrictions on new activities, joint-marketing with affiliates, annual growth, and overdrafts. Only the overdraft restriction applies to industrial banks.

The overdraft restriction requires nonbank banks and industrial banks to keep records of their affiliates' transactions in order to measure overdrafts. Because the overdraft restriction is required by CEBA, small entities cannot be exempted from this recordkeeping requirement.

Timetable:

Action	Date	FR Cite
Board will consider revisions to Regulation Y	04/00/88	

Small Entity: Yes

Agency Contact: Elaine Boutilier, Senior Attorney, Federal Reserve System, Legal Division, 202 452-2418

RIN: 7100-AA87

FEDERAL RESERVE SYSTEM (FRS)

Final Rule Stage

3733. REGULATION: D - RESERVE REQUIREMENTS OF DEPOSITORY INSTITUTIONS (DOCKET NUMBER: R-0571)

Legal Authority: 12 USC 248(k); 12 USC 461(a)

CFR Citation: 12 CFR 204

Abstract: In May 1986, the Board issued for comment rules to clarify the definition of "deposit" in Regulation D to include the interest or liability associated with a borrowing in the form of certain sales of assets and related transactions by a depository institution (51 FR 16855, May 7, 1986). These transactions include a sale of assets that involves a full guarantee by the institution that, in effect, substitutes the institution's credit standing for that of the ultimate borrower and in which the institution retains the risk of borrower default after the asset is sold.

Further, the regulation currently treats obligations of an affiliate as deposits of the depository institution to the extent the proceeds are provided to the depository institution. The Board proposes to exclude proceeds received from a sale of assets without recourse to the affiliate. The proposal also would clarify the application of Regulation D to certain of these transactions involving organizations effectively controlled by the depository institution even though not formally affiliated. Finally, the proposal would (CONT)

Timetable:

Action	Date	FR Cite
Board proposed revisions to Regulation D	05/07/86	51 FR 16855
Comment period extended	07/10/86	51 FR 25069
Further Board action by	04/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: clarify how the Board measures the "maturity" of an obligation for the purposes of Regulation D. The proposal requests comment on any alternatives that the public believes may be preferable to the Board's proposed amendments. Suggested alternatives will be considered when comments are analyzed.

The proposed rule would apply to all depository institutions. It is not anticipated that the proposal will have a negative impact on the ability of small depository institutions to attract deposits.

The Board will review the comments and take further action within the next two months.

Agency Contact: John Harry Jorgenson, Senior Attorney, Federal Reserve System, Legal Division, 202 452-3778

RIN: 7100-AA62

3734. REGULATION: K - INTERNATIONAL BANKING OPERATIONS (DOCKET NUMBER: R-0550)

Legal Authority: 12 USC 611 et seq

CFR Citation: 12 CFR 211

Abstract: In August 1985, the Board published for comment proposed regulations that would restrict lending by an Edge Corporation to its affiliates where the Edge Corporation is not subject to the restrictions of section 23A of the Federal Reserve Act (12 USC 371c) because it is not owned by a U.S. insured bank (50 FR 35238, August 30, 1985). In taking this action, the Board noted the increasing number of owners of Edge Corporations that are not subject to federal banking supervision and the potential adverse effects that might result from such affiliations, such as the impairment of the Edge's ability to act as an impartial arbiter of credit. The Board requested comment on the effect of the proposal on existing Edge Corporations, especially those owned by foreign banks and whether any exemptions from the restrictions are appropriate.

It is not expected that the proposal would have a significant economic impact on a substantial number of small businesses, because it applies only to organizations involved in international banking. (CONT)

Timetable:

Action	Date	FR Cite
Board proposed revisions to Regulation K	08/30/85	50 FR 35238
Further Board action by	10/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: The Board will review the comments and take further action within the next six months.

Agency Contact: Kathleen O'Day, Senior Counsel, Federal Reserve System, Legal Division, 202 452-3786

RIN: 7100-AA58

3735. REGULATION: Q - INTEREST ON DEPOSITS (DOCKET NUMBER R-0514)

Legal Authority: 12 USC 371b

CFR Citation: 12 CFR 217

Abstract: In January 1986, the Board issued for comment proposals to clarify, update, and simplify the advertising provisions of Regulation Q (51 FR 1379, January 13, 1986). The revisions incorporate and supersede the proposals of March 1984 concerning advertising of split-rate deposits and IRA/Keogh (HR 10) Plan accounts. The proposal is not expected to have a significant adverse effect on small banks.

The Board will review the comments and is expected to take further action within the next four months.

It is also anticipated that the Board will consider at that time various options with regard to providing written disclosures to consumers about their accounts.

Timetable:

Action	Date	FR Cite
Board proposed revisions	01/13/86	51 FR 1379
Further Board action by	06/00/88	

Small Entity: No

Agency Contact: Patrick J. McDivitt, Attorney, Federal Reserve System, Legal Division, 202 452-3818

RIN: 7100-AA56

3736. REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL (DOCKET NUMBER: R-0537)

Legal Authority: 12 USC 1841 Bank Holding Company Act; 12 USC 221 Federal Reserve Act; 12 USC 3901 International Lending Supervision Act of 1983

CFR Citation: 12 CFR 225

Abstract: In December 1986, the Board requested public comment on a proposal to permit bank holding companies to engage in real estate investment activities within certain limits (52 FR 543, January 7, 1987). The proposed limits are designed to ensure that conduct of the activity does not result in unsafe or unsound practices, unfair competition, conflicts of interest or other adverse effects.

The Board requested public comment on a number of specific items, including whether real estate investment activities may be deemed to be closely related to banking and a proper incident thereto for purposes of section 4(c)(8) of the Bank Holding Company Act; whether the proposed limits on the size, scope and manner in which the activity would be conducted are appropriate; whether nonbank companies owned by holding company banks should be permitted or prohibited from conducting these activities; and whether the Board should establish special capital requirements for bank holding companies that control banks directly engaged in these activities.

The proposal, if adopted, would permit bank holding (CONT)

Timetable:

Action	Date	FR Cite
ANPRM	01/31/85	50 FR 4519
Board issues proposal for public comment	01/07/87	52 FR 543
Further Board action during the next six months	10/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: companies to engage in limited real estate investment activities that bank holding companies are not now permitted to conduct and would not impose more burdensome requirements on bank holding companies than are currently applicable. Moreover, the proposal includes provisions designed

to permit small bank holding companies to participate meaningfully in the proposed activities. The proposal does not impose any limitations on the direct real estate investment activities of holding company banks.

The Board will review the comments and is expected to take further action within the next six months.

Agency Contact: J. Virgil Mattingly, Deputy General Counsel, Federal Reserve System, Legal Division, **202 452-3430**

RIN: 7100-AA52

3737. ● REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL AND REGULATION H - MEMBERSHIP OF STATE BANKING INSTITUTIONS (DOCKET NUMBER: R-0616)

Legal Authority: 12 USC 1843 (c)(8); 12 USC 371c; 12 USC 3901

CFR Citation: 12 CFR 225.13(b)(1); 12 CFR 225, Appendix; 12 CFR 208.14

Abstract: In November 1987, the Board requested comment regarding whether, in evaluating proposals submitted under section 3 of the Bank Holding Company Act, the Board should consider the impact of real estate activities of the bank to be acquired by the bank holding company on the financial condition of the bank and bank holding company, and, where appropriate, should prohibit banks and savings banks that are acquired by bank holding companies from directly engaging in real estate investment and development activities (52 FR 42301, November 4, 1987). The Board also requested comment on whether member banks in the Federal Reserve System that are not in a bank holding company should be made subject to the interaffiliate lending restrictions of section 23A of the Federal Reserve Act in their dealings with real estate investment and development subsidiaries of the bank. Finally, the Board requested comment regarding whether the Board should impose special capital requirements on real estate subsidiaries of banks in a bank holding company, under the Board's authority in the International Lending Supervision Act. These three proposals supplement the Board's earlier request for comment in (CONT)

Timetable:

Action	Date	FR Cite
Board requested public comment	11/04/87	52 FR 42301
Further Board action by	10/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: December 1986 regarding whether the Board should permit bank holding companies to engage in real estate investment activities.

This proposal is not expected to have a significant economic impact on small companies because the Board believes that very few small banks are currently engaged in real estate investment and development activities, and bank holding companies are not generally permitted to engage in these activities.

Following review of public comment the Board is expected to take further action within the next six months.

Agency Contact: Scott G. Alvarez, Senior Counsel, Federal Reserve System, Legal Division, **202 452-3583**

RIN: 7100-AA88

3738. ● REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL (DOCKET NUMBER: R-0614)

Legal Authority: 12 USC 1843 (c)(8)

CFR Citation: 12 CFR 225.25 (b)(9)

Abstract: In September 1987, the Board requested public comment regarding whether the Board should authorize bank holding companies to acquire thrift institutions as a general matter under section 4(c)(8) of the Bank Holding Company Act (52 FR 36041, September 25, 1987). The Board currently permits bank holding companies to acquire thrift institutions only if the thrift is failing or has failed, and the acquisition is likely to result in revitalization of the thrift. The Board has requested comment regarding whether changes in the economic and regulatory environment, in particular, the expansion of the powers of thrifts and the growth in state initiatives authorizing interstate banking, justify revisions of the Board's policy and the authorization of thrift acquisitions by bank holding companies. The Board also requested comment on what, if any, conditions the Board should impose on bank holding companies seeking to acquire thrifts in order to assure that the public benefits of the acquisition do not outweigh the adverse effects.

The Board's proposal, if adopted, is not expected to impose a substantial economic burden on small bank holding (CONT)

Timetable:

Action	Date	FR Cite
Board requested public comment	09/25/87	52 FR 36041
Further Board action by	06/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: companies because this action, if taken, would permit all bank holding companies to acquire thrift institutions, and would not impose different requirements on companies based on their size.

The Board will review the public comments and is expected to take further action within the next four months.

Agency Contact: Michael J. O'Rourke, Senior Attorney, Federal Reserve System, Legal Division, **202 452-3288**

RIN: 7100-AA89

3739. REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL (DOCKET NUMBER: R-0567)

Legal Authority: 12 USC 3907; 12 USC 3901 International Lending Supervision Act of 1983

CFR Citation: 12 CFR 225, Appendix A

Abstract: In January 1986, the Board proposed to amend its Capital Adequacy Guidelines by adding a risk-based capital measure to supplement existing ratios of primary and total capital to total assets. Based in part on comments received in response to that earlier proposal the Board, in conjunction with the other federal bank regulatory agencies and the Bank of England, published a revised capital proposal in February 1987, which would have established minimum risk-based capital standards applicable to commercial banking organizations in the United States and the United Kingdom. Implementation of the U.S./U.K. proposal was deferred to

enlist the participation of additional countries in the development of a broader international risk-based capital framework.

On January 27, 1987, the Board requested public comment on a revised capital guidelines proposal, in lieu of the U.S./U.K. measure, that is based upon a risk-based capital framework developed jointly during the past year by supervisory authorities from 12 major industrial countries. (A Federal Register cite is not yet available.) (CONT)

Timetable:

Action	Date	FR Cite
Board requested comment	01/31/86	51 FR 3976
Board requests comment on revised proposal	02/19/87	52 FR 5119
Board requests comment on revised proposal	03/24/87	52 FR 9304
Board requested comment on revised proposal	01/27/88	
Further Board action by	12/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: The newly proposed risk-based capital framework consists of a revised definition of capital, a system for assigning assets and off-balance sheet items to risk categories, and a schedule for establishing minimum risk-based capital ratios (7.25 percent by year-end 1990, and 8.0 percent by year-end 1992). The proposal also provides for transitional arrangements and a phase-in period to facilitate adoption and implementation of the measure. This proposal has been designed to take account of those practices which have been engaged in primarily by larger banking organizations. Moreover, the major parts of the proposal have been structured to apply generally only to bank holding companies with assets of $150 million or more. Consequently, the proposal is not likely to have a significant economic impact on smaller banking organizations.

The Board will review the comments on its revised proposal and will coordinate with other federal banking agencies with respect to the issuance of parallel guidelines or regulations implementing the proposal. Further action is expected by year-end 1988.

Agency Contact: Michael J. O'Rourke, Senior Attorney, Federal Reserve System, Legal Division, 202 452-3288

RIN: 7100-AA66

3740. ● REGULATION: Z - TRUTH IN LENDING (DOCKET NUMBER R-0625)

Legal Authority: 15 USC 1604, as amended, Truth in Lending Act

CFR Citation: 12 CFR 226

Abstract: In December 1987, the Board proposed amending Regulation Z to require more disclosures about home equity lines secured by a consumer's principal dwelling much earlier in the credit process and in a standard format (52 FR 48702, December 24, 1987). Creditors would have to give additional information about the terms and conditions of a home equity plan. In the case of variable-rate loans, creditors would have to give more information about the variable-rate feature, as well as an historical table showing the effects of index changes on interest rates over a fifteen-year period. In cases where the interest rate has been adjusted, creditors also would have to provide more variable-rate information on or with the first periodic statement that is sent to consumers. Finally, creditors would have to provide consumers with a brochure that describes home equity loans. Most home equity plans contain complex terms and conditions and are riskier than the typical open-end credit plan because of the risk to the consumer's home in the event of default. The Board is concerned that consumers are not receiving sufficient information about the terms and conditions of (CONT)

Timetable:

Action	Date	FR Cite
Board proposed amendment	12/24/87	52 FR 48702
Further Board action by	04/00/88	

Small Entity: Yes

Additional Information: ABSTRACT CONT: these plans in a meaningful and timely fashion. The Board believes that adoption of the proposal will enable consumers to better understand a home equity plan before they contract for a particular product.

If the Board adopts this proposal, small banks and other small businesses engaged in home equity lending could incur some additional costs, including costs to revise and reprint disclosure forms and to acquire and distribute home equity education pamphlets. Before taking any final action, the Board would consider appropriate steps to minimize the burdens and costs of compliance with the final rule. The Board will review the public comments and is expected to take further action within the next two months.

Agency Contact: Sharon Bowman, Attorney, Federal Reserve System, Division of Consumer and Community Affairs, 202 452-3667

RIN: 7100-AA91

3741. ● REGULATION: CC - AVAILABILITY OF FUNDS AND COLLECTION OF CHECKS AND REGULATION J - COLLECTION OF CHECKS AND OTHER ITEMS AND TRANSFERS OF FUNDS (DOCKET NUMBER: R-0620)

Legal Authority: 12 USC 4001 et seq

CFR Citation: 12 CFR 229; 12 CFR 210

Abstract: In December 1987, the Board proposed for public comment a new rule, Regulation CC, to implement the Expedited Funds Availability Act (52 FR 47112, December 11, 1987). The proposal sets out the requirements that banks and other depository institutions make funds deposited into accounts available according to specified time schedules and that institutions disclose their funds availability policies to their customers. The proposed regulation also establishes rules to speed the return of unpaid checks. The Board proposed to amend its existing Regulation J, which governs the collection of checks by Federal Reserve Banks, to conform to the new regulation. The proposed Regulation CC and the amendments to Regulation J would apply to all depository institutions, regardless of size, except that small institutions that do not hold transaction accounts would be exempt from the availability, disclosure, and payment of interest requirements.

In related actions, (Docket Numbers R-0621 and R-0622), the Board requested comment on new Federal Reserve Bank services to assist institutions in complying with the new regulations (CONT)

FRS

Final Rule Stage

Timetable:

Action	Date	FR Cite
Board proposed new rule	12/11/87	52 FR 47112
Further Board action by	05/31/88	

Small Entity: Yes

Additional Information: ABSTRACT CONT: and on long-range proposals to improve the payments mechanism.

The Board will review the public comments and is expected to take further action within the next three months. The new rule will take effect on September 1, 1988.

Agency Contact: Joseph R. Alexander, Senior Attorney, Federal Reserve System, Legal Division, **202 452-2489**

RIN: 7100-AA90

3742. FURTHER PROPOSALS TO REDUCE RISKS ON LARGE-DOLLAR WIRE TRANSFER SYSTEMS (DOCKET NUMBERS: R-0591 AND R-0592)

Legal Authority: 12 USC 221 et seq

CFR Citation: 00 CFR None

Abstract: In December 1986, the Board requested comment on several proposals that would refine its policy statement on payment system risk (51 FR 45042, December 16, 1986). The proposals included modifying automated clearing house transactions to reduce risks (R-0591) and various proposals to charge a fee for daylight overdrafts as a way of reducing risks associated with them (R-0592). It is not expected that these actions will have a significant economic impact on a substantial number of small entities, because small entities do not usually participate in large-dollar wire transfer systems. In December 1987, following review of public comments, the Board approved changes in the automated clearing house mechanism to reduce risk (52 FR 49086, December 29, 1987). Action on pricing of daylight overdrafts (Docket No. R-0592) is expected in the Fall of 1988.

Further, the Board will be conducting a zero-based review of its risk reduction policy during 1988.

Timetable:

Action	Date	FR Cite
Board requested comment	12/16/86	51 FR 45042
Board adopted proposal in part	12/29/87	52 FR 49086
Further Board action by	11/00/88	

Small Entity: No

Agency Contact: Edward C. Ettin, Deputy Director, Federal Reserve System, Division of Research and Statistics, **202 452-3368**

RIN: 7100-AA76

3743. RULES REGARDING AVAILABILITY OF INFORMATION (DOCKET NUMBER: R-0601)

Legal Authority: 5 USC 552; 12 USC 248(i); 12 USC 248(e)

CFR Citation: 12 CFR 261

Abstract: The Board's Rules Regarding Availability of Information are intended in part to fulfill the requirement of section 552 of Title 5 of the United States Code that every Federal agency shall publish in the Federal Register how the public may obtain information, make submittals or requests, and obtain decisions; how the agency's functions are channeled and determined; its rules of procedure and descriptions of forms available and the places where they may be obtained. The Board is reviewing public comments that have been received and will determine whether to issue as a final rule a proposed revision that simplifies and improves these rules. The revision, issued for public comment in April 1987, reorganizes the rules into appropriate subparts, and clarifies the procedures for requesting access to documents and information, the processing and disposition of such requests, and the procedures regarding the discretionary release of confidential information (52 FR 13458, April 23, 1987).

It is not expected that the proposal, if adopted, will have a significant economic impact on a substantial number of (CONT)

Timetable:

Action	Date	FR Cite
Board requested comment	04/23/87	52 FR 13458
Board will consider adoption of final rules by	04/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: small entities that would be subject to the regulation.

Agency Contact: Stephen L. Siciliano, Special Assistant to the General Counsel, Federal Reserve System, Legal Division, **202 452-3920**

RIN: 7100-AA73

FEDERAL RESERVE SYSTEM (FRS)

Completed Actions

3744. REGULATION: F - SECURITIES OF STATE MEMBER BANKS (DOCKET NUMBER: R-0609)

Legal Authority: 15 USC 78g Securities Exchange of 1934

CFR Citation: 12 CFR 206; 12 CFR 208

Abstract: In August 1987, the Board issued for comment a proposal to amend Regulation F to require publicly held state member banks to file information with the Board on the forms nonbanking entities use to file with the Securities and Exchange Commission ("SEC") (52 FR 30690, August 17, 1987). Pursuant to section 12(i) of the Securities Exchange Act of 1934, the Board is mandated to issue disclosure regulations that are substantially identical to the SEC's disclosure regulations under that Act, or to publish reasons why the Board's rules are not substantially identical to those of the SEC.

In December 1987, following review of public comments the Board rescinded Regulation F and amended Regulation H (Membership of State Banking Institutions in the Federal Reserve System) to require the above information. The amendment also permits state member banks with no foreign offices and total assets of $150 million or less to substitute financial statements from quarterly reports of condition filed with the Board for the financial statements normally required on SEC Form 10-Q.

Adoption of the proposal is not expected to have a (CONT)

Timetable:

Action	Date	FR Cite
Board requested comment	08/17/87	52 FR 30690
Board adopted a proposal	12/31/87	52 FR 49374

Small Entity: No

Additional Information: ABSTRACT CONT: significant economic impact, since only 36 banks are presently subject to Regulation F. The proposal would impose an audit requirement upon state member banks, but this burden is minimal because 33 of the banks currently subject to Regulation F presently receive annual audits.

Agency Contact: Walter McEwen, Attorney, Federal Reserve System, Legal Division, **202 452-3321**

RIN: 7100-AA82

3745. REGULATION: T - CREDIT BY BROKERS AND DEALERS (DOCKET NUMBER R-0611)

Legal Authority: 15 USC 78g Securities Exchange Act of 1934, as amended; 15 USC 78w Securities Exchange Act of 1934, as amended

CFR Citation: 12 CFR 220

Abstract: In August 1987, the Board requested comment on a proposed amendment to Regulation T that would permit broker-dealers to facilitate the exercise of valuable employee stock options by employees. In lieu of the securities to be received upon exercise of the option, the proposed amendment would allow the broker-dealer to accept a fully-endorsed employee stock option and instructions to the employer to deliver the securities to the broker-dealer. In December 1987, following review of public comments, the Board approved the amendment with a slight change in wording (52 FR 48804, December 18, 1987).

It is not anticipated that this proposal will affect a significant portion of the overall lending activities of a substantial number of small firms.

Timetable:

Action	Date	FR Cite
Board proposed an amendment to Regulation T	08/26/87	52 FR 32138
Board adopted an amendment to Regulation T	12/18/87	52 FR 48804

Small Entity: No

Agency Contact: Laura Homer, Securities Credit Officer, Federal Reserve System, Div. of Banking Supervision and Regulation, **202 452-2781**

RIN: 7100-AA71

3746. REGULATION: U - CREDIT BY BANKS FOR THE PURPOSE OF PURCHASING OR CARRYING MARGIN STOCKS (DOCKET NUMBER: R-0608)

Legal Authority: 15 USC 78g Securities Exchange of 1934, as amended; 15 USC 78w Securities Exchange of 1934, as amended

CFR Citation: 12 CFR 221

Abstract: In August 1987, the Board requested comment on a proposed amendment to Regulation U that would exempt banks making loans of $100,000 or under from the requirement that Form FR U-1 must be executed, and amend the form to reflect this change (52 FR 29701, August 11, 1987). The purpose is to reduce the paperwork burden associated with the preparation of Form FR U-1 which is currently required whenever a bank makes a loan secured by "margin stock."

Following review of public comments, the Board approved the amendment in substantially the form proposed (52 FR 35683, September 23, 1987).

It is anticipated that this proposal will reduce paperwork burden on small banks and, therefore, will have no adverse economic impact on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
Board proposed an amendment to Regulation U	08/11/87	52 FR 29701
Board adopted amendment to Regulation U	09/23/87	52 FR 35683
Board adopted amendment to Regulation U	09/23/87	52 FR 35683

Small Entity: No

Agency Contact: Laura Homer, Securities Credit Officer, Federal Reserve System, Div. of Banking Supervision and Regulation, **202 452-2781**

RIN: 7100-AA83

3747. REGULATION: Y - BANK HOLDING COMPANIES AND CHANGE IN BANK CONTROL (DOCKET NUMBER: R-0536)

Legal Authority: 12 USC 1841 et seq Bank Holding Company Act

CFR Citation: 12 CFR 225

Abstract: In January 1985, the Board requested comment as to whether it should permit bank holding companies that own nonbank banks to provide them with internal administrative services and to establish management interlocks with them (50 FR 2057, January 15, 1985). ("Nonbank banks" are institutions that are chartered as banks but either do not accept demand deposits or do not make commercial loans.) The Board took this action to resolve a number of questions that had been raised regarding the appropriate scope of relationships between nonbank banks and their affiliates. It is likely that any action the Board might take would primarily affect larger bank holding systems and would relax a requirement or prohibition. Therefore, it is expected that any Board action would not have a significant economic impact on a substantial number of small entities.

The Board suspended further consideration of nonbank bank applications by bank holding companies, pending a definitive resolution, through pending litigation, of the status of nonbank banks. However, in view of the redefinition of the term "bank" in the recently enacted Competitive Equality Banking Act of (CONT)

Timetable:

Action	Date	FR Cite
Board requested comment	01/15/85	50 FR 2057
No further action by the Board is expected	04/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: 1987, no further action by the Board is expected on this matter.

Agency Contact: J. Virgil Mattingly, Deputy General Counsel, Federal

Reserve System, Legal Division, 202 452-3430

RIN: 7100-AA51

3748. REGULATION: Z - TRUTH IN LENDING (DOCKET NUMBER R-0545)

Legal Authority: 15 USC 1604, as amended, Truth in Lending Act

CFR Citation: 12 CFR 226

Abstract: In November 1986, the Board proposed that creditors make more extensive disclosure of the variable rate feature in transactions secured by a consumer's home. The proposal called for disclosure about variable rate loans early in the credit shopping process and at subsequent times prior to payment adjustments. Following the review of public comments and further analysis, the Board adopted a final rule in December 1987 (52 FR 48665, December 18, 1987). The amendments require that creditors provide consumers general descriptive material about adjustable rate mortgages as well as provide a disclosure describing the adjustable rate mortgage programs in which the consumer expresses an interest. This disclosure would include an example showing the effect of historical change in a creditor's index over a 15-year period on the payments and balance on a $10,000 loan. The initial and maximum interest rates and payments for a $10,000 loan also would be stated. Finally, the amendments require annual notice of interest rate adjustments and prior notice of payment adjustments.

The Board developed the disclosure amendments in (CONT)

Timetable:

Action	Date	FR Cite
Board proposed amendment	05/15/85	50 FR 20221
Revised proposal issued for comment	11/24/86	51 FR 42241
Board adopted the proposal	12/18/87	52 FR 48665

Small Entity: Yes

Additional Information: ABSTRACT CONT: consultation with the other federal agencies currently imposing separate and differing disclosure obligations on creditors. The Board believes that adoption of the amendments as the uniform federal disclosure requirements for adjustable rate mortgage loans will improve the information consumers receive and eliminate the burden on creditors caused by the overlapping federal requirements. In addition, the amendments reflect certain changes designed to minimize the burdens and costs of compliance that may result from revising and reprinting forms and changing procedures to comply with the requirements.

Agency Contact: Michael Bylsma, Senior Attorney, Federal Reserve System, Division of Consumer and Community Affairs, 202 452-3667

RIN: 7100-AA50

3749. REGULATION: Z - TRUTH IN LENDING (DOCKET NUMBER: R-0613)

Legal Authority: PL 100-86 Competitive Equality Banking Act of 1987

CFR Citation: 12 CFR 226

Abstract: In September 1987, the Board published for comment a proposal to amend Regulation Z to implement section 1204 of the Competitive Equality Banking Act (CEBA), which requires creditors to include a maximum interest rate ceiling in adjustable rate mortgage loans that are secured by a dwelling. Section 1204 of CEBA became effective on December 9, 1987.

In November 1987, following the review of public comments and further analysis, the Board adopted a final rule (52 FR 43178, November 9, 1987). The regulatory amendment -- section 226.30 of Regulation Z -- requires creditors to include a maximum interest rate ceiling in all dwelling-secured consumer credit obligations entered into on or after December 9, 1987 that are subject to the Truth in Lending Act -- both open and closed end credit -- and that contractually allow for interest rate adjustments during the term of the obligation.

The proposal is not expected to have a significant economic impact on a substantial number of small banks.

Timetable:

Action	Date	FR Cite
Board issued for comment a proposed amendment to Regulation Z	09/15/87	52 FR 34811
Board adopted a final rule amending Regulation Z	11/09/87	52 FR 43178

Small Entity: No

Agency Contact: Adrienne Hurt, Staff Attorney, Federal Reserve System, Division of Consumer and Community Affairs, 202 452-2412

RIN: 7100-AA81

3750. PROPOSED GUIDELINES REGARDING THE BANK BRIBERY ACT (DOCKET NUMBER: R-0603)

Legal Authority: 18 USC 215(d) Bank Bribery Amendments Act of 1985

CFR Citation: 00 CFR None

Abstract: As required by the Bank Bribery Amendments Act of 1985, the Board, in May 1987, issued for public comment proposed guidelines that encourage all state member banks and bank holding companies to adopt internal codes of conduct of written policies or amend their present codes of conduct or policies to describe the prohibitions contained in the Bank Bribery Act. The Bank Bribery Act prohibits anyone, including a financial institution's employees, officers, directors, agents or attorneys, from corruptly soliciting or accepting anything of value in connection with the business of the financial institution. The Board's guidelines also identify situations that, in the opinion of the Board, may not constitute violations of the Bank Bribery Act. The proposed guidelines are not expected to have a significant impact on small banking entities.

In October 1987 following review of the public comments, the Board adopted the guidelines without any significant change (52 FR 39277, October 21, 1987).

Timetable:

Action	Date	FR Cite
Board requested comment	05/22/87	52 FR 19396
Board adopted guidelines	10/21/87	52 FR 39277

Small Entity: No

Agency Contact: Herbert A. Biern, Assistant Director, Federal Reserve System, Div. of Banking Supervision and Regulation, 202 452-2620

RIN: 7100-AA84

[FR Doc. 88-5110 Filed 04-22-88; 8:45 am]

BILLING CODE 6210-01-T

federal register

Monday
April 25, 1988

Part LII

Federal Trade Commission

Semiannual Regulatory Agenda

FEDERAL TRADE COMMISSION (FTC)

FEDERAL TRADE COMMISSION

16 CFR Ch. I

Semiannual Regulatory Agenda

AGENCY: Federal Trade Commission.

ACTION: Semiannual regulatory agenda.

SUMMARY: The following agenda of Commission proceedings is published in accordance with section 22(d)(1) of the Federal Trade Commission Act, 15 U.S.C. 57b-3(d)(1), and section 610(c) of the Regulatory Flexibility Act, 5 U.S.C. 610(c). Each projected event reflects the FTC staff's assessment of events that it expects will occur in the listed proceedings during the coming year. No Commission determination on the need for or the substance of a trade regulation rule or any other procedural option should be inferred from the projected events included in this agenda.

Several agenda items concern proceedings that may affect a substantial number of small businesses as that term is used in the Regulatory Flexibility Act. Whether any such proceeding will result in a rule which is likely to have a significant economic impact on such entities depends upon final Commission determinations on the need for and the substance of a trade regulation rule.

Except for notice of completed actions, the information in this agenda represents the judgment of Commission staff, based upon information now available. These views should not be regarded as a final staff position, nor should they be attributed to the Commission itself. The Commission will address the issues presented on the rulemaking record in the final consideration of each proceeding.

Agenda items include the projected timing of certain future actions. In most instances the dates of future events are listed by month, not a specific day. Further details may be obtained from the agency contact responsible for a particular proceeding. Discovery of new information, change of circumstances, or changes in the law may alter the information set forth in this agenda.

FOR FURTHER INFORMATION CONTACT: Further details may be obtained from the agency contact responsible for a particular proceeding.

By direction of the Commission.

Emily H. Rock,

Secretary.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3751	Cooling-Off Period for Door-to-Door Sales	3084-AA18
3752	Mail Order Merchandise	3084-AA19
3753	Informal Dispute Settlement Procedures	3084-AA30
3754	Fair Packaging and Labeling Rules	3084-AA36

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3755	Review of the Funeral Industry Practices Rule	3084-AA05
3756	Amendment to Trade Regulation Rule Concerning Preservation of Consumers Claims and Defenses ("Holder-in-Due Course Rule")	3084-AA08
3757	Review of the Premerger Notification Rules and Report Form	3084-AA23
3758	Games of Chance in the Food Retailing and Gasoline Industries Rule	3084-AA24
3759	Review of Content Disclosure Requirements for Textile, Wool, and Fur Products	3084-AA29

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3760	Ophthalmic Practice Rules	3084-AA03
3761	Proprietary Vocational and Home Study Schools	3084-AA11
3762	Retail Food Store Advertising and Marketing Practices	3084-AA17
3763	Appliance Labeling Rule -- Energy Policy and Conservation Act	3084-AA26

FEDERAL TRADE COMMISSION (FTC)

Prerule Stage

3751. COOLING-OFF PERIOD FOR DOOR-TO-DOOR SALES

Legal Authority: 15 USC 41 et seq Federal Trade Commission Act

CFR Citation: 16 CFR 429

Abstract: The rule states that sellers of consumer goods or services with a purchase price of $25.00 or more who sell away from their place of business must furnish to the buyer certain information regarding the buyer's right to cancel sales within three business days and must give the buyer a full refund of any down payment upon the buyer's cancellation. The rule requires a seller to furnish the buyer with a complete receipt or copy of a contract, along with a notice informing the buyer of the right to cancel the transaction, and to furnish the buyer with a completed Notice of Cancellation. The rule is intended to benefit consumers by permitting them to reflect on their purchase and the terms of any contract, to compare the purchase with offerings of other sellers, and to ascertain the accuracy of any representations made. The resulting costs to sellers include the costs associated with cancellation (processing cancelled orders, returning downpayments, retrieving delivered goods, and returning traded-in merchandise) and the additional cost of printing the required cancellation notices. Since the rule affects all door-to-door sellers, it may have a significant economic effect on a (cont)

Timetable:

Action	Date	FR Cite
Begin Reg Flex Act Review	03/03/83	48 FR 9032
Commission Consideration of Staff Recommendations	04/28/87	
NPRM	08/10/87	52 FR 29539
End Reg Flex Review	08/12/87	52 FR 29507
Commission Consideration of Staff Recommendations	05/00/88	
Final Action	08/00/88	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: substantial number of small entities. The Commission has completed its review of the rule in accordance with Section 610 of the Regulatory Flexibility Act. Staff has explored non-substantive changes in the notices required by the rule. Staff also has studied possible exemptions for sales of automobiles at public auctions and sales of arts and crafts at fairs. The Commission has issued an NPRM soliciting comment on changes in the notice requirement and possible exemptions from the rule.

Agency Contact: Lewis Franke, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 326-3009

RIN: 3084-AA18

3752. MAIL ORDER MERCHANDISE

Legal Authority: 15 USC 41 et seq Federal Trade Commission Act

CFR Citation: 16 CFR 435

Abstract: The Commission's rule concerning mail order merchandise was promulgated on October 22, 1975. The rule requires mail order sellers to possess a reasonable basis for any claims made concerning shipping date or, in the absence of any specifically stated date, to ship the ordered merchandise within thirty (30) days of receipt of an order. In the event of delays in shipment, the rule establishes notification procedures whereby buyers have the option either to agree to the delay or to cancel the order and receive a prompt refund. The Commission's rule is designed to address a number of significant consumer problems described on the record of the rulemaking proceeding, including failure to deliver ordered merchandise, unexplained delays in delivery, failure to make prompt (or any) refunds upon cancellation of an order, and inability to obtain responses to inquiries about pending orders. The rule enables consumers to obtain ordered merchandise within a reasonable time period or, if delays occur, to cancel the order and obtain a prompt refund, so that losses due to undelivered merchandise, delays, and inadequate or nonexistent refunds can be avoided. By subjecting sellers (cont)

Timetable:

Action	Date	FR Cite
Rule Promulgated	10/22/75	40 FR 49492
Begin Reg Flex Act Review	10/20/83	
End Reg Flex Review	06/10/86	51 FR 20991
Commission Consideration of Staff Recommendations (if appropriate)	07/00/88	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: who solicit orders they cannot fill within a reasonable time to the risk of cancellation, the rule may provide competitive benefits, since buyers may shift their business to more efficient merchants. Costs relating to the rule may include the cost of establishing a system for monitoring and recording orders, deliveries, delays, cancellations, consents to delays, and refunds; the costs of complying with the rule's notification requirements regarding delays (printing, postage, etc.); the cost of processing refunds; and additional inventory costs. Pursuant to Sec. 610 of the Regulatory Flexibility Act, the Commission has reviewed this rule and determined that it has not had a significant economic impact on a substantial number of small entities. In addition, the staff is considering whether the rule should be amended to cover orders placed by telephone or other electronic means. Whether changes to the rule will be proposed will not be determined until the staff's review has been completed.

Agency Contact: Raymond L. Rhine, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 326-2973

RIN: 3084-AA19

3753. INFORMAL DISPUTE SETTLEMENT PROCEDURES

Legal Authority: 15 USC 2309; 15 USC 2310(a)(2) Magnuson-Moss Warranty--FTC Improvements Act

CFR Citation: 16 CFR 703

Abstract: The Magnuson-Moss Warranty Act, enacted on January 4, 1975, requires that the Federal Trade Commission promulgate a rule prescribing the minimum requirements for any informal dispute settlement procedure which is incorporated into the terms of a written warranty subject to the Act. Because warrantors are not required to incorporate such procedures into warranties, the rule applies only to warrantors who choose to do so. The

FTC

Prerule Stage

present rule sets forth detailed procedural, recordkeeping, and reporting requirements for dispute settlement mechanisms designed to insure their fairness. To assess whether any changes are needed, the Commission conducted a regulatory negotiation process in which an advisory committee was charged to recommend to the Commission revisions to the rule that would facilitate the Congressional (cont)

Timetable:

Action	Date	FR Cite
Promulgation of Original Rule	12/31/75	
Initial Notice of Intent to Form Advisory Committee	02/12/86	51 FR 5205
Convene Advisory Committee	09/23/86	
Facilitator Report to Commission	12/10/87	
Commission Consideration of Facilitator Report	05/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: objective of encouraging warrantors to establish and participate in informal dispute settlement mechanisms. The committee met for the last time on June 17, 1987, and failed to reach a consensus on rule revisions. The Commission and its staff will continue to monitor the impact of the current informal dispute settlement procedures rule.

Agency Contact: Gary Laden, Federal Trade Commission, Division of Marketing Practices, Federal Trade Commission, Washington, DC 20580, 202 326-3118

RIN: 3084-AA30

3754. ● FAIR PACKAGING AND LABELING RULES

Legal Authority: 16 USC 1333

CFR Citation: 16 CFR 300

Legal Deadline: None.

Abstract: The Fair Packaging and Labeling Act, 15 USC 1453-1455, was passed in 1968 to eliminate consumer confusion and deception and to enable consumers to obtain accurate information as to the quantity of package contents and to facilitate value comparisons. The FTC has enforcement responsibility over package disclosures placed on "consumer commodities" as defined in the FPLA. The Commission has begun a review of its rules implementing the FPLA in accordance with the Regulatory Flexibility Act. The purpose of this review is limited to determining whether the FPLA rules should be continued without change, or should be amended or rescinded in order to minimize any significant economic impact the rules may have on a substantial number of small entities.

Timetable:

Action	Date	FR Cite
Begin Reg Flex Review	12/24/87	52 FR 48716
End Reg Flex Review	06/00/88	

Small Entity: Undetermined

Agency Contact: James Mills, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, D.C. 20580, 202 326-3036

RIN: 3084-AA36

FEDERAL TRADE COMMISSION (FTC)

Proposed Rule Stage

3755. REVIEW OF THE FUNERAL INDUSTRY PRACTICES RULE

Legal Authority: 15 USC 45; 15 USC 46(g); 15 USC 57(a)

CFR Citation: 16 CFR 453

Abstract: The funeral industry practices rule, which became effective on April 30, 1984, seeks to increase consumer access to accurate information about prices and legal requirements prior to and at the time of purchase of funeral goods and services. The Rule: (1) requires funeral directors to provide consumers with itemized pre-sale disclosures; (2) prohibits misrepresentation of legal and cemetery requirements and the preservative or protective value of embalming, caskets, and vaults; (3) prohibits funeral directors from requiring a casket for cremations, or any other tie-in arrangements; (4) prohibits funeral directors from charging for goods and services not specifically ordered, such as embalming, unless required by law; and (5) requires funeral directors to give, on request, price information over the telephone. The Rule provides that no later than four years after its effective date, the Commission will begin a rulemaking to determine whether the Rule should be amended or terminated. The staff is preparing recommendations for a Notice of Proposed Rulemaking and preparing for that proceeding.

Timetable:

Action	Date	FR Cite
Rule Promulgated	09/24/82	47 FR 42260
Begin Review	01/00/87	
ANPRM	12/09/87	52 FR 46706
NPRM	05/00/88	
Commission Consideration of Staff Recommendations	06/00/89	

Small Entity: Yes

Agency Contact: Raouf M. Abdullah, Federal Trade Commission, Division of Service Industry Practices, Bureau of Consumer Protection, Washington, D.C. 20580, 202 326-3024

RIN: 3084-AA05

3756. AMENDMENT TO TRADE REGULATION RULE CONCERNING PRESERVATION OF CONSUMERS CLAIMS AND DEFENSES ("HOLDER-IN-DUE COURSE RULE")

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 433

Abstract: The objective of the proposed amendment is to ensure that a purchaser's duty to pay is not separated from sellers' duty to perform when consumer sales are financed by third party creditors or purchase money lenders. The original rule requires sellers to ensure that credit contracts used in consumer installment sales and purchase money loans contain a provision that makes any holder of the contract subject to all legal claims and

defenses related to the sale transaction which the buyer may have against the seller. The proposed amendment would extend to creditors the obligation to ensure that credit contracts contain the required provision. Benefits from the proposed amendments may include improvement in the retail market due to increased scrutiny by creditors of the sellers with whom they do business and availability to consumers of additional claims and defenses against creditors. Some creditors may have increased costs associated with screening contracts and monitoring the reputations of retailers with whom they deal. Alternatives considered by the Commission include: rejection of the amendment; postponement of decision pending additional information on (cont)

Timetable:

Action	Date	FR Cite
Notice of Proposed Amendment	11/18/75	40 FR 53530
Rule & Statement of Basis & Purpose	11/18/75	40 FR 53506
Final Notice of Proposed Amendment	02/05/76	41 FR 5305
Guidelines on TRR	05/14/76	41 FR 20022
Statement of Enforcement Policy	08/16/76	41 FR 34594
Open End Consumer Credit Contracts	09/16/77	42 FR 46509
Presiding Officer's Report	02/16/78	43 FR 6810
Staff Report	11/24/78	43 FR 54950
Tentative Cmsn Approval and Request for Comment	11/15/79	44 FR 65771
Commission Consideration of Staff Recommendations	10/00/88	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: compliance with the original rule; adoption of the amendment extending the rule to creditors and also making additional technical amendments. The amendment would shift some compliance costs from small businesses to creditors that control the contract form. Otherwise, because the existing rule already applies to retail sellers, the amendment should have no appreciable effect on other small businesses.

Agency Contact: Jonathan D. Jerison, Federal Trade Commission, Division of Credit Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 326-3223

RIN: 3084-AA08

3757. REVIEW OF THE PREMERGER NOTIFICATION RULES AND REPORT FORM

Significance: Agency Priority

Legal Authority: 15 USC 18a Clayton Act

CFR Citation: 16 CFR 801; 16 CFR 802; 16 CFR 803; 16 CFR 803, (Apendix)

Abstract: The Premerger Notification Rules and the Antitrust Improvements Act Notification and Report Form were adopted pursuant to Section 7A of the Clayton Act. Section 7A requires firms of a certain size contemplating mergers or acquisitions of a specified size to file notification with the Federal Trade Commission (FTC) and the Department of Justice (DOJ) and to wait a designated period before consummating the transaction. It also requires the FTC, with the concurrence of the Assistant Attorney General for Antitrust, to promulgate rules requiring that notification be in a form and contain information necessary to enable the FTC and DOJ to determine whether the proposed acquisition may, if consummated, violate the antitrust laws. These rules are continually reviewed in order to improve the program's effectiveness and reduce the paperwork burden on the business community. In February 1987, the Commission promulgated nine amendments, most of which were designed to reduce the burden of notification. In May 1987, the Commission promulgated an amendment to require that acquisitions by partnerships be reported by persons controlling the partnerships. (cont)

Timetable:

Action	Date	FR Cite
Begin Review	09/30/81	
NPRM -- Controlled Issuers	09/24/85	50 FR 38742
NPRM -- Partnership Control	03/06/87	52 FR 7095
Final Action -- Partnership Control	05/29/87	52 FR 20058
NPRM -- De Minimis Exemption	06/00/88	
Final Action -- Controlled Issuers	07/00/88	
NPRM -- Sequential Transactions	10/00/88	
Final Action -- De Minimis Exemption	10/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: In fiscal year 1988 the Commission expects to take final action on the proposal to raise the controlled issuer threshold in Section 802.20(b) and to propose rules concerning acquisitions of small percentages of an issuer's voting securities and acquisitions involving dependent sequential transactions.

Agency Contact: Roberta S. Baruch, Deputy Assistant Director, Federal Trade Commission, Bureau of Competition, Washington, DC 20580, 202 326-3300

RIN: 3084-AA23

3758. GAMES OF CHANCE IN THE FOOD RETAILING AND GASOLINE INDUSTRIES RULE

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 419

Abstract: The Commission's trade regulation rule concerning games of chance became effective on October 17, 1969. The rule establishes requirements for food and gasoline retailers in conducting and advertising games of chance by requiring disclosure of odds-of-winning and prize information in broadcast and print advertisements, as well as in point of sale information. In January, 1983, the Commission granted a temporary partial exemption to allow supermarkets and gas stations to advertise their games on radio and television without disclosing full information on prizes and odds-of-winning. In addition, the Commission

also published an advance notice of proposed rulemaking on whether to make the broadcast exemption permanent. Finally, the Commission has proposed to reduce the recordkeeping requirements of the rule from three years to one year in keeping with the goals of the Paperwork Reduction Act, and requested public comment on other possible areas where amendments to the rule may be appropriate. The rule benefits consumers by allowing contestants to enter games of chance with full knowledge of all material information to enable equal competition for (cont)

Timetable:

Action	Date	FR Cite
Promulgation of Original Rule	08/19/69	34 FR 13302
ANPRM	01/04/83	48 FR 265
Temporary Partial Exemption	01/10/83	48 FR 1046
NPRM	04/00/88	
Hearings Begin	06/00/88	
Staff Report	10/00/88	
Presiding Officer Report	11/00/88	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: prizes. The major costs to industry are the possible burdensomeness of the electronic media disclosure and recordkeeping provisions of the rule, both of which have been reconsidered. The Commission will issue an NPRM in early 1988 to consider amendments that would reduce the burden of the rule's recordkeeping and disclosure requirements.

Agency Contact: John M. Mendenhall, Federal Trade Commission, Cleveland Regional Office, Suite 500- Mall Building, 118 St. Clair Ave, Cleveland, Ohio 44114, 216 522-4207

RIN: 3084-AA24

3759. REVIEW OF CONTENT DISCLOSURE REQUIREMENTS FOR TEXTILE, WOOL, AND FUR PRODUCTS

Legal Authority: 15 USC 68b(d); 15 USC 70j; 15 USC 69f(b)

CFR Citation: 16 CFR 300, (Wool); 16 CFR 301, (Fur); 16 CFR 303, (Textile)

Abstract: The Wool Products Labeling Act of 1939 Requires all wool products to bear a label showing the percentage of wool, recycled wool, and non-wool fibers contained in the product and the name of the manufacturer or other distributor. The Textile Fiber Products Identification Act requires each household textile product to bear a label showing the percentage of each fiber contained in the product, using the appropriate generic name for the fiber, and the name of the manufacturer or distributor. Advertisements for textile products must also show the required information if any mention of fiber content is made. Both acts require disclosure of country of origin. The Fur Products Labeling Act requires that all furs and fur products be labeled, invoiced, and advertised to show the true name of the animal that produced the fur, whether the fur is used, dyed, or imported, and the name of the manufacturer or distributor. The three acts, as well as the Commission's rules implementing them, apply to manufacturers, distributors, and retailers of textile, wool, and fur products. (cont)

Timetable:

Action	Date	FR Cite
Begin Review	10/30/86	
NPRM -- Recordkeeping	03/00/88	
Final Action -- Recordkeeping	09/00/88	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: The Commission's staff has reviewed the information collection requirements contained in the several regulations under the three acts to determine whether the statutory objectives can be accomplished at a reduced public burden. As a result of this review, amendments to the rules' recordkeeping requirements will be proposed.

Agency Contact: James Mills, Federal Trade Commission, 202 326-3035

RIN: 3084-AA29

FEDERAL TRADE COMMISSION (FTC) Final Rule Stage

3760. OPHTHALMIC PRACTICE RULES

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 456, (Revision)

Abstract: In January, 1985, The Commission Published an NPRM seeking public comment on a proposed trade regulation rule that would have the effect of superseding certain state-imposed restrictions on the forms of practice and other business aspects of the delivery of eye care to consumers. The hearings have been completed and the reports required by the Commission's rules have been submitted. On February 10, 1988, the Commission voted to promulgate a trade regulation rule that would prohibit certain state restrictions on optometrists' commercial practices. The rule would remove four state restrictions, including those that ban optometrists from having offices in shopping centers. The Commission also voted to continue requiring eye doctors to give consumers their eyeglass prescriptions automatically. The recommended rule would also prohibit the following state restrictions: (1) limitations on the number of branch offices that optometrists may own or operate; (2) prohibitions on the practice of optometry in commercial locations, such as shopping malls; (3) prohibitions on employer-employee or other affiliations between optometrists and persons who are not (cont)

Timetable:

Action	Date	FR Cite
ANPRM	12/01/80	45 FR 79823
ANPRM Comment Period End	02/02/81	
NPRM	01/04/85	50 FR 598
NPRM Comment Period End	04/05/85	
Staff Report	11/17/86	51 FR 43217
Presiding Officer Report	11/26/86	51 FR 43217
Oral Presentations to the Commission	01/29/88	
Commission Decision to Issue Amended Rule	02/10/88	

Action	Date	FR Cite
Final Rule Published	05/00/88	
Final Rule Effective	11/00/88	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: optometrists; and (4) prohibitions on the use of trade names by optometrists. The Commission directed the staff to prepare final rule language and a statement of basis and purpose as soon as possible for final issuance.

Government Levels Affected: Local, State

Agency Contact: Renate Kinsheck, Federal Trade Commission, Division of Service Industry Practices, Bureau of Consumer Protection, Washington, DC 20580, **202 326-3287**

RIN: 3084-AA03

3761. PROPRIETARY VOCATIONAL AND HOME STUDY SCHOOLS

Legal Authority: 15 USC 45 Federal Trade Commission Act; 15 USC 57(a) Federal Trade Commission Act

CFR Citation: 16 CFR 438, (New)

Abstract: In 1979, the Second Circuit Court of Appeals set aside the rule as originally issued by the Commission, citing problems with some of the remedies that the rule provided to purchasers of proprietary vocational training. Late in 1987, the Staff forwarded recommendations as to how the Commission should respond to the Court's decision. Alternatives include terminating the rule or issuing a revised rule. Alternatives to rulemaking include case-by-case enforcement, and FTC intervention before other state and federal agencies having jurisdiction over vocational schools to prevent deceptive practices. The rule may benefit consumers by enabling them to avoid expenditures on inappropriate courses and increasing the effectiveness of the vocational school industry in training and placing people in productive jobs. The cooling-off, track record disclosures, and refund components of the rule variations under consideration would impose real social costs on schools covered (cont)

Timetable:

Action	Date	FR Cite
NPRM	08/15/74	39 FR 29385
Final Action previously published	12/18/78	43 FR 60796
Rule set aside & remanded by Court	12/13/79	
New Staff Recommendation published	07/10/81	46 FR 35668
Commission Consideration of Staff Recommendations	03/00/88	
Interim Final Rule	05/00/88	

Small Entity: Yes

Additional Information: ABSTRACT CONT: including administrative costs associated with processing and collecting and disseminating information. Price increases may result from these costs as well as the possibility of paying out increased refunds. The rule should be most costly to schools that use unfair or deceptive practices to induce students to enroll in their courses. Schools that do not use these practices may not incur significant cost increases. The rule seeks to deter deceptive sales practices by requiring schools to provide material information to prospective students, and to provide students with contractual remedies which they can use to protect themselves when necessary. Most of the 6,000 schools that would be affected by the rule are small businesses.

Agency Contact: Walter Gross, Federal Trade Commission, Division of Service Industry Practices, Bureau of Consumer Protection, Washington, DC 20580, **202 326-3319**

RIN: 3084-AA11

3762. RETAIL FOOD STORE ADVERTISING AND MARKETING PRACTICES

Legal Authority: 15 USC 41 et seq Federal Trade Commission Act

CFR Citation: 16 CFR 424

Abstract: The Commission's Rule on Retail Food Store Advertising and Marketing Practices states that it is a violation of Section 5 of the Federal Trade Commission Act for grocery stores to advertise products at a particular price unless such products are in stock and conspicuously and readily available for sale at the advertised price during the effective period of the advertisement. If a store runs out of advertised products, it is in violation of the rule even if the store noted the limitations on availability in its advertisement and even if the store provides rainchecks or substitute items. The rule is intended to benefit consumers by ensuring that advertised items are available, that advertising-induced purchasing trips are not fruitless, and that store prices accurately reflect the prices appearing in the ads. The rule may cause costs to be incurred in maintaining sufficient inventory to meet anticipated demand, and costs associated with the monitoring of price changes, changing marked prices, training employees to comply with the rule and keeping records to prove compliance. (cont)

Timetable:

Action	Date	FR Cite
Comment on Reg Flex Act Review	12/00/83	
ANPRM	12/10/84	49 FR 48059
ANPRM Comment Period End	02/08/85	
NPRM	10/24/85	50 FR 43224
NPRM Comment Period End	01/24/86	
Hearings End	04/02/86	
Rebuttal Period Ends	05/19/86	
Staff Report	12/17/86	
Presiding Officer Report	01/20/87	52 FR 2115
Comment Period on Reports	03/24/87	
Commission Consideration of Staff Recommendations	05/00/88	

Small Entity: Yes

Additional Information: ABSTRACT CONT: The rule may also discourage the advertising of certain kinds of products, such as perishables or goods that are available to the store only in limited supply. The staff concluded from a careful review of the rule's effects that the costs the rule imposes on consumers in the form of higher grocery prices significantly exceeds its benefits. Consequently, staff recommended that the rule be modified so that a store could comply with the

rule by clearly and adequately disclosing in its advertisements that there are limitations on availability, or by offering rainchecks or substitute items if supplies run out. The staff concluded that modifying the rule in this way will maintain any benefits it provides to consumers while substantially reducing its costs. The Commission published an NPRM in October, 1985. The hearings have been completed, and the Staff Report published. The staff has sent its recommendations to the Commission for its consideration.

Agency Contact: Walter Gross, Federal Trade Commission, Division of Service Industry Practices, Bureau of Consumer Protection, Washington, DC 20580, 202 326-3319

RIN: 3084-AA17

3763. APPLIANCE LABELING RULE -- ENERGY POLICY AND CONSERVATION ACT

Legal Authority: 42 USC 6294 National Energy Conservation Policy Act; PL 94-163 Energy Policy and Conservation Act, Sec 324, 1975

CFR Citation: 16 CFR 305

Abstract: The Energy Policy and Conservation Act (EPCA) required the Commission to consider labeling rules for the disclosure of energy information, based on standard test procedures prescribed by the Department of Energy, for at least 13 categories of major household appliances. The Commission adopted a labeling rule for seven appliance categories: (1) refrigerators and refrigerator- freezers; (2) freezers; (3) dishwashers; (4) clothes washers; (5) water heaters; (6) room air conditioners; and (7) furnaces. The Commission exempted five other categories of appliances. In 1987, the Commission amended the rule to include central air conditioners and heat pumps and to include two new types of furnace under the rule's coverage. (cont)

Timetable:

Action	Date	FR Cite
NPRM (Air Conditioners)	08/11/80	45 FR 53340
NPRM (Furnaces)	07/24/81	46 FR 38105
Begin Reg Flex Act Review	04/08/85	50 FR 13820
Final Action (Air Cond. & Furn.)	12/10/87	52 FR 46888
End Reg Flex Review	03/00/88	
NPRM (comprehensive review)	03/00/88	
Final Action (comprehensive review)	11/00/88	

Small Entity: Undetermined

Additional Information: ABSTRACT CONT:

Since the Commission's rule implements the statutory directives in EPCA, most of the costs imposed on industry members may not be attributable to the rule. The rule applies mainly to manufacturers of household appliances, but does impose some burdens on distributors and retailers. Some of these entities may be small businesses pursuant to Section 610 of the Regulatory Flexibility Act. Therefore, the Commission has reviewed the rule to determine whether it has had a significant economic impact on a substantial number of small entities and, if so, whether the rule should be amended. As a result of this review, several amendments will be proposed. These amendments would make the disclosure scheme more effective for consumers while reducing the paperwork burden estimate by some 5%.

Agency Contact: James Mills, Federal Trade Commission, Division of Enforcement, Bureau of Consumer Protection, Washington, DC 20580, 202 326-3035

RIN: 3084-AA26

[FR Doc. 88-6848 Filed 04-22-88; 8:45 am]

BILLING CODE 6750-01-T

federal register

Monday
April 25, 1988

Part LIII

Interstate Commerce Commission

Semiannual Regulatory Agenda

INTERSTATE COMMERCE COMMISSION (ICC)

INTERSTATE COMMERCE COMMISSION

49 CFR Ch. X

[Ex Parte No. 420 (Sub-No. 14)]

Semiannual Regulatory Agenda

AGENCY: Interstate Commerce Commission.

ACTION: Notice of semiannual regulatory agenda to be part of a Unified Agenda of Federal Regulations.

SUMMARY: Pursuant to OMB Bulletin No. 88-1, issued under section 6(b) of E.O. 12291 to implement the provisions of section 5 of the Executive Order concerning Regulatory Agendas, the Commission is publishing an agenda of (1) current and projected rulemakings, and (2) existing regulations being reviewed to determine whether to propose modifications through rulemaking. Listed below are the regulatory actions to be developed or reviewed during the next 12 months. Following each rule identified is a brief description of the rule including its purpose and legal basis.

FOR FURTHER INFORMATION CONTACT: A contact person is identified for each of the rules listed below.

SUPPLEMENTARY INFORMATION: A list of proceedings appears below containing information about subject areas in which the Commission is currently conducting rulemaking proceedings or may institute such proceedings in the near future. It also contains information about existing regulations being reviewed to determine whether to propose modifications through rulemaking.

The agenda also identifies regulations likely to have a significant economic impact on a substantial number of "small entities." Accordingly, this information will satisfy the requirements of section 602 of the Regulatory Flexibility Act, 5 U.S.C. 602.

Finally, this agenda will comprise part of a Unified Agenda of Federal Regulations compiled by the Office of Management and Budget which is to be published in a single issue of the **Federal Register** in April 1988. The purpose of the Unified Agenda is to provide the public with more comprehensive documentation of the Federal government's current regulatory plans, and to provide a systematic means of monitoring regulatory activity in each agency.

This notice is issued pursuant to 49 U.S.C. 10321 and 5 U.S.C. 553.

Decided: January 25, 1988.

By the Commission, Chairman Gradison, Vice Chairman Andre, Commissioners Sterrett, Lamboley, and Simmons.

Noreta R. McGee,

Secretary.

INTERSTATE COMMERCE COMMISSION (ICC) — Prerule Stage

3764. REVIEW OF CAR-HIRE REGULATION, EX PARTE NO. 334 (SUB-NO. 6)

Legal Authority: 49 USC 10321; 49 USC 10706; 49 USC 10734; 49 USC 11122; 5 USC 553

CFR Citation: 49 CFR 1033; 49 CFR 1036

Legal Deadline: None.

Abstract: The Commission is considering whether regulation of railroad car-hire charges (except charges for boxcars) should be retained, modified, or eliminated.

Timetable:

Action	Date	FR Cite
ANPRM	04/29/85	50 FR 16724
ANPRM Comment Period End	08/28/85	50 FR 27031
Supplemental Comment Period	02/07/86	50 FR 52972
Comments under Internal Review	00/00/00	

Small Entity: No

Additional Information: This proceeding embraces the proposals and record developed in Zone of Reasonableness for Car-Hire Charges, Ex Parte No. 334 (Sub-No. 5), RIN 3120-AA13. In a related proceeding, Ex Parte No. 334 (Sub-No. 7), Suspension of Car-Hire Updates, all further updates of car-hire charges have been suspended pending completion of Review of Car-Hire Regulation, Ex Parte No. 334 (Sub-No. 6). Notice of suspension appeared at 51 FR 263 on 01/03/86.

Agency Contact: Joseph H. Dettmar, Deputy Director, Rail Section, Interstate Commerce Commission, Room 2144, Washington, DC 20423, **202 275-7245**

RIN: 3120-AA13

3765. EXEMPTION OF DEMURRAGE FROM REGULATION, EX PARTE NO. 462

Significance: Agency Priority

Legal Authority: 49 USC 10505; 49 USC 10750; 49 USC 11121 to 11122; 5 USC 553

CFR Citation: 49 CFR 1033

Legal Deadline: None.

Abstract: The Commission is considering whether to exempt in whole or in part rail demurrage from regulation.

Timetable:

Action	Date	FR Cite
ANPRM	12/18/85	50 FR 51565
ANPRM Comment Period End	01/17/86	50 FR 51565
Extension of Public Comment Period	01/21/86	51 FR 2740
Comment Period End	03/18/86	51 FR 2740
Internal Review of Comments	00/00/00	

Small Entity: No

Agency Contact: Joseph H. Dettmar, Deputy Director, Rail Section, Interstate Commerce Commission, Room 2144, Washington, DC 20423, **202 275-7245**

RIN: 3120-AB35

3766. CLASS EXEMPTION FOR RAIL CONSTRUCTION, EX PARTE NO. 392 (SUB-NO. 3)

Significance: Agency Priority

Legal Authority: 49 USC 10321; 49 USC 10505; 49 USC 10901; 5 USC 553; 5 USC 559; 5 USC 704

CFR Citation: 49 CFR 1150.35

ICC — Prerule Stage

Legal Deadline: None.

Abstract: The Commission is considering whether to exempt from regulation all applications under 49 USC 10901 for construction and operation of new lines of railroad.

Timetable:

Action	Date	FR Cite
ANPRM	06/02/87	52 FR 20632
ANPRM Comment Period End	07/02/87	52 FR 20632
Comments under evaluation	00/00/00	

Small Entity: No

Agency Contact: Joseph H. Dettmar, Deputy Director, Rail Section, Interstate Commerce Commission, Room 2144, Washington, DC 20423, 202 275-7278

RIN: 3120-AB50

INTERSTATE COMMERCE COMMISSION (ICC) — Proposed Rule Stage

3767. ADOPTION OF UNIFORM RAIL COSTING SYSTEM FOR DETERMINING VARIABLE COST FOR JURISDICTIONAL THRESHOLD AND SURCHARGE PURPOSES (URCS), EX PARTE NO. 431

Significance: Agency Priority

Legal Authority: 49 USC 10705(a); 49 USC 10709

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: Develops new cost methodology applicable to the rail industry as mandated in the 1976 4-R Act and the 1980 Staggers Rail Act.

Timetable:

Action	Date	FR Cite
NPRM	01/31/83	48 FR 4562
NPRM Comment Period End	09/28/83	48 FR 25290
Decision to hold in abeyance until further notice	11/13/84	49 FR 45080
Draft notice of study being prepared	00/00/00	

Small Entity: Yes

Additional Information: Ex Parte No. 431 has been held in abeyance pending the development of cost accounting principles by the Railroad Accounting Principles Board. These principles were published on September 1, 1987, and included a recommendation that further research be performed into certain identified subject areas of the Uniform Railroad Costing System before the system is implemented. This is to be done within 18 months of the Board's report.

Agency Contact: William T. Bono, Chief, Section of Cost Development, Interstate Commerce Commission, 12th & Constitution Avenue, NW, Washington, DC 20423, 202 275-7354

RIN: 3120-AA63

3768. ELECTRONIC FILING OF TARIFFS, EX PARTE NO. 444

Legal Authority: 49 USC 10321; 49 USC 10762; 49 USC 10708; 49 USC 10761; 5 USC 553

CFR Citation: 49 CFR 1312

Legal Deadline: None.

Abstract: Commission regulations require filing of tariffs in printed form. Regulations proposed which will permit carriers to file tariffs electronically. Comments on proposed rules sought from interested parties.

Timetable:

Action	Date	FR Cite
ANPRM	03/08/83	48 FR 18861
ANPRM Comment Period End	06/22/83	
NPRM	10/22/87	52 FR 39549
NPRM Comment Period End	02/19/88	52 FR 39549
Replies to comment due	03/10/88	53 FR 5022
Comments under evaluation	00/00/00	

Small Entity: Undetermined

Agency Contact: Charles E. Langyher, III, Chief, Section of Tariffs, Interstate Commerce Commission, Bureau of Traffic, Washington, DC 20423, 202 275-7739

RIN: 3120-AA99

3769. RAIL GENERAL EXEMPTION AUTHORITY - MISCELLANEOUS PROCESSED AND MANUFACTURED COMMODITIES

Legal Authority: 49 USC 10505

CFR Citation: 49 CFR 1039

Legal Deadline: None.

Abstract: 49 USC 10505 requires that the Commission exempt from regulation the movement by rail of traffic for which it finds continued regulation no longer necessary to serve the Nation's transportation policy objectives and to protect shippers from abuse of market power by the railroads. In examining the transportation characteristics and markets of various commodities moving by rail, there appear to be many products for which sufficient competition exists among transportation alternatives so that regulation may no longer be necessary. Exemption of such commodities should provide increased rate and service flexibility for railroads to meet shippers' needs and to compete more effectively for the subject traffic. Anticipated benefits include lower rates and improved service, at a possible "cost" of increased price instability and competition to alternative transport firms.

Timetable:

Action	Date	FR Cite
NPRM	05/00/88	

Small Entity: Undetermined

Agency Contact: Robert Lundy, Economist, Interstate Commerce Commission, Washington, DC 20423, 202 275-6853

RIN: 3120-AB08

3770. PRACTICES OF MOTOR COMMON CARRIERS OF HOUSEHOLD GOODS (REVISION OF OPERATIONAL REGULATIONS), EX PARTE NO. MC-19 (SUB-NO. 36)

Legal Authority: 49 USC 11110

CFR Citation: 49 CFR 1056

Legal Deadline: None.

Abstract: This proceeding involves a plenary review of the household goods

regulations in which the Commission invites public comment and proposals which would minimize the regulatory burden on movers to the maximum extent consistent with the protection of individual shippers.

Timetable:

Action	Date	FR Cite
ANPRM	10/26/83	48 FR 49561
ANPRM Comment Period End	01/12/84	48 FR 49561
NPRM	06/00/88	
NPRM Comment Period End	07/00/88	

Small Entity: Yes

Agency Contact: Patricia M. Schulze, Transportation Industry Analyst, Interstate Commerce Commission, OCCA, Washington, DC 20423, 202 275-7841

RIN: 3120-AB17

3771. RATE GUIDELINES-NON-COAL PROCEEDINGS, EX PARTE NO. 347 (SUB NO. 2)

Significance: Agency Priority

Legal Authority: 49 USC 10301; 49 USC 10321; 49 USC 10326; 49 USC 10701a; 49 USC 10704; 49 USC 10707; 49 USC 11701; 5 USC 553

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: Proposal to adopt maximum rate reasonableness guidelines for captive non-coal commodities. Request for comments on alternative guidelines for small shippers including small coal shippers.

Timetable:

Action	Date	FR Cite
Notice of proposed policy stmt.	05/22/86	51 FR 18811
Notice of Intent to Participate due	06/02/86	
Comments due	07/21/86	
Begin Review	07/24/87	
End Review	09/30/87	
Comments under internal evaluation	04/00/88	

Small Entity: Undetermined

Agency Contact: Ronald S. Young, Director, Bureau of Accounts, Interstate Commerce Commission, 12th & Constitution Ave., NW, Washington, DC 20423, 202 275-7565

RIN: 3120-AB41

3772. CLASS EXEMPTION FOR THE CONSTRUCTION OF CONNECTING TRACKS UNDER 49 USC 10901, EX PARTE NO. 392 (SUB-NO. 2)

Significance: Agency Priority

Legal Authority: 5 USC 553; 49 USC 10321; 49 USC 10901; 49 USC 10505

CFR Citation: 49 CFR 1150

Legal Deadline: None.

Abstract: The Commission proposes to exempt from the prior approval requirements of 49 U.S.C. 10901, the construction of rail connecting tracks, except those construction projects that would result in a major market extension as defined at 49 CFR 1180.3(c).

Timetable:

Action	Date	FR Cite
NPRM	07/24/86	51 FR 26563
NPRM Comment Period End	08/25/86	
Internal review of comments	00/00/00	

Small Entity: No

Agency Contact: Joseph H. Dettmar, Deputy Director, Rail Section, Interstate Commerce Commission, Washington, DC 20423, 202 275-7245

RIN: 3120-AB43

3773. COST RATIO FOR RECYCLABLES - COMPLIANCE PROCEDURES, EX PARTE NO. 394 (SUB-NO. 3)

Significance: Agency Priority

Legal Authority: 49 USC 10321; 49 USC 10731; 5 USC 553

CFR Citation: 49 CFR 1134; 49 CFR 1135; 49 CFR 1145

Legal Deadline: None.

Abstract: The Commission is proposing rules that will establish procedures by which the Commission annually will (a) announce the revenue-to-variable cost ratio required by 49 USC 10731(e) to apply for the following calendar year; (b) monitor and take necessary action to ensure continued compliance by the railroads with 49 USC 10731(e); and (c) prohibit further rate increases, including those authorized under 49 USC 10707a(a)-(d), on recyclables having revenue/variable cost ratios in excess of the statutory cap level until such rates fall to below the cap level or the statutory cap level increases by Commission order.

Timetable:

Action	Date	FR Cite
ANPRM	06/16/86	51 FR 21780
Extension of time for filing comments on ANPRM; new date: 10/15/86	08/12/86	51 FR 28847
ANPRM Comment Period End	09/15/86	51 FR 21780
NPRM	04/23/87	52 FR 13482
NPRM Comment Period End	07/22/87	52 FR 13482
Comments under evaluation	00/00/00	

Small Entity: No

Agency Contact: Joseph H. Dettmar, Deputy Director, Rail Section, Interstate Commerce Commission, Room 2144, Washington, DC 20423, 202 275-7245

RIN: 3120-AB47

3774. ● ENVIRONMENTAL DOCUMENTATION IN RAIL PROCEEDINGS, EX PARTE NO. 55 (SUB-NO. 22A)

Significance: Agency Priority

Legal Authority: 49 USC 10321; 49 USC 10505; 49 USC 10903 to 10906; 16 USC 1247(d); 42 USC 4332; 5 USC 553; 5 USC 559

CFR Citation: 49 CFR 1105

Legal Deadline: None.

Abstract: The Commission is considering whether to modify its procedures to increase certain environmental notice periods and the information included in those notices. The modifications would also require service of environmental notices on designated parties, would substitute a revamped environmental notice for the former report requirement, and would reclassify some categories of actions for which environmental analyses are required.

Timetable:

Action	Date	FR Cite
NPRM	00/00/00	

Small Entity: No

Agency Contact: Joseph H. Dettmar, Deputy Director, Rail Section, Interstate

ICC

Proposed Rule Stage

Commerce Commission, Room 2144, Washington, DC 20423, **202 275-7245**

RIN: 3120-AB53

INTERSTATE COMMERCE COMMISSION (ICC)

Final Rule Stage

3775. REVISION OF ACCOUNTING AND REPORTING REQUIREMENTS FOR MOTOR CARRIERS OF PROPERTY, DOCKET NO. 38904

Significance: Agency Priority

Legal Authority: 49 USC 11142

CFR Citation: 49 CFR 1207; 49 CFR 1249

Legal Deadline: None.

Abstract: This rule would eliminate all the Commission's accounting and reporting rules for Class I and II common and contract motor carriers of property.

Timetable:

Action	Date	FR Cite
NPRM	02/21/85	50 FR 7201
NPRM Comment Period End	04/08/85	
Final Action	03/31/87	52 FR 10382
Final Action Stayed	05/01/87	
Action on Petition for Reconsideration	05/00/88	

Small Entity: No

Additional Information: Petitions filed on 38904 granted by the Commission; Decision decided May 1, 1987, stayed pending administrative review.

Agency Contact: Andrew J. Lee, Assistant Chief, Interstate Commerce Commission, Section of Accounting and Reporting, 12th & Constitution Avenue, NW, Washington, DC 20423, **202 275-7510**

RIN: 3120-AA84

INTERSTATE COMMERCE COMMISSION (ICC)

Completed Actions

3776. TRANSFERS OF OPERATING RIGHTS, EX PARTE NO. MC-111 (SUB-NO. 1)

Significance: Agency Priority

CFR Citation: 49 CFR 1045.11; 49 CFR 1132; 49 CFR 1133; 49 CFR 1141; 49 CFR 1151

Completed:

Reason	Date	FR Cite
Final Action	02/18/88	53 FR 4851
Final Action Effective	03/02/88	

Small Entity: Yes

Agency Contact: Paul Schach 202 275-7977

RIN: 3120-AA81

3777. ● CLASS EXEMPTION FOR THE ACQUISITION AND OPERATION OF RAIL LINES UNDER 49 U.S.C. 10901, EX PARTE NO. 392 (SUB-NO. 1)

Significance: Agency Priority

Legal Authority: 49 USC 10321; 49 USC 10505; 49 USC 10901; 5 USC 553

CFR Citation: 49 CFR 1150.32 to 1150. 34

Legal Deadline: None.

Abstract: The Commission is considering modifying its class exemption procedures for acquisitions and operations under 49 U.S.C. 10901. Concern has been expressed that these procedures may not provide adequate notice and opportunity to comment under some circumstances. The Commission is requesting comments on whether to expand the 7-day effective date for notices of exemptions to 30 days and whether to expand the amount of information required to be submitted with the notice.

Timetable:

Action	Date	FR Cite
NPRM	10/06/87	52 FR 37350
NPRM Comment Period End	12/07/87	52 FR 42466
Interim Final Rule	02/17/88	53 FR 4625
Final Action	02/29/88	52 FR 5981

Small Entity: No

Agency Contact: Joseph H. Dettmar, Deputy Director, Rail Section, Interstate Commerce Commission, Room 2144, Washington, DC 20423, **202 275-7245**

RIN: 3120-AB38

3778. EXEMPTION OF RAIL LINE ABANDONMENTS OR DISCONTINUANCES; OFFERS OF FINANCIAL ASSISTANCE, EX PARTE NO. 274 (SUB-NO. 16)

Significance: Agency Priority

CFR Citation: 49 CFR 1152.27; 49 CFR 1152.50; 49 CFR 1011.2; 49 CFR 1011.8; 49 CFR 1152.25

Completed:

Reason	Date	FR Cite
Final Action	12/22/87	52 FR 48440
Final Action Effective	01/21/88	52 FR 48440

Small Entity: No

Agency Contact: Joseph H. Dettmar 202 275-7245

RIN: 3120-AB49

3779. REVISION OF TARIFF REGULATIONS; COMPUTER DETERMINATION OF MILEAGES, NO. 37321 (SUB-NO. 1)

CFR Citation: 49 CFR 1312

Completed:

Reason	Date	FR Cite
Final Action Notice of final rule.	10/22/87	52 FR 39536

ICC

Completed Actions

Reason	Date	FR Cite
Final Action Effective	11/21/87	52 FR 39536

Small Entity: No

Agency Contact: Lawrence Herzig 202 275-6887

RIN: 3120-AB51

[FR Doc. 88-5111 Filed 04-22-88; 8:45 am]

BILLING CODE 7035-01-T

federal register

Monday
April 25, 1988

Part LIV

National Credit Union Administration

Semiannual Regulatory Agenda

NATIONAL CREDIT UNION ADMINISTRATION (NCUA)

NATIONAL CREDIT UNION ADMINISTRATION

12 CFR Ch. VII

Semiannual Agenda of Regulations

AGENCY: National Credit Union Administration (NCUA).

ACTION: Semiannual agenda of regulations.

SUMMARY: Pursuant to its ongoing policy of reviewing regulations, NCUA is publishing a list of current and projected rulemaking, reviews of existing regulations, and completed actions as of January 31, 1988. NCUA will also include this agenda in the "Unified Agenda of Federal Regulations."

DATE: This information is current as of January 31, 1988.

ADDRESS: National Credit Union Administration, 1776 G Street, NW., Washington, DC 20456.

FOR FURTHER INFORMATION CONTACT: On a particular regulation, contact the person(s) named in the listing for that regulation at the above address.

SUPPLEMENTARY INFORMATION: The purpose of this agenda is to enable credit unions and the public to follow regulatory development and review at NCUA and to enable interested parties to more effectively participate in that process. The agenda is divided into three parts: (1) Actions completed since the last agenda; (2) actions proposed but not completed; and (3) actions planned but not yet proposed to the NCUA Board. Interpretive Rulings and Policy Statements (IRPS) and Guidelines promulgated by NCUA are also included in the agenda.

The agenda is published pursuant to NCUA Interpretive Ruling and Policy Statement IRPS 87-2 ("Developing and Reviewing Government Regulations") (52 FR 35231). The Regulatory Flexibility Act (5 U.S.C. 601, *et seq.*) does not require independent executive agencies such as NCUA to publish their agenda, but NCUA has voluntarily decided to do so by including this agenda in the Office of Management and Budget's next publication of its "Unified Agenda of Federal Regulations."

Approved by the NCUA Board this 10th day of February, 1988.

Becky Baker,

Secretary of the Board.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3780	Reserves	3133-AA12
3781	Nondiscrimination Requirements	3133-AA17
3782	Refund of Interest	3133-AA36
3783	Definitions	3133-AA47
3784	Loan Participation	3133-AA49
3785	Purchase, Sale and Pledge of Eligible Obligations	3133-AA50
3786	Federal Credit Unions Acting as Depositories and Financial Agents of the Government	3133-AA53
3787	Records Preservation Programs	3133-AA56
3788	Liquidations	3133-AA65
3789	Corporate Credit Unions	3133-AA68
3790	Fidelity Bond and Insurance Coverage for Federal Credit Unions	3133-AA79
3791	Share, Share Draft and Share Certificate Accounts	3133-AA82
3792	Liquidation Priorities and Adjudication of Claims	3133-AA84
3793	Investment and Deposit Activities	3133-AA87
3794	Regulations Required by the Competitive Equality Banking Act of 1987 ("CEBA")	3133-AA88
3795	Federal Credit Union Field of Membership and Chartering Policy	3133-AA89

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3796	Rules of Board Procedure	3133-AA39
3797	Operational Procedures for Share Draft Programs; Federally Insured State Chartered Credit Unions	3133-AA42
3798	Other Applications	3133-AA44
3799	Compensation of Officials	3133-AA51
3800	Employee Responsibility and Conduct	3133-AA64
3801	Mortgage-Backed Obligations	3133-AA73

NCUA

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3802	Establishment of a Cash Fund	3133-AA34
3803	Community Development Revolving Loan Program for Credit Unions	3133-AA37
3804	Financial and Statistical and Other Reports	3133-AA48
3805	Borrowed Funds From Natural Persons	3133-AA54
3806	Proposed IRPS 87-1 -- Request for Comments on Proposed Guidelines Regarding Bank Bribery Law	3133-AA77
3807	Conflict of Interest Provisions	3133-AA81
3808	Interpretive Ruling and Policy Statement 87-2 -- Developing and Reviewing Government Regulations	3133-AA83
3809	Description of Office, Disclosure of Official Records -- Availability of Information, Promulgation of Regulations	3133-AA85
3810	Credit Practices	3133-AA86

NATIONAL CREDIT UNION ADMINISTRATION (NCUA) — Prerule Stage

3780. RESERVES

Legal Authority: 12 USC 1762; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 702.1; 12 CFR 702.2

Legal Deadline: None.

Abstract: NCUA has asked for suggestions from the public on whether assets other than loans--primarily investments--should be provided for in reserves. No decision has been made on amending the regulations in this regard.

Timetable:

Action	Date	FR Cite
ANPRM	10/19/87	52 FR 38771
ANPRM Comment Period End	02/05/88	
Review of comments Summary of comments presented to NCUA Board	06/00/88	

Small Entity: No

Additional Information: ADDITIONAL AGENCY CONTACT: Michael Riley, Director, Office of Examination and Insurance, (202) 357-1065.

Agency Contact: Robert Fenner, General Counsel, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA12

3781. NONDISCRIMINATION REQUIREMENTS

Legal Authority: 12 USC 1757; 12 USC 1759; 12 USC 1766; 12 USC 1786; 12 USC 1789; 24 USC 3601 to 3610; 24 USC 1981; 15 USC 1601 et seq

CFR Citation: 12 CFR 701.31

Legal Deadline: None.

Abstract: This regulation sets forth prohibitions against discrimination by Federal credit unions in making real estate related loans and appraisals. The regulation also sets forth guidelines for compliance with the Fair Housing Act and court decisions rendered thereunder.

Timetable:

Action	Date	FR Cite
Proposal to NCUA Board Staff plans to present a proposal by September 1988	09/00/88	

Small Entity: No

Agency Contact: Hattie M. Ulan, Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA17

3782. REFUND OF INTEREST

Legal Authority: 12 USC 1766(a); 12 USC 1761b(9)

CFR Citation: 12 CFR 701.24

Legal Deadline: None.

Abstract: This Section provides the framework on FCU's making interest payment refunds to members who paid interest on loans during a dividend period. The NCUA Board has proposed simplifying and clarifying it.

Timetable:

Action	Date	FR Cite
NPRM Comment Period End	02/08/87	
NPRM	12/09/87	52 FR 46601
Summary to NCUA Board Staff will present summary of comments by June 1988	06/00/88	

Small Entity: No

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA36

3783. DEFINITIONS

Legal Authority: 12 USC 1752(5); 12 USC 1757(6); 12 USC 1766(a)

CFR Citation: 12 CFR 700.1

Legal Deadline: None.

Abstract: This Section sets forth basic definitions applicable in all NCUA regulations. The definitions will be reviewed for need, accuracy and clarity.

NCUA

Prerule Stage

Timetable:

Action	Date	FR Cite
Staff Review Proposal will be presented to the NCUA Board by Sept. 1988	09/00/88	

Small Entity: No

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA47

3784. LOAN PARTICIPATION

Legal Authority: 12 USC 1757; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 701.22

Legal Deadline: None.

Abstract: This Section sets forth definitions and requirements for Federal credit unions wishing to participate in making loans with other credit unions, credit organizations, or financial organizations. The regulation will be reviewed to determine if the power can be expanded and simplified.

Timetable:

Action	Date	FR Cite
Staff review Staff plans to present a proposal to the Board by June 1988	05/00/88	

Small Entity: No

Agency Contact: Roy DeLoach, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA49

3785. PURCHASE, SALE AND PLEDGE OF ELIGIBLE OBLIGATIONS

Legal Authority: 12 USC 1757; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 701.23

Legal Deadline: None.

Abstract: This Section sets forth definitions and requirements for Federal credit unions that wish to purchase, sell, or pledge a loan or group of loans. The Section will be reviewed to determine whether it is needed, and whether it can be simplified.

Timetable:

Action	Date	FR Cite
Staff review Review continues. Proposal to the NCUA Board by September 1988	09/00/88	

Small Entity: No

Agency Contact: Roy DeLoach, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA50

3786. FEDERAL CREDIT UNIONS ACTING AS DEPOSITORIES AND FINANCIAL AGENTS OF THE GOVERNMENT

Legal Authority: 12 USC 1757; 12 USC 1766; 12 USC 1767; 12 USC 1787; 12 USC 1789

CFR Citation: 12 CFR 701.37-2

Legal Deadline: None.

Abstract: This Section sets out the authority for and requirements of federally-insured credit unions when they serve as depositories and financial agents of the United States Government. It also lists the functions credit unions may perform in this capacity.

Timetable:

Action	Date	FR Cite
Proposal to NCUA Board -- staff plans to present a proposal by September 1988	09/00/88	

Next Action Undetermined

Small Entity: No

Agency Contact: Julie Tamuleviz, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA53

3787. RECORDS PRESERVATION PROGRAMS

Legal Authority: 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 749

Legal Deadline: None.

Abstract: This Part mandates that Federal credit unions maintain a records preservation program. It sets forth program implementation procedures and also lists what records must be stored. Staff is reviewing this Part to determine whether it can be deleted, updated, or simplified.

Timetable:

Action	Date	FR Cite
Staff review -- a proposal will be presented to the Board by September 1988	09/00/88	

Small Entity: No

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA56

3788. LIQUIDATIONS

Legal Authority: 12 USC 1766(a); 12 USC 1786; 12 USC 1789

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: The present Involuntary Liquidation Manual is outdated. A new draft Involuntary Liquidation Manual has been written and is being circulated for comments within the Agency.

Timetable:

Action	Date	FR Cite
Staff review Review continues; a prop. to NCUA Board is expected in 1988	09/00/88	

Small Entity: No

Agency Contact: Timothy Hornbrook/Allan Meltzer, Director of Risk Management/Assistant General Counsel, National Credit Union Administration, Office of Examination

and Insurance, 1776 G Street, NW, Washington, DC 20456, **202 357-1065**

RIN: 3133-AA65

3789. CORPORATE CREDIT UNIONS

Legal Authority: 12 USC 1762; 12 USC 1766(a); 12 USC 1781; 12 USC 1789

CFR Citation: 12 CFR 704

Legal Deadline: None.

Abstract: A task force has undertaken a comprehensive review of NCUA's role in the corporate credit union system.

Timetable:

Action	Date	FR Cite
Staff review Review continues	06/00/88	

Small Entity: No

Agency Contact: D. Michael Riley or Nicholas Veghts, Office of Examination and Insurance, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, **202 357-1065**

RIN: 3133-AA68

3790. FIDELITY BOND AND INSURANCE COVERAGE FOR FEDERAL CREDIT UNIONS

Legal Authority: 12 USC 1761a; 12 USC 1761b; 12 USC 1766(s); 12 USC 1766(h); 12 USC 1789(A)(11)

CFR Citation: 12 CFR 701.20

Legal Deadline: None.

Abstract: NCUA is proposing to revise and update 12 C.F.R. 701.20, and to conform the Section to provisions of the Competitive Equality Banking Act of 1987.

Timetable:

Action	Date	FR Cite
NPRM	11/12/87	52 FR 43340
NPRM Comment Period End	01/08/88	52 FR 43340
Proposal to NCUA Board -- Staff plans to present a proposal by June 1988	06/00/88	

Small Entity: No

Agency Contact: Allan Meltzer, Assistant General Counsel, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, **202 357-1030**

RIN: 3133-AA79

3791. ● SHARE, SHARE DRAFT AND SHARE CERTIFICATE ACCOUNTS

Legal Authority: 12 USC 1752; 12 USC 1757; 12 USC 1759; 12 USC 1766; 12 USC 1782; 12 USC 1789

CFR Citation: 12 CFR 701.35

Legal Deadline: None.

Abstract: An FCU's payment of dividends on share, share draft and share certificate accounts is limited to available earnings and cannot be guaranteed in advance. In light of problems which NCUA has encountered with certain liquidated credit unions, staff is considering recommending to the Board that a statement to this effect be included in NCUA's share account regulations.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Roy DeLoach, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, **202 357-1030**

RIN: 3133-AA82

3792. ● LIQUIDATION PRIORITIES AND ADJUDICATION OF CLAIMS

Legal Authority: 12 USC 1787

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: Staff is studying two liquidation issues: priority of payout and the administrative procedure for adjudicating creditor claims.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Allan Meltzer, Assistant General Counsel, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, **202 357-1030**

RIN: 3133-AA84

3793. ● INVESTMENT . . D DEPOSIT ACTIVITIES

Legal Authority: 12 USC 1757; 12 USC 1766

CFR Citation: 12 CFR 703

Legal Deadline: None.

Abstract: NCUA staff is undertaking a comprehensive review of FCU investment authority in light of changes in the marketplace, e.g., increased availability of mutual funds geared primarily toward FCU's new instruments based on permissible FCU investments, new investment structures, statutory expansions of FCU investment authority.

Timetable:

Action	Date	FR Cite
Staff Review -- Staff plans to present a prop. to the Board by Sept. 1988	09/00/88	

Small Entity: No

Agency Contact: Timothy McCollum, Assistant General Counsel, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, **202 357-1030**

RIN: 3133-AA87

3794. ● REGULATIONS REQUIRED BY THE COMPETITIVE EQUALITY BANKING ACT OF 1987 ("CEBA")

Legal Authority: 12 USC 1766(a); PL 100-86

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: CEBA amended the Federal Credit Union Act in numerous ways which will require implementing or conforming amendments; permitting second mortgage and home improvement loans in excess of 15 years; permitting FCU's to pledge assets to secure deposits made by public units; clarifying NCUA's prohibition and removal providing guidance on use of conservatorship authority.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Timothy P. McCollum, Assistant General Counsel, National Credit Union Administration,

NCUA — **Prerule Stage**

Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA88

3795. ● FEDERAL CREDIT UNION FIELD OF MEMBERSHIP AND CHARTERING POLICY

Legal Authority: 12 USC 1752; 12 USC 1753

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: The NCUA Board is conducting a comprehensive review of its policies on chartering new Federal credit unions and amendments to the charters of existing Federal credit unions, so as to ensure NCUA policy is implemented fairly and consistently.

Timetable:

Action	Date	FR Cite
Begin Review	08/29/87	52 FR 36429

Next Action Undetermined

Small Entity: No

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA89

NATIONAL CREDIT UNION ADMINISTRATION (NCUA) — Proposed Rule Stage

3796. RULES OF BOARD PROCEDURE

Legal Authority: 12 USC 1752a(d)

CFR Citation: 12 CFR 791

Legal Deadline: None.

Abstract: This regulation sets forth the rules of procedure governing how the NCUA Board will conduct its business. Staff has been studying ways to clarify and simplify these procedures.

Timetable:

Action	Date	FR Cite
NPRM	02/19/88	53 FR 4996
NPRM Comment Period End	05/09/88	
Proposal to NCUA Board -- Staff plans to present a proposal by June 1988	06/00/88	

Small Entity: No

Agency Contact: Rosemary Brady, Assistant Executive Director, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1100

RIN: 3133-AA39

3797. OPERATIONAL PROCEDURES FOR SHARE DRAFT PROGRAMS; FEDERALLY INSURED STATE CHARTERED CREDIT UNIONS

Legal Authority: 12 USC 1766(a); 12 USC 1785(f)(1)

CFR Citation: 12 CFR 761

Legal Deadline: None.

Abstract: The Part provides the framework for federally-insured state-chartered credit unions' offering share draft accounts. It may be unnecessary.

Timetable:

Action	Date	FR Cite
NPRM	02/10/88	
NPRM Comment Period End	05/09/88	
Proposal to NCUA Board Staff will present a proposal by May 1988	05/00/88	

Small Entity: No

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA42

3798. OTHER APPLICATIONS

Legal Authority: 12 USC 1766(a)

CFR Citation: 12 CFR 701.5

Legal Deadline: None.

Abstract: This Section specifies the manner in which applications, requests, or submittals to NCUA, not addressed in other sections of the NCUA Regulations, are to be presented to the Agency. NCUA has proposed to repeal 12 C.F.R. 701.5 as unnecessary.

Timetable:

Action	Date	FR Cite
NPRM	12/11/87	52 FR 47014
NPRM Comment Period End	02/09/88	52 FR 47014
Proposal to NCUA Board Staff will present a proposal by June 1988.	06/09/88	

Small Entity: No

Agency Contact: Julie Tamuleviz, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA44

3799. COMPENSATION OF OFFICIALS

Legal Authority: 12 USC 1761; 12 USC 1761a; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 701.33

Legal Deadline: None.

Abstract: Staff is studying ways to minimize FCU officials having to suffer loss or risk law suit as a result of serving in that capacity.

Timetable:

Action	Date	FR Cite
NPRM	02/10/88	
NPRM Comment Period End	05/09/88	
Proposal to the NCUA Board Staff plans to present a proposal to the Board by May 1988	05/00/88	

Small Entity: No

Agency Contact: Roy DeLoach, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA51

NCUA

Proposed Rule Stage

3800. EMPLOYEE RESPONSIBILITY AND CONDUCT

Legal Authority: EO 11222; 5 CFR 735.104; 12 USC 1766

CFR Citation: 12 CFR 792

Legal Deadline: None.

Abstract: The primary purpose of this change would be to collect in one place the rules governing NCUA employees. Legal and regulatory requirements concerning NCUA employee ethics are currently found in Part 792 of the NCUA Regulations, the NCUA Examiner's Guide, the Office of Personnel Management's Regulations, and various Federal statutes. This rule would not affect credit unions.

Timetable:

Action	Date	FR Cite
NPRM	10/20/87	52 FR 38926
NPRM Comment Period End	12/21/87	52 FR 38926
Proposal to the NCUA Board Staff will present a proposal by June 1988	06/00/88	

Small Entity: No

Additional Information: Additional Agency Contact: Rosemary Brady, Assistant Executive Director, Office of the Board (202) 357-1100.

Agency Contact: James J. Engel, Deputy General Counsel, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA64

3801. MORTGAGE-BACKED OBLIGATIONS

Legal Authority: 12 USC 1757(15); 12 USC 1766; 12 USC 1789

CFR Citation: Not applicable

Legal Deadline: None.

Abstract: Pursuant to Section 107(15) of the FCU Act (12 USC 1757(15)), the NCUA Board is considering establishing implementing guidelines for FCU investment in mortgage-backed and mortgage-related obligations.

Timetable:

Action	Date	FR Cite
ANPRM	07/27/87	52 FR 27994
NPRM	07/27/87	52 FR 27994
NPRM Comment Period End	09/18/87	52 FR 27994
Proposal to NCUA Board Staff plans to present a proposal by May 1988	05/00/88	

Small Entity: No

Additional Information: Additional contact: Steven R. Bisker, Assistant General Counsel, telephone (202) 357-1030.

Agency Contact: D. Michael Riley, Director, Office of Examination and Insurance, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1065

RIN: 3133-AA73

NATIONAL CREDIT UNION ADMINISTRATION (NCUA)

Completed Actions

3802. ESTABLISHMENT OF A CASH FUND

Legal Authority: 12 USC 1757(12)

CFR Citation: 12 CFR 701.10

Legal Deadline: None.

Abstract: This section sets forth FCU authority for cashing checks and money orders. NCUA has proposed to repeal Section 701.10 as unnecessary and to amend Section 748.0(b) to include the crime of embezzlement.

Timetable:

Action	Date	FR Cite
NPRM	11/12/87	52 FR 43342
NPRM Comment Period End	01/11/88	
Final Action Effective	02/10/88	
Final Action	02/18/88	53 FR 4844

Small Entity: No

Agency Contact: Roy DeLoach, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA34

3803. COMMUNITY DEVELOPMENT REVOLVING LOAN PROGRAM FOR CREDIT UNIONS

Legal Authority: 12 USC 1766; 42 USC 9822 (note); 12 USC 1759; 12 USC 1766(f); 42 USC 2981; 42 USC 2985(e)

CFR Citation: 12 CFR 705

Legal Deadline: None.

Abstract: This Part was required by a statutory transfer of this program to NCUA from the Department of Health and Human Services.

Timetable:

Action	Date	FR Cite
NPRM	04/09/87	52 FR 12427
NPRM Comment Period End	06/19/87	52 FR 12427
Final Action	09/16/87	52 FR 34891
Final Action Effective	09/16/87	52 FR 34891

Small Entity: No

Additional Information: Anticipate final rule by October 1, 1987.

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA37

3804. FINANCIAL AND STATISTICAL AND OTHER REPORTS

Legal Authority: 12 USC 1756; 12 USC 1766; 12 USC 1782; 12 USC 1789

CFR Citation: 12 CFR 701.13

Legal Deadline: None.

Abstract: The NCUA Board repealed this rule, which required Federal credit unions to file semiannual call reports and any other reports required by the NCUA. These same requirements are presently found in 741.10 of NCUA regulations.

Timetable:

Action	Date	FR Cite
Final Action	11/12/87	52 FR 43318
Final Action Effective	11/12/87	52 FR 43318

Small Entity: No

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA48

3805. BORROWED FUNDS FROM NATURAL PERSONS

Legal Authority: 12 USC 1757; 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 701.38

Legal Deadline: None.

Abstract: The NCUA Board reviewed this regulation and determined that no change was needed.

Timetable:

Action	Date	FR Cite
Final Action	12/09/87	52 FR 46385
Final Action Effective	12/09/87	52 FR 46385

Small Entity: No

Agency Contact: Julie Tamuleviz, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA54

3806. PROPOSED IRPS 87-1 -- REQUEST FOR COMMENTS ON PROPOSED GUIDELINES REGARDING BANK BRIBERY LAW

Legal Authority: 18 USC 215

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: The Bank Bribery Amendments Act of 1985 requires that Federal agencies with responsibility for regulating financial institutions establish joint guidelines to assist financial institution officials in complying with the law. The final IRPS is a modified version of the guidelines developed by the Interagency Bank Fraud Group.

Timetable:

Action	Date	FR Cite
Final guidelines are expected by	09/30/87	52 FR 23089
Final Action	10/14/87	52 FR 38821
Final Action Effective	10/14/87	52 FR 38821

Small Entity: No

Agency Contact: John K. Ianno, Staff Attorney, Office of General Counsel, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA77

3807. CONFLICT OF INTEREST PROVISIONS

Legal Authority: 12 USC 1766; 12 USC 1789

CFR Citation: 12 CFR 701.27; 12 CFR 701.38; 12 CFR 703.4; 12 CFR 721.2

Legal Deadline: None.

Abstract: This amendment was primarily designed to make the definition of the term "immediate family members" identical wherever it appears in NCUA's Rules and Regulations. The amendment also added a new clarifying definition, "senior management employee," to NCUA regulations.

Timetable:

Action	Date	FR Cite
NPRM	07/29/87	52 FR 28274
NPRM Comment Period End	09/21/87	
Final Action	11/13/87	52 FR 43568
Final Action Effective	11/13/87	52 FR 43568

Small Entity: No

Agency Contact: James J. Engel, Deputy General Counsel, National Credit Union Administration, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA81

3808. ● INTERPRETIVE RULING AND POLICY STATEMENT 87-2 -- DEVELOPING AND REVIEWING GOVERNMENT REGULATIONS

CFR Citation: 00 CFR None

Legal Deadline: None.

Abstract: This policy statement sets forth NCUA's procedures for developing and reviewing regulations. These procedures are intended to insure compliance with the Regulatory Flexibility Act of 1980 and the Paperwork Reduction Act of 1980, and reflect the NCUA Board's policy of minimizing the regulatory burden on FCU's. IRPS 87-2 supersedes IRPS 81-4.

Timetable:

Action	Date	FR Cite
Final Action	08/18/87	52 FR 35231

Small Entity: No

Agency Contact: Julie Tamuleviz, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA83

3809. ● DESCRIPTION OF OFFICE, DISCLOSURE OF OFFICIAL RECORDS -- AVAILABILITY OF INFORMATION, PROMULGATION OF REGULATIONS

Legal Authority: 12 USC 1766; 12 USC 1789; 5 USC 552

CFR Citation: 12 CFR 790

Legal Deadline: None.

Abstract: These amendments were required by recent amendments to the Freedom of Information Act concerning Exemption 7 of the FOIA (relating to law enforcement records), and the provisions of the FOIA concerning fees and fee waivers.

Timetable:

Action	Date	FR Cite
Final Action	07/27/87	52 FR 27985

Small Entity: No

Agency Contact: Hattie M. Ulan, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, 202 357-1030

RIN: 3133-AA85

3810. ● CREDIT PRACTICES

Legal Authority: 15 USC 57a(f)

CFR Citation: 12 CFR 706

Legal Deadline: None.

Abstract: The Credit Practices Rule was necessary because the Competitive Equality Banking Act of 1987, Pub. L. 100-86, amended the Trade Commission Act to transfer to NCUA from the Federal Trade Commission the power to

declare activities of FCU's unfair or deceptive trade practices. Part 706 is substantially similar to the Federal Trade Commission's rule, 16 C.F.R. 444, which Federal credit unions have complied with since 1985.

Timetable:

Action	Date	FR Cite
Final Action	12/09/87	52 FR 46385

Small Entity: Undetermined

Agency Contact: **Julie Tamuleviz**, Staff Attorney, National Credit Union Administration, Office of General Counsel, 1776 G Street, NW, Washington, DC 20456, **202 357-1030**

RIN: 3133-AA86

[FR Doc. 88-5112 Filed 04-22-88; 8:45 am]

BILLING CODE 7535-01-T

federal register

Monday
April 25, 1988

Part LV

Nuclear Regulatory Commission

Semiannual Regulatory Agenda

NUCLEAR REGULATORY COMMISSION (NRC)

NUCLEAR REGULATORY COMMISSION

10 CFR Ch. I

Regulatory Agenda

AGENCY: Nuclear Regulatory Commission.

ACTION: Semiannual publication of NRC regulatory agenda.

SUMMARY: The Nuclear Regulatory Commission (NRC) is publishing its semiannual Regulatory Agenda in accordance with Pub. L. 96-354, "the Regulatory Flexibility Act," and Executive Order 12291, "Federal Regulations." The agenda is a compilation of all rules on which the NRC has recently completed action or has proposed, or is considering action. This issuance updates any action occurring on rules since publication of the last semiannual agenda on October 26, 1987.

ADDRESSES: Comments on any rule in the agenda may be sent to the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Docketing and Service Branch. Comments may also be hand delivered to Room 1131, 1717 H Street, NW., Washington, DC, between 7:30 a.m. and 4:15 p.m. Comments received on rules for which the comment period has closed will be considered if it is practical to do so, but assurance of consideration cannot be given except as to comments received on or before the closure dates specified in the agenda.

The agenda and any comments received on any rule listed in the agenda are available for public inspection, and copying at a cost of six cents per page, at the Nuclear Regulatory Commission's Public Document Room, 1717 H Street, NW., Washington, DC 20555.

FOR FURTHER INFORMATION CONTACT: For further information concerning NRC rulemaking procedures or the status of any rule listed in this agenda, contact David L. Meyer, Chief, Rules and Procedures Branch, Division of Rules and Records, Office of Administration and Resources Management, U.S. Nuclear Regulatory Commission, Washington, DC 20555, Telephone (301) 492-7086. Persons outside the Washington, DC metropolitan area may call toll-free: (800) 368-5642. For further information on the substantive content of any rule listed in the agenda, contact the individual listed under the heading "Agency Contact" for that rule.

SUPPLEMENTARY INFORMATION: Although publication of the agenda is only required semiannually in April and October, the NRC has chosen to update and publish its agenda each quarter. However, the information contained in this semiannual publication is updated to reflect any action which has occurred on rules since publication of the last NRC semiannual agenda on October 26, 1987.

Organization of the Agenda

Rules in this agenda are divided into four groups: (1) The Prerule Stage, which includes all rules which will be published in the **Federal Register** as advance notices of proposed rulemaking, (2) the Proposed Rule Stage, which includes all unpublished rules and published advance notices of proposed rulemaking on which the NRC expects to take action, (3) Final Rule Stage, which includes all rules which have been published in the **Federal Register** as proposed rules and on which the NRC plans to take final action, and (4) Completed Actions, which include all rules which have been finally promulgated or withdrawn since publication of the last semiannual agenda.

Within each group, the rules are ordered from lowest to highest 10 CFR part, and when more than one rule appears under the same part, the rules are arranged within the part according to the date of most recent publication. If a rule contains changes to more than one 10 CFR part, the rule is listed under the lowest affected part.

The information in this agenda has been updated through February 29, 1988. The date included under the heading "timetable," for next scheduled action indicates the date the rule is scheduled to be published in the **Federal Register**. The date is considered tentative and is not binding on the Commission or its staff. This Regulatory Agenda is intended to provide increased notice and opportunity for public participation in the NRC rulemaking process. The NRC may, however, consider or act on any rulemaking even if it is not included in the Regulatory Agenda.

The NRC agenda lists 64 rulemaking actions. Of these, no rulemaking item is considered to be priority or major as defined in section 1(b) of Executive Order 12291.

Dated at Bethesda, Maryland this 22nd day of February 1988.

For the Nuclear Regulatory Commission.

Donnie H. Grimsley,

Director, Division of Rules and Records, Office of Administration and Resources Management.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3811	Radioactive Waste Below Regulatory Concern; Generic Rulemaking	3150-AC35

NRC

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3812	Comprehensive Quality Assurance in Medical Use and a Standard of Care	3150-AC42
3813	Degree Requirement for Senior Operators at Nuclear Power Plants	3150-AC26
3814	+ Definition of High-Level Radioactive Waste (HLW) in 10 CFR Part 60	3150-AB89
3815	Enforcement of Nondiscrimination on the Basis of Handicap in Federal Assisted Programs	3150-AC64
3816	Revision of Definition of Meeting	3150-AC78
3817	+ Criteria for Licensing the Long-Term Custody and Maintenance of Uranium Mill Tailings Sites	3150-AC56
3818	Amendment to Clarify Equivalent Control Capacity for Standby Liquid Control Systems (SLCS)	3150-AC72
3819	Licensee Announcement of Inspectors	3150-AC73
3820	Early Site Permits; Standard Design Certifications; and Combined Licenses for Nuclear Power Reactors	3150-AC61
3821	+ Elimination of Inconsistencies between NRC Regulations and EPA Standards	3150-AC03
3822	Revised Rules of Practice for Domestic Licensing Proceedings	3150-AB66
3823	Availability of Official Records	3150-AC07
3824	Negotiated Rulemaking on the Submission and Management of Records and Documents Related to the Licensing of a Geologic Repository for the Disposal of High Level Waste	3150-AC44
3825	Storage of Spent Nuclear Fuel in NRC Approved Casks at Civilian Nuclear Power Reactor Sites	3150-AC76
3826	+ Deletion of Part 11 Requirements for Renewal of "R" Clearances	3150-AC58
3827	+ Residual Radioactive Contamination Limits for Decommissioning	3150-AC21
3828	+ Safety Related and Important to Safety in 10 CFR Part 50	3150-AB88
3829	Transportation Regulations: Compatibility With the International Atomic Energy Agency	3150-AC41
3830	Regulation of Uranium Enrichment Facilities	3150-AC71

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3831	Issuance or Amendment of Power Reactor License or Permit Following Initial Decision	3150-AC15
3832	Revision to Ex Parte and Separation of Functions Rules Applicable to Formal Adjudicatory Proceedings	3150-AC18
3833	Rules of Practice for Domestic Licensing Proceedings-- Procedural Changes in Hearing Process	3150-AC22
3834	+ General Requirements for Decommissioning Nuclear Facilities	3150-AA40
3835	Procedures Involving the Equal Access to Justice Act: Implementation	3150-AA01
3836	+ Modifications to the NRC Hearing Process (Limited Interrogatories and Factual Basis for Contentions)	3150-AA05
3837	+ Licensing Requirements for the Storage of Spent Fuel and High- Level Radioactive Waste	3150-AB70
3838	Retention Periods for Records	3150-AB43
3839	+ Standards for Protection Against Radiation	3150-AA38
3840	+ Emergency Preparedness for Fuel Cycle and Other Radioactive Materials Licensees	3150-AA41
3841	+ Informal Hearing Procedures for Materials Licenses Proceedings	3150-AB83
3842	Controls of Aerosols and Gases	3150-AC60
3843	Basic Quality Assurance in Radiation Therapy	3150-AC65
3844	Acceptance Criteria for Emergency Core Cooling System (ECCS) for Light Water Nuclear Power Reactors	3150-AA44
3845	+ Primary Reactor Containment Leakage Testing for Water-Cooled Power Reactors	3150-AA86
3846	+ Station Blackout	3150-AB38
3847	+ Codes and Standards for Nuclear Power Plants	3150-AC29
3848	Backfit Requirement for Senior Operators at Nuclear Power Plants	3150-AC63
3849	+ Table S-3, Addition of Radon-222 and Technetium-99 Radiation Values and Addition of Appendix B, "Table S-3 Explanatory Analysis"	3150-AA31
3850	+ Part 51; Conforming Amendments	3150-AC04
3851	+ Criteria and Procedures for Emergency Access to Non-federal and Regional Low-Level Waste Disposal Facilities	3150-AC24
3852	Safeguards Requirements for Fuel Facilities Possessing Formula Quantities of Strategic Special Nuclear Material	3150-AC62
3853	+ Criteria for an Extraordinary Nuclear Occurrence	3150-AB01
3854	Disposal of Low-Level Radioactively Contaminated Waste Oil from Nuclear Power Plants	3150-AC14
3855	+ Proposed Revisions to the Criteria and Procedures for the Reporting of Defects and Noncompliance	3150-AA68
3856	+ Safety Requirements for Industrial Radiographic Exposure Devices	3150-AC12
3857	Diagnostic Misadministration Report Form	3150-AC69
3858	Alternative Methods for Leakage Rate Testing	3150-AC54
3859	Amendment to Assign NRC Sole Authority for Approving Onsite Low-Level Waste Disposal	3150-AC57

NRC

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3860	Reconsideration of Enforcement Provision Involving Reopening Closed Cases	3150-AC79
3861	Relocation of Office of Nuclear Reactor Regulation	3150-AC77
3862	Update of Freedom of Information Act Procedures and Other Minor Amendments	3150-AC50
3863	+ Fee Schedule Change for NRC "U" and "Q" Access Authorizations	3150-AC59
3864	Completeness and Accuracy of Information Provided to the Commission	3150-AC45
3865	Regional Nuclear Materials Licensing for the United States Navy	3150-AC55
3866	Revision of List of Non-Agreement States in Region III	3150-AC70
3867	+ Uranium Mill Tailings Regulations: Ground Water Protection and Other Issues	3150-AB56
3868	+ Broad Scope Modification of General Design Criterion 4 Requirements For Protection Against Dynamic Effects of Postulated Pipe Ruptures	3150-AC05
3869	Consideration of Emergency Planning Rule Changes to Deal With Lack of Governmental Cooperation in Offsite Emergency Planning	3150-AC36
3870	Change of Region I Address	3150-AC68
3871	Revision of Headquarters Office Locations	3150-AC74
3872	Relocation of NRC Offices--NMSS and GPA	3150-AC75
3873	Minor Nomenclature Amendments	3150-AC67
3874	General Criteria for Security Personnel	3150-AC66

NUCLEAR REGULATORY COMMISSION (NRC) — Prerule Stage

3811. RADIOACTIVE WASTE BELOW REGULATORY CONCERN; GENERIC RULEMAKING

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 2; 10 CFR 20

Abstract: The advance notice of proposed rulemaking seeks comments on a proposal to amend NRC regulations to address disposal of radioactive wastes that contain sufficiently low quantities of radionuclides that their disposal does not need to be regulated as radioactive.

The NRC has already published a policy statement providing guidance for filing petitions for rulemaking to exempt individual waste streams (August 29, 1986; 51 FR 30839). It is believed that generic rulemaking could provide a more efficient and effective means of dealing with disposal of wastes below regulatory concern. Generic rulemaking would supplement the policy statement which was a response to Section 10 of the Low- Level Radioactive Waste Policy Amendment Act of 1985 (Pub. L. 99-240). The public will be asked to comment on 14 questions. The ANPRM requests public comment on several alternative approaches the NRC could take. Public comment will help to determine whether and how NRC should proceed on the matter.

Timetable:

Action	Date	FR Cite
ANPRM	12/02/86	51 FR 43367
ANPRM Comment Period End	03/02/87	51 FR 43367

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Stanley Neuder, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 492-3737

RIN: 3150-AC35

NUCLEAR REGULATORY COMMISSION (NRC) — Proposed Rule Stage

3812. COMPREHENSIVE QUALITY ASSURANCE IN MEDICAL USE AND A STANDARD OF CARE

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 35

Abstract: The Nuclear Regulatory Commission is considering amendments to its regulations governing the use of byproduct material for radiation therapy. In addition to current requirements, the contemplated amendments would require licensees that offer teletherapy or brachtherapy services to implement a comprehensive quality assurance program to reduce the chance of misadministrations. The advance notice requests comment on the extent to which additional radiopharmaceutical quality assurance requirements are needed and seek recommendations on several questions being addressed in the comprehensive rulemaking effort.

Timetable:

Action	Date	FR Cite
ANPRM	10/02/87	52 FR 36949
ANPRM Comment Period End	12/31/87	52 FR 36949
NPRM	09/03/88	
Final Action	12/30/89	

Small Entity: Yes

Agency Contact: Anthony Tse, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3797**

RIN: 3150-AC42

3813. DEGREE REQUIREMENT FOR SENIOR OPERATORS AT NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 50; 10 CFR 55

Abstract: The Commission is considering an amendment to its regulations to require that applicants for a senior operator license of a nuclear power plant hold a baccalaureate degree in engineering or a related science from an accredited institution after January 1, 1991. Other baccalaureate degrees from an accredited institution may be accepted on a case-by-case basis. This contemplated rulemaking action is due to a Commission decision to enhance the levels of engineering and accident management expertise on shift. The Commission is also considering issuing a policy statement concurrently with this rule related to utility implementation of the rule.

The staff analysis of comments on the ANPRM has been completed and options for rulemaking and/or policy statements to address degree requirements and training for accident management have been developed.

Timetable:

Action	Date	FR Cite
ANPRM	05/31/86	51 FR 19561
ANPRM Comment Period End	09/29/86	
NPRM	08/05/88	
Final Action	08/05/89	

Small Entity: No

Agency Contact: Morton Fleishman, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3794**

RIN: 3150-AC26

3814. + DEFINITION OF HIGH-LEVEL RADIOACTIVE WASTE (HLW) IN 10 CFR PART 60

Legal Authority: 42 USC 10101

CFR Citation: 10 CFR 60

Abstract: The proposed rulemaking seeks to revise the definition of HLW in Part 60 to reflect certain changes in the legal definition of HLW contained in the Nuclear Waste Policy Act of 1982. A revision of the definition of HLW would affect DOE'S plans for a geologic repository, costs of waste disposal for certain waste generators, and the development of new technologies and facilities to dispose of certain type of wastes. A definition of HLW which clearly identifies these highly radioactive waste needing permanent isolation would benefit the radioactive waste management system. NRC staff time for processing this rule is estimated to be 4 staff years. Alternatives to rulemaking would be to take no action or request Congress to amend the NWPA. The rulemaking would eliminate uncertainty and reduce costs for the public, industry, and NRC.

Timetable:

Action	Date	FR Cite
ANPRM	02/27/87	52 FR 5992
ANPRM Comment Period End	06/29/87	52 FR 16403
NPRM	04/30/88	
Final Action	10/31/88	

Small Entity: No

Agency Contact: Clark Prichard/Frank Costanzi, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3801**

RIN: 3150-AB89

3815. ● ENFORCEMENT OF NONDISCRIMINATION ON THE BASIS OF HANDICAP IN FEDERAL ASSISTED PROGRAMS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 4

Abstract: The proposed rule would amend regulations concerning the enforcement of section 504 of the Rehabilitation Act of 1973, as amended, in Federally assisted programs or activities to include a cross reference to the Uniform Federal Accessibility Standards (UFAS). This action is necessary because some facilities subject to the new construction or alteration requirements under section 504 are also subject to the Architectural Barriers Act. Therefore, reference to UFAS by all government agencies would diminish the possibility that recipients of Federal financial assistance would face conflicting enforcement standards.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Edward E. Tucker, Nuclear Regulatory Commission, Office of Small and Disadvantaged Business Utilization /Civil Rights, **301 492-7697**

RIN: 3150-AC64

3816. ● REVISION OF DEFINITION OF MEETING

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 9

Abstract: The proposed rule would return the definition of "meeting" to its pre-1985 wording. The proposal is based on a study of comments submitted on an interim final rule published on May 21, 1985 (50 FR 20889) and the 1987 recommendations and report of the American Bar Association (ABA). Since the pre-1985 wording of the definition of meeting is fully adequate to permit the types of non-Sunshine Act discussions that the NRC believes would be useful, the proposal calls for the NRC to reinstitute its pre-1985 definition of meeting, with the intention of conducting its non-Sunshine Act discussions in accordance with the guidelines recommended by the ABA.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Peter Crane, Nuclear Regulatory Commission, Office of the

General Counsel, Washington, DC 20555, **202 634-1465**

RIN: 3150-AC78

3817. + CRITERIA FOR LICENSING THE LONG-TERM CUSTODY AND MAINTENANCE OF URANIUM MILL TAILINGS SITES

Legal Authority: 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 40

Abstract: The proposed rule would provide procedures to license a custodian for the post-closure, long-term control of uranium mill tailings sites required by the Uranium Mill Tailings Radiation Control Act of 1978 (UMTRCA). This amendment would establish a general license for long-term possession and control of uranium mill tailings by the Department of Energy, other designated Federal agencies, or States when applicable. The general license would be formulated so that it would become effective for a particular site upon written NRC approval of a site-specific surveillance and maintenance plan. No impact to the public or industry is expected as a result of this proposed action.

Timetable:

Action	Date	FR Cite
NPRM	05/30/88	
Final Action	12/30/88	

Small Entity: No

Agency Contact: Mark Haisfield, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3877**

RIN: 3150-AC56

3818. ● AMENDMENT TO CLARIFY EQUIVALENT CONTROL CAPACITY FOR STANDBY LIQUID CONTROL SYSTEMS (SLCS)

Legal Authority: 42 USC 2136

CFR Citation: 10 CFR 50

Abstract: The proposed rule would clarify the Commission's regulations pertaining to boiling water reactors (BWR). The current regulations require that all boiling water reactors must have a standby liquid control system (SLCS) with a minimum flow capacity and boron content equivalent in control capacity to 86 gallons per minute (gpm) of 13 weight percent of sodium pentaborate solution. In January 1985, a generic letter was issued to all appropriate licensees that provided clarification of the phrase "equivalent in control capacity" contained in section 50.62 (c) (4). This letter provided the basis for the flow and weight percent of sodium pentaborate decahydrate requirements and described how equivalency could be achieved for smaller plants. The NRC staff considers the contents of the generic letter to be technically correct and desired that this position be established in the regulations.

Timetable:

Action	Date	FR Cite
NPRM	04/28/88	

Small Entity: No

Agency Contact: William R. Pearson, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3764**

RIN: 3150-AC72

3819. ● LICENSEE ANNOUNCEMENT OF INSPECTORS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The Nuclear Regulatory Commission is proposing to amend its regulations to ensure that the presence of NRC inspectors on power reactor sites is not announced to licensee and contractor personnel without the expressed request to do so by the inspector. This change would allow the NRC inspector, who is badged at the facility, to observe ongoing activities as they are naturally occurring without licensee or contractor personnel having advanced notice of the inspection.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	

Small Entity: No

Agency Contact: George Barber, Nuclear Regulatory Commission, Office of Nuclear Reactor Regulation, Washington, DC 20555, **301 492-8324**

RIN: 3150-AC73

3820. EARLY SITE PERMITS; STANDARD DESIGN CERTIFICATIONS; AND COMBINED LICENSES FOR NUCLEAR POWER REACTORS

Legal Authority: 42 USC 2133; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2236; 42 USC 2239; 42 USC 2282; 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 52

Abstract: The Nuclear Regulatory Commission is considering adding a new part to its regulations to improve the reactor licensing process. The proposed rule would provide for the issuance of early site permits, standard design certifications, and combine construction permits and conditional operating licenses for nuclear power reactors. These procedural reforms are intended to improve the quality, effectiveness, and efficiency of nuclear power plant licensing without detracting from protection of the public health and safety or the public's ability to participate in the licensing process. They are designed to implement as much of the Commission's proposed "Nuclear Power Plant Standardization and Licensing Act of 1987" as is permissible under its existing statutory authority. The proposed legislation is based on an earlier proposal that was developed by the Commission's Regulatory Reform Task Force. If licensing reform legislation is ultimately enacted, the rules can be modified to implement that legislation fully.

Timetable:

Action	Date	FR Cite
NPRM	04/00/88	
Final Action	12/00/88	

Small Entity: No

Agency Contact: Steven Crockett, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, **202 634-1465**

RIN: 3150-AC61

3821. + ELIMINATION OF INCONSISTENCIES BETWEEN NRC REGULATIONS AND EPA STANDARDS

Legal Authority: 42 USC 10101

CFR Citation: 10 CFR 60

Abstract: The Nuclear Waste Policy Act of 1982 directs NRC to promulgate criteria for the licensing of HLW geologic repositories. Section 121 (c) of this act states that these criteria must

be consistent with standards to be developed by EPA for the disposal of HLW in deep geologic repositories. The proposed rule is needed in order to eliminate several inconsistencies with the EPA standards, thus fulfilling the statutory requirements.

Because the NWPA directs NRC to eliminate inconsistencies between Part 60 and the EPA standard, the alternatives to the proposed action are limited by statute.

The public, industry, and NRC will benefit from eliminating inconsistencies in Federal HLW regulations. NRC resources needed would be several staff years but will not include contract resources.

Because the Federal Court invalidated the EPA standards, action on this rule, which is in response to the EPA standards is undetermined.

Timetable:

Action	Date	FR Cite
NPRM	06/19/86	51 FR 22288
NPRM Comment Period End	08/18/86	51 FR 22288

Next Action Undetermined

Small Entity: No

Agency Contact: Frank Costanzi/Clark Prichard, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3810**

RIN: 3150-AC03

3822. REVISED RULES OF PRACTICE FOR DOMESTIC LICENSING PROCEEDINGS

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 5841; 5 USC 552

CFR Citation: 10 CFR 0; 10 CFR 1; 10 CFR 2; 10 CFR 9; 10 CFR 50

Abstract: The Nuclear Regulatory Commission has deferred further consideration of this proposal which would have revised the Commissions's procedural rules governing the conduct of all adjudicatory proceedings, with the exception of export licensing proceedings. The proposed rule would comprehensively restate current practice , retitle the hearing office, and revise and reorganize the Commission's procedural rules. The changes in this proposed rule would enable the Commission to render decisions in a more timely fashion and reduce the burden and expense to the parties participating in the proceedings.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: B. Paul Cotter, Jr., Nuclear Regulatory Commission, Atomic Safety and Licensing Board Panel, Washington, DC 20555, **301 492-7787**

RIN: 3150-AB66

3823. AVAILABILITY OF OFFICIAL RECORDS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 2

Abstract: The proposed amendment would conform the NRC's regulations pertaining to the availability of official records to existing case law and agency practice. The amendment would reaffirm that the terms of 10 CFR 2.790 (c) provide submitters of information a qualified right to have their information returned upon request. This amendment informs the public of three exceptions to the right to withdraw pursuant to 10 CFR 2.790 (c) of the NRC's regulations, i.e., information submitted in a rulemaking proceeding that subsequently forms the basis for the final rule, information which has been made available to an advisory committee or was received at an advisory committee meeting, and information that is subject to a pending Freedom of Information Act request.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Paul Bollwerk, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, **202 634-3224**

RIN: 3150-AC07

3824. NEGOTIATED RULEMAKING ON THE SUBMISSION AND MANAGEMENT OF RECORDS AND DOCUMENTS RELATED TO THE LICENSING OF A GEOLOGIC REPOSITORY FOR THE DISPOSAL OF HIGH LEVEL WASTE

Legal Authority: 42 USC 10101

CFR Citation: 10 CFR 2; 10 CFR 60

Abstract: The Nuclear Waste Policy Act (NWPA) provides three years for the NRC to reach a decision on construction authorization for a high level waste repository. In order for the NRC to be able to make its decision within the allotted time, ready access to all pertinent records must be assured to all parties in the licensing proceeding. The DOE has committed to develop an electronic information management system to be used for the licensing proceeding. The NRC staff intends to use the process of negotiated rulemaking to develop a proposed rule that would revise the Commission's discovery procedure and motion practice in 10 CFR Part 2 for the high level waste licensing proceeding.

This rule would require the DOE license application and all supporting records to be provided in a standardized electronic format. All parties to the licensing proceeding would be required to submit all relevant data to this system. In turn all parties would have access to the data base.

Timetable:

Action	Date	FR Cite
NPRM	07/08/88	
Final Action	10/14/88	

Small Entity: Undetermined

Agency Contact: Francis Cameron, Nuclear Regulatory Commission, Office of General Counsel, Washington, DC 20555, **301 492-1623**

RIN: 3150-AC44

3825. ● STORAGE OF SPENT NUCLEAR FUEL IN NRC APPROVED CASKS AT CIVILIAN NUCLEAR POWER REACTOR SITES

Legal Authority: 42 USC 10153; 42 USC 10198

CFR Citation: 10 CFR 2; 10 CFR 51; 10 CFR 72

Abstract: The proposed rule is in response to the Nuclear Waste Policy Act (NWPA) section 218 (a) which states in part, that the Secretary of DOE shall establish a demonstration program, in cooperation with the private sector, for dry storage of spent nuclear fuel at civilian nuclear power reactor sites, with the objective of establishing one or more technologies that the Commission may, by rule, approve for use at sites of civilian

nuclear power reactors. The NWPA also requires that the NRC establish procedures for the licensing of any technology approved by the Commission under section 218(a) for use at the site of any civilian nuclear power reactor.

The staff anticipates a significant increase in the demand for use of dry spent fuel storage casks starting in the early 1990s, thus processing of this proposed rule would be timely. NRC resources requirements are anticipated to be about two staff years.

Timetable:

Action	Date	FR Cite
NPRM	06/30/88	
Interim Final Rule	04/29/89	

Small Entity: No

Agency Contact: William R. Pearson, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3764**

RIN: 3150-AC76

3826. + DELETION OF PART 11 REQUIREMENTS FOR RENEWAL OF "R" CLEARANCES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 11

Abstract: The current regulations require licensees to renew "R" clearances every 5 years. This level of clearance corresponds to the "L" clearances used by NRC and DOE which do not require renewal. Because of this equivalence, the renewal requirement for the"R" level licensee clearance is deemed unnecessary. This rulemaking would delete that requirement from Part 11. The timetable for this rule has been placed on hold pending publication of Executive Order 10450, "Security Requirements for Government Employees".

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Sandra D. Frattali, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3773**

RIN: 3150-AC58

3827. + RESIDUAL RADIOACTIVE CONTAMINATION LIMITS FOR DECOMMISSIONING

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 20

Abstract: The proposed rule would establish residual radioactive contamination limits (including induced and other volumetric radioactivity as well as removable and fixed surface contamination) which must be met before structures and lands with residual radioactive contamination below these limits would be eligible for release without regulatory restrictions from a radioactivity standpoint.

The proposed amendments were considered necessary to provide licensees with quantitative criteria to use during decommissioning relative to cleanup and decontamination of structures and lands.

Alternatives to rulemaking would be continued reliance on the issuance of criteria as guidance. However, the current criteria are incomplete, decisions on implementation and compliance are often required on a case-by-case basis, and criteria issued by guidance may not be enforced in the manner of legally binding regulations. The proposed rule would relieve the administrative burden on NRC and licensees while providing a consistent and enforceable basis for agency action. NRC resource requirements

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: were estimated at approximately 2 staff-years and a $237,000 research contract which is ongoing at PNL. Staff is participating in an EPA-organized interagency working group developing Federal guidance on this subject; however, this activity has been dormant since January 1987.

The timetable for this rule is on hold pending the EDO decision on the staff's recommended action to terminate this rule.

Agency Contact: Dr. Stanley Neuder, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3737**

RIN: 3150-AC21

3828. + SAFETY RELATED AND IMPORTANT TO SAFETY IN 10 CFR PART 50

Legal Authority: 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The Nuclear Regulatory Commission proposes to clarify its regulations on the use of the terms "important to safety" and "safety related" by adding definitions of these two terms and of "facility licensing documents" to 10 CFR Part 50 and by discussing how these definitions will be applied in NRC licensing reviews. Significant issues concerning the meaning of these terms as they are used in this part have arisen in Commission licensing proceedings. This proposed rule would define those terms and clarify the nature and extent of their effect on quality assurance requirements, thereby resolving these issues.

Rulemaking was chosen as the method of resolving this issue as a result of the Commission's directive to resolve the issue by rulemaking contained in the Shoreham licensing decision (CLI-84-9, 19 NRC 1323, June 5, 1984).

A position paper requesting approval of the staff proposed definitions and additional guidance from the Commission was signed by the EDO on May 29, 1986. In addition to rulemaking, the position paper discusses the alternative of the Commission(cont)

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Additional Information: ABSTRACT CONT: issuing a policy statement concerning the definitions and their usage.

Since the proposed rule is only clarifying existing requirements, their is no impact on the public or the industry as a result of this rulemaking. It is anticipated that the NRC will expend 3.2 to 4.4 staff years in developing the final rule over a two year period. The manpower and time frame will depend upon guidance from the Commission

regarding the extent to which 10 CFR usage of the terms is to be consistent, i.e., 10 CFR Part 50 only or all of 10 CFR. The timetable for this rule is on hold based on a decision by the Commission.

Agency Contact: Jerry N. Wilson, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3729**

RIN: 3150-AB88

3829. TRANSPORTATION REGULATIONS: COMPATIBILITY WITH THE INTERNATIONAL ATOMIC ENERGY AGENCY

Legal Authority: 42 USC 2073; 42 USC 2093; 42 USC 2111; 42 USC 2232; 42 USC 2233; 42 USC 2273; 42 USC 5842

CFR Citation: 10 CFR 71

Abstract: The proposed rule, would in conjunction with a corresponding rule change by the U.S. Department of Transportation, make the United States Federal regulations for the safe transportation of radioactive material consistent with those of the International Atomic Energy Agency (IAEA). The IAEA regulations can be found in IAEA Safety Series No. 6 "Regulations for the Safe Transport of Radioactive Material," 1985 Edition.

Consistency in transportation regulations throughout the world facilitates the free movement of radioactive materials between countries for medical, research, industrial, and nuclear fuel cycle purposes. Consistency of transportation regulations throughout the world also contributes to safety by concentrating the efforts of the world's experts on a single set of safety standards and guidance (those of the IAEA) from which individual countries can develop their domestic regulations. Perhaps as important, the accident experience of every country that bases it domestic regulations on those of the IAEA can be applied by every other country with consistent regulations to improve its safety program. The action will be handled as(cont)

Timetable:

Action	Date	FR Cite
NPRM	04/30/88	
Final Action	01/30/89	

Small Entity: No

Additional Information: ABSTRACT CONT: as a routine updating of NRC transportation regulations. There is no reasonable alternative to rulemaking action. These changes should result in a minimal increase in costs to affected licensees. Proposed changes to 10 CFR Part 71, based on current IAEA regulations, will be issued for public comments. The task will be scheduled over a 2 year interval ending June 1989 and will consume 2-3 staff years of effort depending on the number and difficulty of conflicts to be resolved.

Agency Contact: Donald R. Hopkins, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3784**

RIN: 3150-AC41

3830. ● REGULATION OF URANIUM ENRICHMENT FACILITIES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 76

Abstract: The Nuclear Regulatory Commission is considering an amendment to its regulations to create a new part that would pertain to uranium enrichment facilities. The construction and operation of these facilities are currently licensed under the NRC regulations for other production and utilization facilities (e.g., nuclear power plants) in 10 CFR Part 50. The advance notice of proposed rulemaking seeks comments on whether a separate set of regulations for uranium licensing is desirable.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Arthur T. Clark, Nuclear Regulatory Commission, Office of Nuclear Material Safety and, Safeguards, Washington, DC 20555, **301 492-4205**

RIN: 3150-AC71

NUCLEAR REGULATORY COMMISSION (NRC) Final Rule Stage

3831. ISSUANCE OR AMENDMENT OF POWER REACTOR LICENSE OR PERMIT FOLLOWING INITIAL DECISION

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 5841

CFR Citation: 10 CFR 2

Abstract: The proposed rule would amend the Commission's "immediate effectiveness' regulation that specifies when an initial adjudicatory decision authorizing the issuance or amendment of a license or permit becomes effective. The proposed rule would (1) remove the existing provision governing the effectiveness of initial decisions regarding power reactor construction permits and (2) revise the Commission's existing practice regarding "effectiveness reviews" for full-power operating licenses. The proposed rule also would delete language in the existing regulation emanating from Three Mile Island-related regulatory policies, action upon which now has been completed.

The proposed rule would supersede two prior proposed rules entitled "Possible Amendments to "Immediate Effectiveness Rules," published May 22, 1980 (45 FR 43279). and "Commission Review Procedures for Power Reactor Construction Permits; Immediate Effectiveness Rule," published October 25, 1982 (47 FR 47260).

Timetable:

Action	Date	FR Cite
NPRM	02/04/87	51 FR 3442
NPRM Comment Period End	04/06/87	51 FR 3442
Final Action	04/00/88	

Small Entity: No

Agency Contact: Paul Bollwerk, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, **202 634-3224**

RIN: 3150-AC15

3832. REVISION TO EX PARTE AND SEPARATION OF FUNCTIONS RULES APPLICABLE TO FORMAL ADJUDICATORY PROCEEDINGS

Legal Authority: 5 USC 554 (d); 5 USC 557(d)

CFR Citation: 10 CFR 0; 10 CFR 2

Abstract: The proposed rule would amend the Commission's regulations dealing with ex parte communications and separation of adjudicatory and nonadjudicatory functions in formal adjudicatory proceedings by updating the agency's rules of practice and incorporating requirements imposed by the Government in the Sunshine Act. Changes are proposed in both the form and the substance of the existing rules to clarify their meaning and to aid agency adjudicatory officials in maintaining effective communication with NRC staff personnel and persons outside the agency while at the same time ensuring that proceedings will be conducted fairly and impartially. This proposed rule supersedes a prior proposed rule entitled, "Ex Parte Communications and Separation of Adjudicatory and Non Adjudicatory Functions," (3150-AA00) published March 7, 1979 (44 FR 12428).

Timetable:

Action	Date	FR Cite
NPRM	03/26/86	51 FR 10393
NPRM Comment Period End	06/26/86	51 FR 19067
Final Action	04/00/88	

Small Entity: No

Agency Contact: Paul Bollwerk, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, **202 634-3224**

RIN: 3150-AC18

3833. RULES OF PRACTICE FOR DOMESTIC LICENSING PROCEEDINGS-- PROCEDURAL CHANGES IN HEARING PROCESS

Legal Authority: 42 USC 2201; 42 USC 2231; 42 USC 2241; 42 USC 5841

CFR Citation: 10 CFR 2

Abstract: The Nuclear Regulatory Commission (NRC) is considering amendments to its rules of practice which address the following aspects of the hearing process: admission contentions, discovery against NRC staff, use of cross examination plans, timing of motions for summary disposition and limitations on matters and issues that may be included in proposed findings of fact or conclusions of law, or in an appellate brief submitted by a person who does not have the burden of proof or who has only a limited interest in the proceedings. These proposals were initially developed by the Regulatory Reform Task Force and published for public comment, together with a number of other proposals, as suggestions for procedural changes in the licensing of nuclear power plants. (49 FR 14698; April 12, 1984). The Commission has decided not to proceed with the April 1984 proposals, except to the extent that they were included in this proposed rule. Therefore, the April 1984 proposals have been deleted from the regulatory agenda.

The NRC is also considering related amendments on the process of intervention that were developed by Commissioner

Timetable:

Action	Date	FR Cite
NPRM	07/03/86	51 FR 24356
NPRM Comment Period End	10/17/86	51 FR 31340
Final Action	07/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: Asselstine. The staff is analyzing public comments received on the proposals and expects to forward a recommendation for the Commission's consideration.

Agency Contact: Jane R. Mapes, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, **301 492-6142**

RIN: 3150-AC22

3834. + GENERAL REQUIREMENTS FOR DECOMMISSIONING NUCLEAR FACILITIES

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 50; 10 CFR 51; 10 CFR 70; 10 CFR 72

Abstract: The proposed rule would provide assurance that licensees fulfill their responsibility to dispose of licensed material including any associated contamination when they cease licensed activity. The proposed rule would also provide the applicant or licensee with appropriate regulatory guidance to decommission a nuclear facility. The issue is addressed through rulemaking to assure that funds for decommissioning will be available and the decommissioning will be carried out in an orderly manner. The Commission has indicated a need for this rulemaking in other previous rulemakings.

The major cost impact of the proposed rule would involve proper planning at all stages of nuclear facility operation. Proper planning includes providing for (1) financial assurance that funding will be available for decommissioning, (2) maintenance of records that could affect decommissioning, and (3) careful(cont)

Timetable:

Action	Date	FR Cite
ANPRM	03/13/78	43 FR 10370
NPRM	02/11/85	50 FR 5600
NPRM Comment Period End	07/12/85	50 FR 23025
Final Action	04/30/88	

Small Entity: Yes

Additional Information: ABSTRACT CONT: planning of procedures at the time of decommissioning. For non-reactor facilities affected by financial assurance requirements, it is estimated that the major impact will result in an aggregate expenditure of 21 staff-years ($1.6 million) spread over 5 years (or $320,000 per year).

For the approximately 110 power reactors estimated to be affected (i.e., those with operating licenses and those under construction which are at least two-thirds complete) plus 75 research and test reactors, it is estimated that the major impact will result in an aggregate expenditure of 3.8 staff-years ($288,000) spread over 3 years. These expenditures will ensure that adequate measures have been taken to protect the health and safety of occupational workers, the public, and the environment within the confines of optimum cost benefit consideration.

Agency Contact: Keith G. Steyer/Frank Cardile, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3824**

RIN: 3150-AA40

3835. PROCEDURES INVOLVING THE EQUAL ACCESS TO JUSTICE ACT: IMPLEMENTATION

Legal Authority: 5 USC 504

CFR Citation: 10 CFR 1; 10 CFR 2

Abstract: The proposed rule would implement the Equal Access to Justice Act (EAJA) by providing for the payment of fees and expenses to certain eligible individuals and businesses that prevail in agency adjudications when the agency's position is determined not to have been substantially justified. This proposed regulation is modelled after rules issued by the Administrative Conference of the United States (ACUS) and have been modified to conform to NRC's established rules of practice. The proposed rule would further the EAJA's intent to develop government-wide, "uniform" agency regulations and would describe NRC procedures and requirements for the filing and disposition of EAJA applications. A draft final rule was sent to the Commission in June 1982, but Commission action was suspended pending a decision by the Comptroller General on the availability of funds to pay awards to intervenor parties. This issue was also the subject of litigation in Business and Professional People for the Public Interest v. NRC, 793 F. 2d 1366 (D.C. Cir. 1986). This litigation is being evaluated to determine what if any changes may be necessary in the proposed rule. (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/28/81	46 FR 53189
NPRM Comment Period End	11/28/81	46 FR 53189

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT CONT:

Additionally, in August 1985, the President signed into law an enactment renewing the EAJA after its expiration under a statutory sunset requirement. This legislation, Pub. L. No. 99-80 revises the EAJA and these revisions are being evaluated to determine whether further conforming changes may be necessary in the proposed rule.

Agency Contact: Paul Bollwerk, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, **202 634-3224**

RIN: 3150-AA01

3836. + MODIFICATIONS TO THE NRC HEARING PROCESS (LIMITED INTERROGATORIES AND FACTUAL BASIS FOR CONTENTIONS)

Legal Authority: 42 USC 2239

CFR Citation: 10 CFR 2

Abstract: The proposed rule would expedite conduct of NRC adjudicatory proceedings by requiring intervenors in formal NRC hearings to set forth the facts on which contentions are based and the sources or documents used to establish those facts and limit the number of interrogatories that a party may file in an NRC proceeding. The proposed rule would expedite the hearing process by, among other things, requiring intervenors to set forth at the outset the facts upon which their contention is based and the supporting documentation to give other parties early notice of intervenor's case so as to afford opportunity for early dismissal of contentions where there is no factual dispute. Expediting the hearing process should ultimately provide cost savings to all participants in the process. The content of this rule is being considered as part of the regulatory reform rulemaking package.

Timetable:

Action	Date	FR Cite
NPRM	06/08/81	46 FR 30349

Next Action Undetermined

Small Entity: No

Agency Contact: Trip Rothschild, Nuclear Regulatory Commission, Regulatory Reform Task Force, Washington, DC 20555, **202 634-1461**

RIN: 3150-AA05

3837. + LICENSING REQUIREMENTS FOR THE STORAGE OF SPENT FUEL AND HIGH- LEVEL RADIOACTIVE WASTE

Legal Authority: 42 USC 2021; 42 USC 2071; 42 USC 2073; 42 USC 2077; 42 USC 2093; 42 USC 2095; 42 USC 2099; 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2234; 42 USC 2236; 42 USC 2237; 42 USC 2282

CFR Citation: 10 CFR 2; 10 CFR 19; 10 CFR 20; 10 CFR 21; 10 CFR 51; 10 CFR 70; 10 CFR 72; 10 CFR 73; 10 CFR 75; 10 CFR 150

Abstract: The proposed rule would revise existing regulations to establish specific licensing requirements for the storage of spent nuclear fuel and high-level radioactive waste in a monitored retrievable storage installation (MRS). This revision is intended to ensure that the Commission has in place the appropriate regulations to fulfill the requirements contained in the Nuclear Waste Policy Act of 1982 concerning the licensing of facilities which could be part of the MRS program.

Paragraph (d) of Section 141 of the NWPA requires that any monitored retrievable storage installation pursuant to Section 141 be licensed by the Commission. The Commission could await further development of the MRS option before proposing its MRS rules. However, this approach could result in unnecessary delay in reviewing a license application if Congress authorizes construction of an MRS.

There is no appropriate alternative to rulemaking, the vehicle used by NRC to establish its licensing procedures.

Timetable:

Action	Date	FR Cite
NPRM	05/27/86	51 FR 19106
NPRM Comment Period End	08/25/86	51 FR 21560
Final Action	04/30/88	

Small Entity: No

Additional Information:

The basic requirements for storage of spent fuel in an independent spent fuel storage installation (ISFSI) currently codified in 10 CFR Part 72 are not being changed, thus no incremental impact on NRC, industry, or the health and safety of the public is anticipated.

Agency Contact: Keith Steyer/Charles Nilsen, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3824**

RIN: 3150-AB70

3838. RETENTION PERIODS FOR RECORDS

Legal Authority: 42 USC 2201

CFR Citation: 10 CFR 4; 10 CFR 11; 10 CFR 21; 10 CFR 25; 10 CFR 30; 10 CFR 31; 10 CFR 32; 10 CFR 34; 10 CFR 35; 10 CFR 40; 10 CFR 50; 10 CFR 60; 10 CFR 61; 10 CFR 70; 10 CFR 71; ...

Abstract: This proposed rule would establish a specific retention period for certain NRC-required records. It would also provide a uniform standard acceptable to the NRC for the condition of a record throughout a specified retention period. Further, the rule would

establish throughout NRC regulations, with some exceptions, uniform retention periods of three years, five years, ten years, and the life of a license. This rule would bring NRC regulations into compliance with the Office of Management and Budget's (OMB) regulation (5 CFR 1320.6) that requires a specified retention period for each required record. It also implements NRC's 1982 commitment to OMB to establish a record retention period of determinable length for each required record.

Amending twenty one parts of NRC regulations to specify clearly what records to retain, how long to retain them, and the condition of a record useful for NRC inspection, will be mutually beneficial to applicants and licensees and to the NRC.

Recordkeeping labor for NRC's approximately 6,700 licensees who would be affected by the rule can be divided into four functions: (1) preparing the report, (2) storing the report, (3)

Timetable:

Action	Date	FR Cite
NPRM	10/28/87	52 FR 41442
NPRM Comment Period End	12/28/87	52 FR 41442
Final Action	04/30/88	

Small Entity: No

Additional Information: ABSTRACT CONT: files, and (4) retrieving the report information.

The principal savings to the licensee, dispersed over the period licensed, would be in physical storage space and associated storage equipment and materials. The burden of recordkeeping would be reduced approximately 10 percent annually for these licensees by the proposed rule. An estimated 466,323 hours associated with recordkeeping or $28,000,000 annually would be saved. Preparing and publishing this rule would cost NRC approximately 3000 hours of staff time at $60 per hour for an estimated total of $180,000

Agency Contact: Brenda Jo. Shelton, Nuclear Regulatory Commission, Office of Administration and Resources, Management, Washington, DC 20555, 301 492-8132

RIN: 3150-AB43

3839. + STANDARDS FOR PROTECTION AGAINST RADIATION

Legal Authority: 42 USC 2073; 42 USC 2093; 42 USC 2095; 42 USC 2111; 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2273; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 20

Abstract: Radiation protection philosophy and technology have changed markedly since the present Part 20 was promulgated nearly thirty years ago. Since Part 20 contains the NRC standards for protection against radiation that are used by all licensees and affects exposures of workers and members of the public, it should be the most basic of the NRC regulations. However, because the present Part 20 has become outdated, most radiation protection actions occur through licensing actions independent of Part 20. A complete revision is necessary to provide better assurance of protection against radiation; establish a clear health protection basis for the limits; reflect current information on health risk, dosimetry, and radiation protection practices and experience; provide NRC with a health protection base from which it may consider other regulatory actions taken to protect public health; be consistent with recommendations of world authorities (ICRP); and apply these standards to all licensees in a consistent manner.

Alternatives to the complete revision considered were no action

Timetable:

Action	Date	FR Cite
ANPRM	03/20/80	45 FR 18023
ANPRM Comment Period End	06/18/80	45 FR 18023
NPRM	12/20/85	50 FR 51992
NPRM Comment Period End	09/12/86	51 FR 1092
Final Action	07/30/89	

Small Entity: Yes

Additional Information: ABSTRACT CONT: delay for further guidance, and partial revision of the standards. These were rejected as ignoring scientific advancements being unresponsive to international and national guidance correcting only some of the recognized problems with the present Part 20.

Benefits would include updating the regulations which reflect contemporary scientific knowledge and radiation protection philosophy, implementing regulations which reflect the ICRP risk-based rationale, reducing lifetime doses to individuals receiving the highest exposures; implementing provisions for summation of doses from internal and external exposures; providing clearly identified dose limits for the public; providing an understandable health-risk base for protection, and placing constraints on collective dose evaluations at levels where risks are trifles.

Agency Contact: Harold Peterson, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, 301 492-3738

RIN: 3150-AA38

3840. + EMERGENCY PREPAREDNESS FOR FUEL CYCLE AND OTHER RADIOACTIVE MATERIALS LICENSEES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 70

Abstract: The proposed rule would require about 30 fuel cycle and other radioactive materials licensees to submit an emergency plan that would, among other actions, require the notification of local authorities in case of an accident and that the licensee recommend protective actions for the public. The proposed rule is intended to further protect the public from accidental exposure to radiation. The affected licensees are those whose possession limits indicate the potential for an accident that could deliver a radiation dose offsite exceeding one rem effective dose equivalent or 5 rems to the thyroid or could cause a soluble uranium inhalation of 2 milligrams (a chemical toxicity hazard).

Currently, the proposed requirements are, for the most part, required by order. However, the Commission decided that a regulation was needed for the long term. The cost of the rule to licensees was estimated to be between $26,000 and $73,000 per year per licensee. The cost to NRC is estimated to be $4,000 per year per licensee. The NRC will expend about 2 staff-years of effort to promulgate the rule.

Timetable:

Action	Date	FR Cite
ANPRM	06/03/81	46 FR 29712
ANPRM Comment Period End	08/03/81	46 FR 29712
NPRM	04/20/87	52 FR 12921
NPRM Comment Period End	07/20/87	52 FR 12921
Final Action	04/30/88	

Small Entity: No

Analysis: Regulatory Impact Analysis

Agency Contact: Michael Jamgochian, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3918**

RIN: 3150-AA41

3841. + INFORMAL HEARING PROCEDURES FOR MATERIALS LICENSES PROCEEDINGS

Legal Authority: 42 USC 2201; 42 USC 2111

CFR Citation: 10 CFR 30; 10 CFR 32; 10 CFR 33; 10 CFR 34; 10 CFR 35; 10 CFR 40; 10 CFR 70; 10 CFR 71; 10 CFR 50; 10 CFR 61; 10 CFR 72

Abstract: This proposed rule, being prepared at Commission direction, would provide comprehensive treatment of hearing procedures to be implemented by the Commission for materials licensing proceedings. In addition, the proposed rule would encompass the objective of the proposed rule, "Jurisdiction of Adjudicatory Boards," identified as 3150-AA53, which has been deleted from OMB's Unified Agenda. There are no reasonable alternatives to rulemaking for implementing these informal hearing procedures. The procedures are expected to reduce the economic burden imposed on a participant in a proceeding.

Timetable:

Action	Date	FR Cite
NPRM	05/29/87	52 FR 20089
NPRM Comment Period End	08/28/87	52 FR 27821
Final Action	04/00/88	

Small Entity: No

Agency Contact: Paul Bollwerk, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, **202 634-3224**

RIN: 3150-AB83

3842. CONTROLS OF AEROSOLS AND GASES

Legal Authority: 42 USC 5841

CFR Citation: 10 CFR 35

Abstract: The proposed rule is in response to PRM-35-6 which requests that the Commission remove the requirements in Part 35 that radioactive aerosols be administered in rooms that are at negative pressure relative to surrounding rooms. The petitioner states that the imposition of the negative room pressure requirement could have an adverse impact on the delivery of health care to certain patients with pulmonary disease and that this requirement is unnecessary to protect workers and public health and safety. The staff agrees and has developed a proposed rule change to remove the negative room pressure requirement for aerosols.

Timetable:

Action	Date	FR Cite
NPRM	12/16/87	52 FR 47726
NPRM Comment Period End	01/15/88	52 FR 47726
Final Action	07/31/88	

Small Entity: No

Agency Contact: Alan Roecklein, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3740**

RIN: 3150-AC60

3843. ● BASIC QUALITY ASSURANCE IN RADIATION THERAPY

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 35

Abstract: The Nuclear Regulatory Commission is proposing to amend its regulations concerning the medical use of byproduct material. The proposed amendments would require its medical licensees to implement certain quality assurance steps that would reduce the chance of therapy misadministrations. The proposed action is necessary to provide for improved patient safety and serve as a basis for enforcement action in case of a therapy misadministration. The proposed amendment, which is intended to reduce the potential for and severity of therapy misadministrations would primarily affect hospitals, clinics, and individual physicians.

Timetable:

Action	Date	FR Cite
NPRM	10/02/87	52 FR 36942
NPRM Comment Period End	12/01/87	52 FR 36942
Final Action	07/30/88	

Small Entity: No

Agency Contact: Anthony Tse, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3797**

RIN: 3150-AC65

3844. ACCEPTANCE CRITERIA FOR EMERGENCY CORE COOLING SYSTEM (ECCS) FOR LIGHT WATER NUCLEAR POWER REACTORS

Legal Authority: 42 USC 2132; 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 2232; 42 USC 2233; 42 USC 2236; 42 USC 2239; 42 USC 2282; 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The proposed rule would amend regulations concerning acceptance criteria for emergency core cooling systems (ECCS) by allowing the use of realistic methods to demonstrate that an ECCS would protect the nuclear reactor core during a loss-of-coolant accident. This action is proposed because research has shown that calculations performed under current requirements greatly underestimate the ability of the ECCS to protect the core. This restricts the operation of some nuclear reactors unnecessarily and increases the costs of generating electricity. The proposed rule would allow use of the best information currently available to demonstrate that the ECCS would protect the reactor core during a loss-of-coolant accident.

Use of the proposed acceptance criteria could result in a 5 percent power upgrade for affected plants. The present value of energy replacement cost savings resulting from a potential upgrade would range from 13 to $147 million dollars depending on the location and age of a specific plant.

The proposed rule would apply to all applicants for and (cont)

Timetable:

Action	Date	FR Cite
ANPRM	12/06/78	43 FR 57157
ANPRM Comment Period End	02/05/79	43 FR 57157

Action	Date	FR Cite
NPRM	03/03/87	52 FR 6334
NPRM Comment Period End	07/17/87	52 FR 6334
Final Action	06/15/88	

Small Entity: No

Additional Information: ABSTRACT CONT: holders of construction permits for light water reactors.

Because the proposed rule represents a significant change in a regulatory requirement, the staff prepared and issued on May 15, 1987, a summary of ECCS research performed over the last 10 years which identifies the technical basis for the proposed rule. A regulatory guide was also prepared and issued on April 2, 1987. This guide provides a definition of what constitutes an acceptable best estimate model and acceptable methods of performing the uncertainty evaluation. The estimated cost to the NRC of this rulemaking is 2-3 staff years and $200,000.

The only option to rulemaking considered by the staff was the continued use of the current licensing approach. At best, this is viewed as an interim solution because two separate calculations are required to meet the requirements of the current regulation and staff conditions for use of the licensing approach and continued use of the approach risks case-by-case litigation.

Agency Contact: Harry Tovmassian, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3566**

RIN: 3150-AA44

3845. + PRIMARY REACTOR CONTAINMENT LEAKAGE TESTING FOR WATER-COOLED POWER REACTORS

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The proposed rule would update and revise the 1973 criteria for preoperational and periodic pressure testing for leakage of primary containment boundaries of water-cooled power reactors. Problems have developed in application and interpretation of the existing rule. These result from changes in testing technology, test criteria, and a relevant national standard that needs to be recognized.

The revision is urgently needed to resolve continuing conflicts between licensees and NRC inspectors over interpretations, current regulatory practice is no longer being reflected accurately by the existing rule, and endorsement in the existing regulation of an obsolete national standard that was replaced in 1981.

The benefits anticipated include elimination of inconsistencies and obsolete requirements, and the addition of greater usefulness and a higher confidence in the leak-tight integrity of containment system boundaries under post-loss of coolant accident conditions. The majority of the effort needed by NRC to issue the rule has already been expended. (cont)

Timetable:

Action	Date	FR Cite
NPRM	10/29/86	51 FR 39538
NPRM Comment Period End	04/24/87	52 FR 2416
Final Action	06/15/88	

Small Entity: No

Additional Information: ABSTRACT CONT:

A detailed analysis of costs, benefits, and occupational exposures is available in the Public Document Room, and indicates possible savings to industry of $14 million to $300 million and an increase in occupational exposure of less than one percent per year per plant due to increased testing.

Agency Contact: Gunter Arndt, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3945**

RIN: 3150-AA86

3846. + STATION BLACKOUT

Legal Authority: 42 USC 2133; 42 USC 2134; 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: This proposed rule would require licensees of light water nuclear power plants to ensure that these plants are capable of withstanding a total loss of alternating current (AC) electrical power (called station blackout) to the essential and nonessential switchgear buses for a specified duration. A draft regulatory guide was issued at the same time as the proposed rule to provide guidance on how to determine the duration.

The proposed requirements were developed in response to information generated by the Commission's study of Unresolved Safety Issue A-44, Station Blackout. The proposed rule is intended to provide further assurance that a loss of both off-site and emergency on-site electric AC power systems will not adversely affect the public health and safety.

A regulatory analysis has been prepared for the proposed rule. The estimated public risk reduction is 145,000 person-rem over 25 years, and the estimated total cost for industry to comply with the proposed rule is $60 million. This results in an overall cost benefit ratio of about 2,400 person-rem per million dollars.

Timetable:

Action	Date	FR Cite
NPRM	03/21/86	51 FR 9829
NPRM Comment Period End	06/19/86	51 FR 9892
Final Action	04/30/88	

Small Entity: Not Applicable

Additional Information: ABSTRACT CONT:

The alternatives to this proposed rule are to take no action or to provide only guidance for plants to be able to cope with a station blackout period for a specified period. To take no action would not yield any reduction in public risk from station blackout events. To provide guidance only, since there is presently no requirement for nuclear power plants to be able to cope with a total loss of AC power, would not result in any basis for enforcement. The proposed rule is the recommended alternative based on its enforceability and, in part, on the favorable cost/benefit ratio.

Agency Contact: Alan Rubin/A.W. Serkiz, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-8303**

RIN: 3150-AB38

3847. + CODES AND STANDARDS FOR NUCLEAR POWER PLANTS

Legal Authority: 42 USC 5841; 42 USC 5842; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The Commission proposes to amend its regulations to incorporate by reference the Winter 1984 Addenda, Summer 1985 Addenda, Winter 1985 Addenda, and 1986 Edition of Section III, Division 1, of the American Society of Mechanical Engineers Boiler and Pressure Vessel Code (ASME Code), and the Winter 1983 Addenda, Summer 1984 Addenda, Winter 1984 Addenda, Summer 1985 Addenda, Winter 1985 Addenda, and 1986 Edition of Section XI, Division 1 of the ASME Code. A limitation is placed on the use of paragraph IWB-3640 as contained in the Winter 1983 Addenda and Winter 1984 Addenda of Section XI, Division 1. This limitation requires that for certain types of welds, IWB-3640 be used as modified by the Winter 1985 Addenda. The sections of the ASME Code being incorporated provide rules for the construction of light-water-cooled nuclear power plant components and specify requirements for inservice inspection of those components. Adoption of these amendments would permit the use of improved methods for construction and inservice inspection of nuclear power plants.

Timetable:

Action	Date	FR Cite
NPRM	06/26/87	52 FR 24015
NPRM Comment Period End	08/25/87	52 FR 24015
Final Action	04/30/88	

Small Entity: No

Agency Contact: Gilbert C. Millman, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3872**

RIN: 3150-AC29

3848. ● BACKFIT REQUIREMENT FOR SENIOR OPERATORS AT NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The Nuclear Regulatory Commission is considering an amendment to its rule concerning the backfitting of nuclear power plants. This rulemaking action is necessary to bring the existing backfitting rule into unambiguous conformance with the decision of the United States Court of Appeals for the District of Columbia in the Union of Concerned Scientist, et al. v. U.S. Nuclear Regulatory Commission (Nos. 85-1757 and 86-1219 (August 4, 1987)). The rulemaking is intended to clarify when economic factors may be considered in making a decision as to whether or not a backfit requirement is imposed on a nuclear power plant.

Timetable:

Action	Date	FR Cite
NPRM	09/10/87	52 FR 34223
NPRM Comment Period End	10/13/87	52 FR 34223
Final Action	04/00/88	

Small Entity: No

Agency Contact: Steven F. Crockett, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, **202 634-1465**

RIN: 3150-AC63

3849. + TABLE S-3, ADDITION OF RADON-222 AND TECHNETIUM-99 RADIATION VALUES AND ADDITION OF APPENDIX B, "TABLE S-3 EXPLANATORY ANALYSIS"

Legal Authority: 42 USC 2011; 42 USC 4321

CFR Citation: 10 CFR 51

Abstract: The proposed rule provides a narrative explanation of the numerical values established in Table S-3, "Table of Uranium Fuel Cycle Environmental Data," that appears in the Commission's environmental protection regulations. The proposed rule describes the basis for the values contained in Table S-3, the significance of the uranium fuel cycle data in the table, and the conditions governing the use of the table. The proposed rule would also modify or eliminate reference to the enrichment value of U-235 and the average level of fuel irradiation. The narrative explanation also addresses important fuel cycle impacts and the cumulative impacts of the nuclear fuel cycle for the whole nuclear power industry so that it may be possible to consider these impact generically rather than repeatedly in individual licensing proceedings, thus reducing litigation time and costs for both NRC and applicants.

The proposed rule regarding revision of Section 51.51 and the addition of Appendix B was published for public review and comment on March 4, 1981 (46 FR 15154). The final rulemaking

Timetable:

Action	Date	FR Cite
NPRM	03/04/81	46 FR 15154
NPRM Comment Period End	05/04/81	46 FR 15154
Final Action	12/00/88	

Small Entity: No

Additional Information: ABSTRACT CONT: was deferred pending the outcome of a suit (Natural Resources Defense Council, et al. v. NRC, No. 74-186) in the U.S. Circuit Court of Appeals. The U.S. Court of Appeals (D.C. Circuit decision of April 27, 1982, invalidated the entire Table S-3 rule. The Supreme Court reversed this decision on June 6, 1983.

The proposed rule to provide a narrative explanation for Table S-3 has been revised to reflect new developments and the passage of time while the rulemaking was deferred. Final action on the Table S-3 rule was held in abeyance until new values for radon- 222 and technetium-99 could be added to the table and covered in the narrative explanation. The rule is being reissued as a proposed rule because the scope has been extended to include radiation values for radon-222 and technetium-99 and the narrative explanation has been extensively revised from that published on March 4, 1981 (46 FR 15154)

The Staff's estimate is that the completion of a final Table S-3 rule covering the new values for radon-222 and technetium-99, and the revised narrative explanation will be completed in 1989.

Agency Contact: William Pearson, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3764**

RIN: 3150-AA31

3850. + PART 51; CONFORMING AMENDMENTS

Legal Authority: 42 USC 10101

CFR Citation: 10 CFR 51; 10 CFR 60

Abstract: The proposed rule would provide procedures for performing an environmental review of High Level Waste geologic repositories. Part 51 contains no provisions for the environmental review of a license application for a HLW repository. The Nuclear Waste Policy Act of 1982 established requirements for

environmental reviews which are at variance with the environmental review which NRC performs in licensing other types of nuclear facilities. The issue must be addressed in order to avoid delay in the U.S. HLW Program. The proposed rule would benefit the public, industry, and NRC by clarifying licensing procedures, thus avoiding case determinations and possible litigation during HLW geologic repository licensing. Minor revisions to Part 60 will be necessary to conform to the environmental requirements of the NWPA. Alternatives are to take no action, issue an ANPRM, or ask Congress for additional legislation.

Timetable:

Action	Date	FR Cite
NPRM	03/15/88	
Final Action	03/15/89	

Small Entity: No

Agency Contact: James R. Wolf, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, **301 492-1641**

RIN: 3150-AC04

3851. + CRITERIA AND PROCEDURES FOR EMERGENCY ACCESS TO NON-FEDERAL AND REGIONAL LOW-LEVEL WASTE DISPOSAL FACILITIES

Legal Authority: 42 USC 2021

CFR Citation: 10 CFR 62

Abstract: The proposed rule would establish procedures and criteria for fulfilling NRC's responsibilities associated with action on requests by low-level radioactive waste generators, or State officials on behalf of those generators, for emergency access to operating, non-Federal or regional, low level radioactive waste disposal facilities under Section 6 of the Low-Level Radioactive Waste Policy Amendments Act of 1985 (LLRWPAA). Section 6 of the LLRWPAA authorizes the NRC to grant emergency access to any non-Federal low-level waste disposal facility, if necessary, to eliminate the immediate and serious threat to the public health and safety of the common defense and security, provided the threat cannot be mitigated by any alternative.

Timetable:

Action	Date	FR Cite
NPRM	12/15/87	52 FR 47578
NPRM Comment Period End	02/12/88	52 FR 47578
Final Action	08/31/88	

Small Entity: Yes

Agency Contact: Janet Lambert, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3904**

RIN: 3150-AC24

3852. ● SAFEGUARDS REQUIREMENTS FOR FUEL FACILITIES POSSESSING FORMULA QUANTITIES OF STRATEGIC SPECIAL NUCLEAR MATERIAL

Legal Authority: 42 USC 2073; 42 USC 2167; 41 USC 2201; 42 USC 5841; 42 USC 5844

CFR Citation: 10 CFR 73

Abstract: In a staff requirements memorandum dated June 8, 1987, the Commission directed the staff to publish a proposed rule within 120 days which would implement improved safeguards requirements based on the findings of a review team which compared DOE and NRC safeguards programs (SECY 87-28). Primary focus is in the following areas: (1) security system performance evaluations, (2) night firing qualifications for guards, (3) 100 percent entrance searches, (4) armed guards at material access area control points, (5) two protected area fences, and (6) revision of the design basis threat.

Timetable:

Action	Date	FR Cite
NPRM	12/31/87	52 FR 49418
NPRM Comment Period End	03/30/88	52 FR 49418
Final Action	10/30/88	

Small Entity: No

Agency Contact: Dr. Sandra D. Frattali, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3773**

RIN: 3150-AC62

3853. + CRITERIA FOR AN EXTRAORDINARY NUCLEAR OCCURRENCE

Legal Authority: 42 USC 2201; 42 USC 2210; 42 USC 5841; 42 USC 5842

CFR Citation: 10 CFR 140

Abstract: The final rule will revise the ENO criteria to eliminate the problems that were encountered in the Three Mile Island ENO determination. It is desirable to get revised criteria in place in the event they are needed.

There are no alternatives to this rulemaking, as the current ENO criteria are already embodied in Subpart E of 10 CFR Part 140. The only way to modify these criteria, as this rule seeks to do through rulemaking.

There is no impact on public health or safety. The ENO criteria provide legal waivers of defenses. Industry (insurers and utilities) claims that a reduction in the ENO criteria could cause increases in insurance premiums. The final rule would also be responsive to PRM-140-1.

It is estimated that approximately 1.0 staff year of NRC time will be required to process the final rule. No contract funding is anticipated.

Timetable:

Action	Date	FR Cite
NPRM	04/09/85	50 FR 13978
NPRM Comment Period End	09/06/85	
Final Action	04/30/88	

Small Entity: No

Agency Contact: Harold Peterson, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3738**

RIN: 3150-AB01

3854. DISPOSAL OF LOW-LEVEL RADIOACTIVELY CONTAMINATED WASTE OIL FROM NUCLEAR POWER PLANTS

Legal Authority: 42 USC 2201; 42 USC 2167; 42 USC 2073

CFR Citation: 10 CFR 20

Abstract: The proposed rule, which is being initiated in partial response to a petition filed by Edison Electric Institute and Utility Nuclear Waste Management Group (PRM-20-15, dated July 31, 1984), would amend NRC regulations to allow onsite incineration of waste oil at nuclear power plants subject to specified conditions. Currently, the only approved disposal method for low-level, radioactively contaminated waste oil from nuclear power plants involves absorption or solidification, transportation to, and

burial at a licensed disposal site. There is a clear need to allow, for very low activity level wastes, the use of alternative disposal methods which are most cost effective from a radiological health and safety standpoint and which conserve the limited disposal capacity of low-level waste burial sites.

Increased savings to both the public and the industry could thereby be achieved without imposing additional risk to the public health and safety. There would be, in a mature reactor economy, an estimated industry-wide economic savings of approximately $5 million to $18 million per year if such a rule

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
Final Action	12/30/88	

Small Entity: No

Additional Information: ABSTRACT CONT: were promulgated.

Alternatives to this rulemaking action are to maintain the status quo or to wait until the Environmental Protection Agency develops standards on acceptable levels of radioactivity which may be released to the environment on an unrestricted basis. It is estimated that approximately 1-2 staff-years will be required to process this rule.

Agency Contact: Catherine R. Mattsen, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3638**

RIN: 3150-AC14

3855. + PROPOSED REVISIONS TO THE CRITERIA AND PROCEDURES FOR THE REPORTING OF DEFECTS AND NONCOMPLIANCE

Legal Authority: 42 USC 2201; 42 USC 2282; 42 USC 5841; 42 USC 5846

CFR Citation: 10 CFR 21; 10 CFR 50

Abstract: This proposed rule would amend Part 21 and sec. 50.55(e), both of which require the reporting of safety defects by licensees. In addition, Part 21 requires reporting by non-licensees. This proposed amendment was prompted by TMI Action Plan Task II, J.4, and NRC staff experience with Part 21 and section 50.55 (e) reporting. The main objectives of the rulemaking effort are: (1) elimination of duplicate evaluation and reporting of safety defects; (2) consistent threshold for safety defect reporting in Part 21 and section 50.55(e); (3) establishment of consistent and uniform content of reporting under Part 21 and section 50.55 (e) and (4) establishment of time limits within which a defect must be evaluated and reported.

Approximately 500 reports are submitted to the Commission annually under Part 21. Approximately 1500 reports are submitted to the Commission annually under section 50.55 (e). These reports identify both plant-specific and generic safety for further NRC regulatory action. Under current rules, these reports have formed the basis for NRC issuance of numerous NRC information notices and bulletins. (cont)

Timetable:

Action	Date	FR Cite
NPRM	03/01/88	
Final Action	09/11/88	

Small Entity: No

Additional Information: ABSTRACT CONT:

Alternatives to this rulemaking approach which were considered, varied from establishment of a single rule for all reporting of safety defects and operating reactors events to maintaining status quo for defect reporting. All alternatives were rejected since they would not substantially improve the current safety defect reporting situation.

Current costs of reporting under Part 21 and section 50.55 (e) are estimated at $10.08 million annually for industry and 1.74 million annually for NRC evaluations. It is anticipated that the industry reporting burden should be reduced by $1.93 million; while NRC burden should remain the same. Additional industry burden, though minimal, is anticipated in the area of reissuing procedures for reporting and record keeping.

The Commission disapproved this proposed rule on 10/20/86 and provided direction to the staff to revise the proposed rulemaking.

Agency Contact: William R. Jones, Nuclear Regulatory Commission, Office of Analysis and Evaluation of, Operational Data, Washington, DC 20555, **301 492-4488**

RIN: 3150-AA68

3856. + SAFETY REQUIREMENTS FOR INDUSTRIAL RADIOGRAPHIC EXPOSURE DEVICES

Legal Authority: 42 USC 2111; 42 USC 2201; 42 USC 2232; 42 USC 2233

CFR Citation: 10 CFR 34

Abstract: The proposed rule would amend the present regulations to establish performance standards for industrial radiography exposure devices. Overexposures of radiographers (and occasionally the general public) are more than double that of other radiation workers and have been a concern to the NRC for some time. Approximately 25-35% of the radiography overexposures are associated with equipment malfunction. The issue of safety requirements for these devices is a primary concern since the devices use relatively high intensity, high energy gamma-ray emitting sources with the potential for serious overexposures. Although a consensus standard for radiographic exposure devices was published in 1981, (American National Standard. N432) it is not clear that all manufacturers are adopting the standard.

The alternatives considered were to (1) take no action at this time, (2) amend the regulations to require performance standards for radiographic devices plus a requirement for radiographers to wear alarm dosimeters and simultaneously issue a regulatory guide endorsing the consensus standard, supplemented by such other performance standards deemed necessary, plus a requirement (cont)

Timetable:

Action	Date	FR Cite
NPRM	02/15/88	
Final Action	08/15/88	

Small Entity: Yes

Additional Information: ABSTRACT CONT: for radiographers to wear alarm dosimeters.

The proposed rule would require licensees to modify radiographic devices to meet the performance standards through design changes and quality control procedures. Cost of incorporating the proposed changes are estimated to be a one-time cost $1,600 per licensee to purchase alarm dosimeters and $250.00 per year per licensee to replace existing devices with devices that meet the requirements

of the consensus standard. Determination of the benefits to be derived from the proposed rule are difficult to determine on a monetary basis but the potential hazards that might be averted include radiation sickness, injury, and even death. NRC resources required for processing this rule to final publication are estimated to be 0.4 person-years.

Agency Contact: Donald O. Nellis, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3628**

RIN: 3150-AC12

3857. ● DIAGNOSTIC MISADMINISTRATION REPORT FORM

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 35

Abstract: The final rule amends the regulations governing the medical use of byproduct material to specify the form that is to be used by NRC medical licensees to report diagnostic misadministrations. The rule is intended to inform licensees that the form contemplated in the revision to these regulations (see the Federal Register of October 16, 1986; 51 FR 36932) has been developed and is now available for use.

Timetable:

Action	Date	FR Cite
Interim Final Rule	04/00/88	

Small Entity: No

Agency Contact: Norman L. McElroy, Nuclear Regulatory Commission, Office of Nuclear Materials Safety and, Safeguards, Washington, DC 20555, **301 427-4108**

RIN: 3150-AC69

3858. ALTERNATIVE METHODS FOR LEAKAGE RATE TESTING

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The Nuclear Regulatory Commission proposes a limited amendment to its regulations to clarify a question of interpretation in regard to leakage testing of containments of light-water cooled nuclear power plants. This proposed amendment would explicitly permit the continued use of a statistical data analysis technique that the NRC has considered to be an acceptable method of calculating containment leakage rates. Rulemaking is the only acceptable alternative for resolving this issue because the regulations specify the methods the NRC finds acceptable for calculation leakage rates. Because the proposed rule would simply make another method of calculating leakage rates available to the industry, there is no economic impact likely to result from this action.

Timetable:

Action	Date	FR Cite
NPRM	02/29/88	53 FR 5985
NPRM Comment Period End	03/30/88	
Final Action	08/15/88	

Small Entity: No

Agency Contact: E. Gunter Arndt, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3945**

RIN: 3150-AC54

3859. AMENDMENT TO ASSIGN NRC SOLE AUTHORITY FOR APPROVING ONSITE LOW-LEVEL WASTE DISPOSAL

Legal Authority: 42 USC 2201; 42 USC 2021; 42 USC 5841

CFR Citation: 10 CFR 150

Abstract: This rulemaking would establish NRC's sole authority for approving onsite disposal of low-level waste at all NRC licensed reactors and at Part 70 fuel cycle facilities. There is a need to amend section 150.15 to authorize one agency (NRC) to regulate all onsite disposal of low-level waste in order to provide a more comprehensive regulatory review procedure of all onsite waste management activities and to avoid unnecessary duplication of effort. Uniform review procedures by the NRC will provide for greater health hazard at a later date after the site is decommissioned.

Timetable:

Action	Date	FR Cite
NPRM	02/28/88	
Final Action	02/28/89	

Small Entity: No

Agency Contact: John Stewart, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3618**

RIN: 3150-AC57

NUCLEAR REGULATORY COMMISSION (NRC) — Completed Actions

3860. ● RECONSIDERATION OF ENFORCEMENT PROVISION INVOLVING REOPENING CLOSED CASES

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 2

Abstract: The final rule modifies the NRC's general statement of policy and procedure for enforcement actions. The modification is necessary to clarify the policy on reopening closed enforcement actions. The policy statement is modified to make it clear that a decision to reopen a case is to be made on a case-by-case basis.

Timetable:

Action	Date	FR Cite
Final Action	03/23/88	53 FR 9429

Small Entity: No

Agency Contact: James Lieberman, Nuclear Regulatory Commission, Office of Enforcement, Washington, DC 20555, **301 492-0741**

RIN: 3150-AC79

3861. ● RELOCATION OF OFFICE OF NUCLEAR REACTOR REGULATION

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 4; 10 CFR 15; 10 CFR 19; 10 CFR 20; 10 CFR 21; 10 CFR 50; 10 CFR 53; 10 CFR 55; 10 CFR 73; 10 CFR 75; 10 CFR 81; 10 CFR 140; 10 CFR 150; 10 CFR 170

Abstract: The final rule amends the NRC's regulations to indicate that its Office of Nuclear Reactor Regulation has relocated at the agency's new office building located at One White Flint

North, 11555 Rockville Pike, Rockville, Maryland. The final rule also indicates this relocation by revising the address for the personal delivery of communications and reports to the NRC's Document Control Desk. These amendments are being made to inform NRC licensees and members of the public of the relocation.

Timetable:

Action	Date	FR Cite
Final Action Effective	02/29/88	
Final Action	03/01/88	53 FR 6137

Small Entity: No

Agency Contact: Donnie H. Grimsley, Nuclear Regulatory Commission, Office of Administration and Resources, Management, Washington, DC 20555, 301 492-7211

RIN: 3150-AC77

3862. UPDATE OF FREEDOM OF INFORMATION ACT PROCEDURES AND OTHER MINOR AMENDMENTS

Legal Authority: 42 USC 2201; 42 USC 5841; 5 USC 552; 31 USC 9701; 5 USC 552a; 5 USC 552b

CFR Citation: 10 CFR 2; 10 CFR 9

Abstract: The final rule revised Parts 2 and 9 to reflect changes in the Freedom of Information Act. This action is being taken to comply with Pub. L. 99-570 "Freedom of Information Reform Act of 1986," signed into law by the President on October 1986. These amendments also reflect current NRC organizational structure, current agency practice and delegation. The revision will also reduce the repetition of statutory requirements.

Timetable:

Action	Date	FR Cite
NPRM	08/06/87	52 FR 29197
NPRM Comment Period End	08/26/87	52 FR 29197
Final Action	12/31/87	52 FR 49350
Final Action Effective	02/01/88	52 FR 49350

Small Entity: No

Agency Contact: Donnie H. Grimsley, Nuclear Regulatory Commission, Office of Administration and Resources, Management, Washington, DC 20555, 301 492-7211

RIN: 3150-AC50

3863. + FEE SCHEDULE CHANGE FOR NRC "U" AND "Q" ACCESS AUTHORIZATIONS

Legal Authority: 42 USC 2201; 42 USC 2273; 42 USC 5841

CFR Citation: 10 CFR 11; 10 CFR 25

Abstract: The final rule increases the fees for NRC "U" and "Q" access authorizations charged to NRC licensees and others applying for access authorizations which require full field background investigations. The final amendments also require that the title of the NRC point of contact, in the event a request for an individual's access authorization is withdrawn or cancelled, be changed to read Chief, Personnel Security Branch, NRC Division of Security. The final amendments are in response to the Office of Personnel Management's Notification of an increase in cost to conduct background investigations.

Timetable:

Action	Date	FR Cite
Final Action	11/20/87	52 FR 44593

Small Entity: No

Agency Contact: Duane G. Kidd, Nuclear Regulatory Commission, Office of Administration and Resources Management, Washington, DC 20555, 301 492-4124

RIN: 3150-AC59

3864. COMPLETENESS AND ACCURACY OF INFORMATION PROVIDED TO THE COMMISSION

Legal Authority: 42 USC 2201; 42 USC 2021a; 42 USC 5841; 42 USC 5851; 42 USC 10141; 42 USC 2273; 42 USC 2201(o)

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 50; 10 CFR 55; 10 CFR 60; 10 CFR 61; 10 CFR 70; 10 CFR 71; 10 CFR 72; 10 CFR 150

Abstract: The final rule requires all licensees and applicants for licenses to provide the Commission with complete and accurate information, to provide for disclosure of information identified by licensees as significant for licensed activities and to define those circumstances when inaccurate or incomplete information will be considered by the Commission as material false statements.

Timetable:

Action	Date	FR Cite
Final Action Effective	02/01/87	52 FR 49362
NPRM	03/11/87	52 FR 7432
NPRM Comment Period End	04/10/87	52 FR 7432
Final Action	12/31/87	52 FR 49362

Small Entity: No

Agency Contact: Mary Wagner, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, 301 492-1683

RIN: 3150-AC45

3865. REGIONAL NUCLEAR MATERIALS LICENSING FOR THE UNITED STATES NAVY

Legal Authority: 42 USC 5841

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 70

Abstract: The final rule amends provisions concerning the domestic licensing of source, byproduct, and special nuclear materials. The final rule is intended to provide information about the further implementation of NRC's decentralized licensing program. This amendment implements another phase of the process by transferring the newly consolidated U.S. Navy license to Region II. The final rule does not have any cost impact on NRC, the licensee or the public.

Timetable:

Action	Date	FR Cite
Final Action	10/16/87	52 FR 38391
Final Action Effective	12/01/87	52 FR 38391

Small Entity: No

Agency Contact: George J. Deegan, Nuclear Regulatory Commission, Office of Nuclear Material, Safety and Safeguards, Washington, DC 20555, 301 427-4114

RIN: 3150-AC55

3866. ● REVISION OF LIST OF NON-AGREEMENT STATES IN REGION III

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 70

Abstract: The final rule amends the Commission's regulations to reflect the removal of Illinois and Iowa from the list of non-Agreement States in Region

III because Iowa became an Agreement State in 1986 and Illinois became an Agreement State in 1987. These amendments are necessary to inform the public and affected licensees of the change in status of the two States.

Timetable:

Action	Date	FR Cite
Final Action	12/18/87	52 FR 48092
Final Action Effective	12/18/87	52 FR 48092

Small Entity: No

Agency Contact: Donnie H. Grimsley, Nuclear Regulatory Commission, Office of Administration and Resources, Management, Washington, DC 20555, **301 492-7211**

RIN: 3150-AC70

3867. + URANIUM MILL TAILINGS REGULATIONS: GROUND WATER PROTECTION AND OTHER ISSUES

Legal Authority: 42 USC 2201; 42 USC 5841; 42 USC 7901 Note

CFR Citation: 10 CFR 40

Abstract: The final rule incorporates groundwater standards established by the Environmental Protection Agency for uranium mill tailings into NRC regulations. This action is necessary to make NRC regulations conform to EPA standards as required by the Uranium Mill Tailings Radiation Control Act.

Timetable:

Action	Date	FR Cite
ANPRM	11/26/84	49 FR 46425
ANPRM Comment Period End	03/01/85	50 FR 2293
NPRM	07/08/86	51 FR 24697
NPRM Comment Period End	09/08/86	51 FR 24697
Final Action	11/13/87	52 FR 43553
Final Action Effective	12/14/87	52 FR 43553

Small Entity: No

Agency Contact: Kitty S. Dragonette, Nuclear Regulatory Commission, Office of Nuclear Material Safety and Safeguards, Washington, DC 20555, **301 427-4300**

RIN: 3150-AB56

3868. + BROAD SCOPE MODIFICATION OF GENERAL DESIGN CRITERION 4 REQUIREMENTS FOR PROTECTION AGAINST DYNAMIC EFFECTS OF POSTULATED PIPE RUPTURES

Legal Authority: 42 USC 2201; 42 USC 5846

CFR Citation: 10 CFR 50

Abstract: The final broad scope modification of General Design Criterion 4 (GDC 4) allows demonstration of piping integrity by analyses to serve as a basis for excluding consideration of dynamic effects associated with pipe ruptures. A final rule published April 11, 1986 (51 FR 12502) was limited to the primary loops of pressurized water reactors (PWRs), whereas this final rule covers all high energy piping in all light water reactors (LWRs). The modification permits the general but selective removal of pipe whip restraints and jet impingement shields from operating plants, plants under construction, and future plant designs, but will not impact other design requirements for containment design or ECCS performance. Alternative equipment qualification requirements developed by industry based on leak-before-break may be submitted to the NRC for review and approval in a limited number of applications.

Timetable:

Action	Date	FR Cite
NPRM	07/23/86	51 FR 26393
NPRM Comment Period End	09/22/86	51 FR 26393
Final Action	10/28/87	52 FR 41288
Final Action Effective	11/27/87	52 FR 41288

Small Entity: No

Agency Contact: John A. O'Brien, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 443-7854**

RIN: 3150-AC05

3869. CONSIDERATION OF EMERGENCY PLANNING RULE CHANGES TO DEAL WITH LACK OF GOVERNMENTAL COOPERATION IN OFFSITE EMERGENCY PLANNING

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 50

Abstract: The final rule in limited circumstances, allows a full power nuclear plant operation to begin when there is a lack of State or local government cooperation in offsite emergency planning. In earlier regulations, the Commission published revised emergency planning regulations which required that emergency plans be developed by licensees in cooperation with State and local governments. Although the Commission acknowledged the possibility that some governments might not cooperate, the Commission premised the new rules on a coordinated effort among all parties. Because this coordination has proved impossible to achieve in a few isolated cases, this final rulemaking is intended to cover those cases not contemplated by the 1980 amendments.

Timetable:

Action	Date	FR Cite
NPRM	03/06/87	52 FR 6980
NPRM Comment Period End	06/04/87	52 FR 6980
Final Action	11/03/87	52 FR 42078
Final Action Effective	12/03/87	52 FR 42078

Small Entity: No

Agency Contact: Peter Crane, Nuclear Regulatory Commission, Office of the General Counsel, Washington, DC 20555, **301 634-1465**

RIN: 3150-AC36

3870. ● CHANGE OF REGION I ADDRESS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 1; 10 CFR 20; 10 CFR 30; 10 CFR 40; 10 CFR 55; 10 CFR 70; 10 CFR 73

Abstract: The final rule would amend the Commission's regulations to reflect the change of address for its Region I Office. The amendments are necessary to inform the public and affected licensees of the change in address.

Timetable:

Action	Date	FR Cite
Final Action	02/10/88	53 FR 3861
Final Action Effective	02/10/88	53 FR 3861

Small Entity: No

Agency Contact: Donnie H. Grimsley, Nuclear Regulatory Commission, Office of Administration and Resources,

Management, Washington, DC 20555, **301 492-7211**

RIN: 3150-AC68

3871. ● REVISION OF HEADQUARTERS OFFICE LOCATIONS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 1

Abstract: The final rule amends NRC regulations pertaining to its statement of organization and general information to amend the name of one of its Headquarters Office Buildings and to add two new office locations to its list of offices. The amendment is being made to inform NRC licensees and members of the public of these changes.

Timetable:

Action	Date	FR Cite
Final Action	01/22/88	53 FR 1744
Final Action Effective	01/22/88	53 FR 1744

Small Entity: No

Agency Contact: Donnie H. Grimsley, Nuclear Regulatory Commission, Office of Administration and Resources, Management, Washington, DC 20555, **301 492-7211**

RIN: 3150-AC74

3872. ● RELOCATION OF NRC OFFICES--NMSS AND GPA

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 30; 10 CFR 40; 10 CFR 60; 10 CFR 61; 10 CFR 70; 10 CFR 72; 10 CFR 74

Abstract: The final rule amends the NRC's regulations to indicate that its Office of Nuclear Material Safety and Safeguards has relocated at the agency's new office building located at One White Flint North, 11555 Rockville Pike, Rockville, Maryland. In addition, the final rule announces that portions of the Office of Governmental and Public Affairs--the State, Local, and Indian Tribe Programs and International Programs--have also relocated at One White Flint North. These amendments are being made to inform NRC licensees and members of the public of these relocations.

Timetable:

Action	Date	FR Cite
Final Action	02/12/88	53 FR 4109

Small Entity: No

Agency Contact: Donnie H. Grimsley, Nuclear Regulatory Commission, Office of Administration and Resources, Management, Washington, DC 20555, **301 492-7211**

RIN: 3150-AC75

3873. ● MINOR NOMENCLATURE AMENDMENTS

Legal Authority: 42 USC 2201; 42 USC 5841

CFR Citation: 10 CFR 150

Abstract: The final rule amends the Commission's regulations to correct an oversight that was made when a final rule regarding the NRC's organizational structure was recently published in the Federal Register. The amendment corrects references to a now defunct of the agency and informs the public and affected licensees of the nomenclature changes.

Timetable:

Action	Date	FR Cite
Interim Final Rule	10/30/87	
Final Action	10/30/87	52 FR 41699
Final Action Effective	10/30/87	52 FR 41699

Small Entity: No

Agency Contact: Donnie H. Grimsley, Nuclear Regulatory Commission, Office of Administration and Resources, Management, Washington DC 20555, **301 492-7211**

RIN: 3150-AC67

3874. ● GENERAL CRITERIA FOR SECURITY PERSONNEL

Legal Authority: 42 USC 2073; 42 USC 2167; 42 USC 2201; 42 USC 5841; 42 USC 5844

CFR Citation: 10 CFR 73

Abstract: The final rule is in response to the outstanding request made in PRM-73-6 submitted by Wisconsin Electric Power Company, et al, which requested several changes in the qualifications for armed security personnel set out in 10 CFR Part 73, Appendix B. The petition was partially denied on September 3, 1987 (52 FR 33428). The final rule will grant that part of the petition which requested deletion of a scheduling link between the timing of the medical examination and the physical fitness test given at least annually to all armed security personnel. The amendment results in no impact on NRC resources and a cost savings to those licensees adversely impacted by the current requirement that all armed security personnel be subjected to an annual physical fitness test which must be preceded within 30 days by a medical examination.

Timetable:

Action	Date	FR Cite
Final Action	01/07/88	53 FR 403
Final Action Effective	02/08/88	53 FR 403

Small Entity: No

Agency Contact: William R. Lahs, Nuclear Regulatory Commission, Office of Nuclear Regulatory Research, Washington, DC 20555, **301 492-3774**

RIN: 3150-AC66

[FR Doc. 88-5113 Filed 04-22-88; 8:45 am]

BILLING CODE 7590-01-T

federal register

Monday
April 25, 1988

Part LVI

Securities and Exchange Commission

Semiannual Regulatory Agenda

SECURITIES AND EXCHANGE COMMISSION (SEC)

SECURITIES AND EXCHANGE COMMISSION

17 CFR Ch. II

[Release Nos. 33-6757, 34-25404, 35-24592, 39-2147, IC-16294, IA-1107; File No. S7-3-88]

Regulatory Flexibility Agenda and Rules Scheduled for Review

AGENCY: Securities and Exchange Commission.

ACTION: Publication of regulatory flexibility agenda and rules scheduled for review.

SUMMARY: The Securities and Exchange Commission is today publishing an agenda of its open and anticipated rulemaking actions, pursuant to Chapter Six of the Administrative Procedure Act and Office of Management and Budget Bulletin 88-1. The agenda is a general announcement to the public intended to provide advance notice of rulemaking actions which may have a significant economic impact on a substantial number of small entities. The Commission invites questions and public comment on individual agenda entries.

DATE: Public Comments are due by June 30, 1988.

ADDRESSES: Persons wishing to submit written views should file three copies with Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 5th Street, NW., Room 6184, Stop 6-9, Washington, DC 20549. All submissions should refer to File No. S7-3-88, and will be available for public inspection at the Commission's Public Reference Room, Room 1026, at the same address.

FOR FURTHER INFORMATION CONTACT: William J. Atkinson, Office of Economic Analysis, Securities and Exchange Commission, 450 5th Street, NW., Room 10215, Stop 10-5, Washington, DC 20549 (202-272-7100). Additional names of persons to contact are identified with each entry.

SUPPLEMENTARY INFORMATION: The Regulatory Flexibility Act ("RFA") (Pub. L. No. 96-354, 94 Stat. 1164 [September 19, 1980]) requires each federal agency during April and October of each year to publish in the **Federal Register** a regulatory flexibility agenda identifying rules which the agency expects to propose or adopt which are likely to have a significant economic impact on a substantial number of small entities (the "significant impact criterion").[1]

The RFA also requires the Commission to publish a plan for the periodic review of all rules issued by the agency which have or will have a significant economic impact on a substantial number of small entities.[2] The Commission published such a plan in 1981.[3] The plan provides for the review of all rules in effect on January 1, 1981 within ten years of that date and for the review of all rules adopted thereafter within ten years of their adoption as final rules. The RFA further requires publication each year of a list of those rules which are to be reviewed during the succeeding twelve months.[4]

The Commission's continuing review of its rules, begun before the effective date of the statute (January 1, 1981), extends beyond the requirements of the RFA. Consequently, some rules listed in this part of the agenda may not be subject to RFA review requirements. The Commission is identifying them here in order to inform the public of its intention to review them. The agenda also identifies the rulemaking actions which have been completed (or withdrawn) since the last RFA release was approved by the Commission on August 28, 1987.[5]

The statute specifically provides that the agenda does not preclude the Commission from considering or acting on any matter not included, nor is the Commission required to consider or act on any matter which is included.[6] Furthermore, the inclusion of a rule in the Commission's agenda reflects only the staff's preliminary judgment that the rule, if adopted or as it exists, may have a significant economic impact on a substantial number of small entities.[7] This preliminary judgment may be changed upon further analysis.

The Commission's entries to the April 1988 Unified Agenda of Federal Regulations are listed below. The Commission's agenda includes new entries as well as items carried over from the October 1987 publication. New entries are marked with an asterisk. Copies of this preamble and a list of the entries (which includes next action dates and identifies a staff contact) are available from the Commission's Office of Public Affairs (Room 1015). The agenda also is available for inspection and copying in the Public Reference Room (Room 1026) (File S7-3-88), as noted above.

The Commission invites public comment on the individual entries in its agenda of rulemaking actions and rules scheduled for review in the next twelve months.

Dated: March 1, 1988.

By the Commission.

Jonathan G. Katz,

Secretary.

Prerule Stage

Sequence Number	Title	Regulation Identifier Number
3875	17 CFR 210.9-03(7)(e) Financial Statement Disclosure by Bank Holding Companies About Loans to Related Parties..	3235-AB45
3876	17 CFR 210 Proposed Additions to Rules and Guide for Disclosures concerning Reserves for Unpaid Claims and Claim Adjustment Expenses of Property - Casualty Underwriters	3235-AC44
3877	17 CFR 240.3a12-10 Exemption of Sales of Certain Interests and Participations Issued in Connection with H.R. 10 Plans from Section 15(a)	3235-AC16

[1] 5 U.S.C. 602(a).

[2] 5 U.S.C. 610(a).

[3] Securities Act Release No. 6362 (June 24, 1981) [46 FR 33287].

[4] 5 U.S.C. 610(c).

[5] Securities Act Release No. 6732 (October 26, 1987) [52 FR 41226].

[6] 5 U.S.C. 602(d).

[7] The agenda relies on the definitions of the term "small entity" for purposes of the RFA which were adopted by the Commission for the various categories of regulated entities. *See* Securities Act Release No. 6380 (January 28, 1982) [47 FR 5215].

SEC

Prerule Stage—Continued

Sequence Number	Title	Regulation Identifier Number
3878	17 CFR 240.17Ad-8 Rule 17Ad-8 of the Securities Exchange Act	3235-AC29
3879	17 CFR 240.15c2-10 Rule 15c2-10	3235-AC94
3880	17 CFR CFR 270.6c-10 Proposed Rule 6c-10 under the Investment Company Act of 1940	3235-AD18
3881	17 CFR 12d3-1 Proposed Amendments to Rule 12d3-1 under the Investment Company Act of 1940	3235-AD19

Proposed Rule Stage

Sequence Number	Title	Regulation Identifier Number
3882	17 CFR 240.13e-2 Acquisitions of Substantial amounts of Securities and Related Activities during and following a Tender Offer for those Securities	3235-AA50
3883	17 CFR 240.16a-1 to 240.16a-11 Reports of Directors, Officers and Principal Stockholders	3235-AB14
3884	17 CFR 239.16b Form S-8 Registration Statement under the Securities Act of 1933	3235-AB79
3885	00 CFR Not yet determined Rulemaking for Operational Edgar System	3235-AC48
3886	17 CFR 230 Rule 153 Definition of Preceded by a prospectus as used in Section 5(b)(2) in relation to Certain Transactions	3235-AC61
3887	17 CFR 210 Facilitation of Multinational Securities Offerings	3235-AC64
3888	17 CFR 230.144A Proposed Rule for Limited Resales of Securities	3235-AC65
3889	17 CFR 230 Classification of Small Issuers for Reporting Purposes	3235-AC66
3890	17 CFR 230.701 Rules 701, 702, 703 and Form 701	3235-AC82
3891	17 CFR 230.501 Regulation D	3235-AC83
3892	17 CFR 270.3a-7 Two-Tier Real Estate Companies	3235-AC84
3893	17 CFR 270.17f-5 Rule 17f-5 under the Investment Company Act of 1940	3235-AC85
3894	17 CFR 229.303 Management's Discussion and Analysis of Financial Condition and Operations	3235-AD03
3895	17 CFR 230.144 Section 16(a) Compliance	3235-AD04
3896	17 CFR 240.13a-10 Reporting Requirements for Change in Fiscal Year End	3235-AD05
3897	17 CFR 240.13d-1 Regulation 13D-G	3235-AD09
3898	17 CFR 200.81 Publication of Interpretative and No-Action Letters and Other Written Communications	3235-AD10
3899	17 CFR 230.134 Communications not Deemed a Prospectus	3235-AD22
3900	00 CFR Not yet determined Rule Governing Foreign Offerings of Securities without Registration under the Securities Act of 1933	3235-AD23
3901	17 CFR 230.465 Automatically Effective Post -Effective Amendments for Acquisitions by certain Limited Partnerships	3235-AD24
3902	17 CFR 240 Disclosure of Block Repurchases by an Issues or Affiliate	3235-AD25
3903	17 CFR 240.10b-21 Proposed Rule 10b-21 of the Securities Exchange Act of 1934 - Short Sales in Connection with a Public Offering	3235-AC95
3904	17 CFR 230.180 Amendment to Rule 180 -- Exemption from Registration of Certain Interests and Participations in Certain H.R. 10 Plans	3235-AA08
3905	17 CFR 270.11a-3 Proposed Rules 11a-3 and 11c-1 Under the Investment Company Act	3235-AA14
3906	00 CFR Not yet determined Mutual Fund Governance	3235-AA44
3907	17 CFR 270.17j-1 Rule 17j-1 under the Investment Company Act of 1940	3235-AA68
3908	17 CFR 240.14a-1 to 240.14a-102 Revision of Investment Company Proxy Rules	3235-AA69
3909	17 CFR 239.14 Prospectus Simplification Amendments to Form N-2	3235-AB40
3910	17 CFR 275.206(3)-3 Method for Compliance with Section 206(3) of the Investment Advisers Act of 1940 with respect to Certain Transactions	3235-AB74
3911	17 CFR 270.3a-6 Proposed Rule 3a-6 under the Investment Company Act(the "ICA")	3235-AC03
3912	17 CFR 275.206(4)-1 Advertising by Investment Advisers	3235-AC09
3913	17 CFR 270.12b-1 Proposed amendments to Rules 12b-1 and 17d-3 under the Investment Company Act of 1940	3235-AC11
3914	17 CFR 270.10f-3 Exemption of Acquisition of Securities During the Existence of Underwriting Syndicate	3235-AC28
3915	17 CFR 270.12d3-2 Proposed Rule 12d3-2under the Investment Company Act	3235-AC36
3916	00 CFR Not yet determined Advertising by Unit Investment Trusts	3235-AC70
3917	17 CFR 230.139a Information that Broker-Dealers may Disseminate about Investment Companies	3235-AD20
3918	17 CFR 275. Revisions to the registration and the annual supplement forms used by Investment Advisers	3235-AD21

SEC

Final Rule Stage

Sequence Number	Title	Regulation Identifier Number
3919	17 CFR 210.5-02 Proposals Regarding Industry Segment and Other Interim Financial Reporting Matters, Management's Discussion and Analysis, and Off Balance Sheet Financing Disclosures	3235-AB15
3920	17 CFR 210 Request for Comments on "Opinion Shopping"	3235-AC02
3921	17 CFR 210 Independent Accountants - Mandatory Peer Review	3235-AC79
3922	17 CFR 230.433 Prospectus delivery requirements in firm commitment underwritten offerings of securities made for cash (Rule 433)	3235-AC80
3923	17 CFR 240.14a-1 Facilitating Shareholder Communications	3235-AC81
3924	17 CFR 240.14a-1 Facilitating Shareholder Communications	3235-AD07
3925	17 CFR 229.401 Elimination of Filing Requirements for Preliminary Proxy Material Under Certain Circumstances; Rule 14a-8 Shareholder Proposals	3235-AD08
3926	17 CFR 270.3a-4 Proposed Rule 3a-4 -- Individualized Investment Management Services	3235-AA12
3927	17 CFR 270.17g-1 Proposed Amendment to Rule 17g-1 Under the Investment Company Act	3235-AA16
3928	17 CFR 239.16 Simplification of Registration Statements Filed by Unit Investment Trusts	3235-AA47
3929	17 CFR 230.134 Disclosure of Security Ratings in Registration Statements of Money Market Funds	3235-AC24
3930	17 CFR 274.11A N-1A Technical Amendments	3235-AC25
3931	17 CFR 230.174 Rule 174 Amendment - Prospectus Delivery During Quiet Period	3235-AC34
3932	17 CFR 275.204-2(a) Revision of Certain Investment Adviser Recordkeeping Rules	3235-AC97

Completed Actions

Sequence Number	Title	Regulation Identifier Number
3933	17 CFR 229 Proposed Rule Amendments Concerning Disclosure of Inflation-adjusted Information	3235-AC78
3934	17 CFR 240.3a12-8 Rule 3a12-8 of the Securities Exchange Act of 1934	3235-AC88
3935	17 CFR 239.15A Revisions to Expense-Related Disclosure Requirements of Form N-1A	3235-AB73
3936	17 CFR 275.206(4)-4 Disclosure of Legal and Disciplinary Proceedings	3235-AC06
3937	17 CFR 210.6-07 Accounting for Distribution Expenses	3235-AC07
3938	17 CFR 270 Standardized Formula for Calculating Investment Company Performance Data in Advertisements	3235-AC08
3939	17 CFR 270.24f-3 Registration Under The Securities Act of 1933 of an Indefinite Number of Certain Investment Company Securities	3235-AC10
3940	17 CFR 270.6c-9 Exemption for the offer or sale of debt securities and non-voting preferred stock in the United States by foreign banks and subsidiaries organized to finance the operations of foreign banks	3235-AC37
3941	17 CFR 270.19b-1 Rule 19b-1 under the Investment Company Act	3235-AC99

SECURITIES AND EXCHANGE COMMISSION (SEC)

Prerule Stage

Accounting Rules

3875. FINANCIAL STATEMENT DISCLOSURE BY BANK HOLDING COMPANIES ABOUT LOANS TO RELATED PARTIES

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77h; 15 USC 77j; 15 USC 77s(a); 15 USC 77a(25); 15 USC 77a(26); 15 USC 78l; 15 USC 78m; 15 USC 78n; 15 USC 78o(d); 15 USC 78w(a)

CFR Citation: 17 CFR 210.9-03(7)(e)

Legal Deadline: None.

Abstract: The staff is considering whether to recommend that the Commission propose amendments to its rules in Article 9 of Regulations S-X requiring disclosure by bank holding companies about loans to related parties. Assertions have been made that accumulation of the required information may be unreasonably costly.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Jeffrey Jones, Professional Accounting Fellow, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-2130

RIN: 3235-AB45

3876. PROPOSED ADDITIONS TO RULES AND GUIDE FOR DISCLOSURES CONCERNING RESERVES FOR UNPAID CLAIMS AND CLAIM ADJUSTMENT EXPENSES OF PROPERTY - CASUALTY UNDERWRITERS

Legal Authority: 15 USC 77F; 15 USC 77G; 15 USC 77H; 15 USC 77J; 15 USC 77S; 15 USC 78L; 15 USC 78M; 15 USC 78N; 15 USC 78O; 15 USC 78W; 15 USC 79E; 15 USC 79N; 15 USC 79F; 15 USC 80A-8; 15 USC 80A-29

SEC

Prerule Stage

CFR Citation: 17 CFR 210

Legal Deadline: None.

Abstract: The staff is considering whether to recommend that the Commission propose additions to the rules and guides concerning the underwriting and loss reserving experience of property - casualty underwriters. The proposed disclosures would be intended to assist investors in understanding and evaluating companies' reserving practices, the effect on reported income of adjustments to reserves established in prior periods and in comparing those practices and adjustments among entities.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Jeffrey C. Jones, Professional Accounting Fellow, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street N.W., Washington, D.C. 20549, 202 272-2130

RIN: 3235-AC44

Securities Markets and Securities Industry Rules

3877. EXEMPTION OF SALES OF CERTAIN INTERESTS AND PARTICIPATIONS ISSUED IN CONNECTION WITH H.R. 10 PLANS FROM SECTION 15(A)

Legal Authority: 15 USC 78c(a)(12); 15 USC 78o; 15 USC 78w; 15 USC 77c(a)(12); 15 USC 77s(a)

CFR Citation: 17 CFR 240.3a12-10; 17 CFR 230.180

Legal Deadline: None.

Abstract: The proposed rule would specify certain conditions under which persons engaged in the sale of interests and participation issued in connection with certain tax-qualified retirement plans ("H.R.10" or "Keogh" plans) would not be required to register as broker-dealers under Section 15(a) of the Securities Exchange Act of 1934. In 1981, the Commission adopted Rule 180 under the Securities Act of 1933 exempting from the registration requirements of that Act interests and participations issued in connection with H.R. 10 plans. The proposed rule provides a parallel exemption from broker-dealer registration for sales of such interests and participations in H.R. 10 plans. As an alternative the staff could consider granting no-action or exemptive requests on a case-by-case basis. However, such procedure would be inefficient and needlessly expensive for both the public and the Commission staff. In addition, the Commission is proposing to amend Rule 180 to clarify that, under paragraph (a)(3)(ii) of that Rule, the employer only needs to obtain investment advice prior to the investment of plan assets. This proposal codifies a previous staff position.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Susan J. Walters, Branch Chief, Legal Interpretations, Securities and Exchange Commission, Division of Market Regulation, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2417

RIN: 3235-AC16

3878. RULE 17AD-8 OF THE SECURITIES EXCHANGE ACT

Legal Authority: 15 USC 17b; 15 USC 78g-1; 15 USC 78w(a)

CFR Citation: 17 CFR 240.17Ad-8

Legal Deadline: None.

Abstract: Rule 17Ad-8 requires a registered clearing agency, at the request of an issuer, to provide the issuer with a "securities position listing." A securities position listing is a list of the clearing agency's participants on whose behalf the clearing agency holds the issuer's securities as well as participants' positions as of a specified date. The Rule further provides that the clearing agency may charge a reasonable fee for providing the list.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: No

Agency Contact: Thomas C. Etter, Jr., Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 Fifth Street, N.W., Washington, DC 20549, 202 272-2782

RIN: 3235-AC29

3879. RULE 15C2-10

Legal Authority: 15 USC 78b; 15 USC 78k-1; 15 USC 78o(c)(1); 15 USC 78o(c)(2); 15 USC 78w(a)

CFR Citation: 17 CFR 240.15c2-10

Legal Deadline: None.

Abstract: The Division of Market Regulation is preparing a draft release that would solicit comment on a rule that would govern the operation of proprietary securities trading systems that are not operated as facilities of a national securities association or exchange.

Timetable:

Action	Date	FR Cite
NPRM Comment Period End	10/30/87	
Next Action Undetermined		

Small Entity: No

Agency Contact: William M. Harter, Attorney, Securities and Exchange Commission, Division of Market Regulation, 450 Fifth St., N.W., Washington, D.C. 20549, 202 272-2414

RIN: 3235-AC94

Investment Management Rules

3880. ● PROPOSED RULE 6C-10 UNDER THE INVESTMENT COMPANY ACT OF 1940

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-22(c); 15 USC 80a-37

CFR Citation: 17 CFR CFR 270.6c-10

Legal Deadline: None.

Abstract: The Commission will consider whether to propose rule 6c-10 under the act to allow Investment Companies to charge deferred sales loads including contingent deferred sales loads, under certain conditions. These actions would eliminate the need for Investment Companies to file applications for exemptive relief to impose deferred loads.

SEC — Prerule Stage

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Additional Information: Proposed rule 6c-10 was formerly included with the proposed amendments to rules 12b-1 and 17d-3 under the Investment Company Act. Proposed rule 6c-10 has been split from that entry to comprise a separate item on the agenda.

Agency Contact: Rochelle G. Kauffman, Staff Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, N.W., Washington, D. C. 20549, 202 272-2048

RIN: 3235-AD18

3881. ● PROPOSED AMENDMENTS TO RULE 12D3-1 UNDER THE INVESTMENT COMPANY ACT OF 1940

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-37

CFR Citation: 17 CFR 12d3-1

Legal Deadline: None.

Abstract: The Commission is considering whether to propose amendments to Rule 12d3-1 under the Investment Company Act of 1940, which provides exemptive relief from the Act's prohibition against investment company acquisitions of securities issued by persons engaged in certain securities-related businesses. If adopted, the proposed amendments would expand the exemptive relief provided by the rule to permit, under certain conditions, investment companies to acquire equity securities issued by persons organized outside the United States that are engaged in securities related businesses.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Jack W. Murphy, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, N.W., Washington, D. C. 20549, 202 272-2048

RIN: 3235-AD19

SECURITIES AND EXCHANGE COMMISSION (SEC) — Proposed Rule Stage

Disclosure Rules

3882. ACQUISITIONS OF SUBSTANTIAL AMOUNTS OF SECURITIES AND RELATED ACTIVITIES DURING AND FOLLOWING A TENDER OFFER FOR THOSE SECURITIES

Legal Authority: 15 USC 78c(b); 15 USC 78m(e); 15 USC 78n(d); 15 USC 78w(a); 15 USC 78o(c); 15 USC 78t(b)

CFR Citation: 17 CFR 240.13e-2; 17 CFR 240.14d-11

Legal Deadline: None.

Abstract: In 1986, the Commission published a release seeking public comment on three concepts relating to corporate takeovers. On October 1, 1987, the Commission issued a release proposing the first issue discussed in the concept release. Rules 13e-2 and 14d-11 would require that, subject to certain exceptions, purchases, offers to purchase, arrangements or understandings to purchase and solicitations of offers to sell securities undertaken during and shortly after a tender offer that would increase any person's ownership of the class of securities subject to the tender offer by 10% or more of the class be made in compliance with the statutory provisions and rules applicable to tender offers. The proposed rules would apply to all persons from the formal commencement of a tender offer until 10 business days after the scheduled expiration date. A proposed rule, also, would subject a bidder to the same requirements from the time it commenced a tender offer by public announcement until it either formally commenced a tender offer by some other means or 30 business days after it made a subsequent public announcement (cont)

Timetable:

Action	Date	FR Cite
ANPRM	07/31/86	51 FR 28096
ANPRM Comment Period End	12/01/86	
NPRM	10/01/87	

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT:stating that it had determined not to continue with the tender offer.

Agency Contact: David A. Sirignano, Chief, Office of Tender Offers, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-3097

RIN: 3235-AA50

3883. REPORTS OF DIRECTORS, OFFICERS AND PRINCIPAL STOCKHOLDERS

Legal Authority: 15 USC 78m(d); 15 USC 78p(a); 15 USC 78p(b); 15 USC 78p(c); 15 USC 78p(e); 15 USC 78w(a)

CFR Citation: 17 CFR 240.16a-1 to 240.16a-11; 17 CFR 240.16b-1 to 240.16b-11; 17 CFR 240.16c-1 to 240.16c-3; 17 CFR 240.16e-1; 17 CFR 240.13d-3; 17 CFR 240.14d-1; 17 CFR 229.403; 17 CFR 249.103; 17 CFR 249.104; 17 CFR 240.12h-2

Legal Deadline: None.

Abstract: The Commission will review the existing rules and reporting forms intended to implement the provisions of Section 16 of the Securities Exchange Act. Section 16 seeks to deter misuse of inside information by imposing certain periodic and transactional reporting requirements on the officers, directors and principal beneficial shareholders of companies registered under that Act as well as certain limitations on equity transactions by those persons. Over the years the Commission has adopted a number of rules to clarify the applicability of Section 16's requirements to particular circumstances. The Commission will examine their current suitability in light of the purposes of the statute.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: The Commission believes that these actions will result in savings to persons subject to these provisions with no reduction in investor protection. This initiative is a consolidation of five projects that were previously listed separately in the October 1983 agenda.

Agency Contact: Brian J. Lane, Special Counsel, Office of Disclosure Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, NW, Washington, DC 20549, 202 272-2589

RIN: 3235-AB14

3884. FORM S-8 REGISTRATION STATEMENT UNDER THE SECURITIES ACT OF 1933

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 78l; 15 USC 78m; 15 USC 78n; 15 USC 78w(a)

CFR Citation: 17 CFR 239.16b

Legal Deadline: None.

Abstract: The Commission will consider whether to revise the disclosure requirements under the federal securities laws relating to registration under the securities Act of 1933 of securities to be offered to employees of an issuer pursuant to certain plans. Such registration currently is made on Form S-8 (17 CFR 239.16b). The Commission staff is developing proposals in this area and considering alternative approaches to the problem of reducing burdens while ensuring the availability of sufficient information to employees, particularly where they already have access to much of the required information under ERISA. In the context of this rulemaking, Form S-8 will be fully reviewed for purposes of the Regulatory Flexibility Act.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Larisa Dobriansky, Special Counsel, Office of Disclosure Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2589

RIN: 3235-AB79

3885. RULEMAKING FOR OPERATIONAL EDGAR SYSTEM

Significance: Agency Priority

Legal Authority: 15 USC 77a to 77aa; 15 USC 78a to 78ii; 15 USC 79 to 79z-6; 15 USC 77aaa to 77bbb; 15 USC 80a-1 to 80a-52

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: This rulemaking encompasses the changes necessary to mandate and accommodate electronic filing in the operational Edgar system, as well as to update the rules to take advantage of the efficiencies of electronic filing and processing.

Timetable:

Action	Date	FR Cite
ANPRM	07/02/86	51 FR 24155
ANPRM Comment Period End	09/05/86	
NPRM	08/31/88	
NPRM Comment Period End	10/31/88	
Final Action	01/31/89	

Small Entity: Undetermined

Agency Contact: Sarah A. Miller, Special Counsel, Office of Disclosure Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2589

RIN: 3235-AC48

3886. RULE 153 DEFINITION OF PRECEDED BY A PROSPECTUS AS USED IN SECTION 5(B)(2) IN RELATION TO CERTAIN TRANSACTIONS

Legal Authority: 15 USC 77e

CFR Citation: 17 CFR 230

Legal Deadline: None.

Abstract: The prospectus delivery requirement for certain transactions effectuated on a national securities exchange may be satisfied by delivery to the exchange. The Commission will consider whether this procedure should be available for certain transactions on the NASDAQ Inter Dealer Quotation System.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: John Reynolds, Special Counsel, Office of Small Business Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2644

RIN: 3235-AC61

3887. FACILITATION OF MULTINATIONAL SECURITIES OFFERINGS

Legal Authority: 15 USC 77e; 15 USC 77f; 15 USC 77g; 15 USC 77j; 15 USC 77s(a); 15 USC 77ddd; 15 USC 77eee; 15 USC 77fff; 15 USC 78c(b); 15 USC 78j; 15 USC 78l; 15 USC 78m; 15 USC 78w; 15 USC 78x

CFR Citation: 17 CFR 210; 17 CFR 230; 17 CFR 239; 17 CFR 240; 17 CFR 249; 17 CFR 260

Legal Deadline: None.

Abstract: In order to facilitate simultaneous multinational securities offerings among, initially, the United States, Canada and the United Kingdom, appropriate criteria are being sought to reconcile differences in disclosure standards, financial statement requirements and distribution systems. The Commission issued a concept release in February 1985 addressing numerous regulatory issues raised by multinational offerings. At that time, the Commission published for comment two conceptual approaches to facilitating such offerings--a "common prospectus" approach and a "reciprocal" approach. The Commission's staff is currently in the process of developing the reciprocal prospectus approach, which involves reciprocal recognition and use of home country disclosure documents. It is likely that initially the proposal will focus on debt offerings of certain issuers, limited rights offerings and exchange offers.

Timetable:

Action	Date	FR Cite
ANPRM	02/28/85	50 FR 9281
ANPRM Comment Period End	07/15/85	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Carl T. Bodolus, Chief, Office of International Corporate Finance, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-3246

RIN: 3235-AC64

3888. PROPOSED RULE FOR LIMITED RESALES OF SECURITIES

Legal Authority: 15 USC 77d(1); 15 USC 77d(3); 15 USC 77s(a)

CFR Citation: 17 CFR 230.144A

Legal Deadline: None.

Abstract: The staff is considering whether to recommend that the Commission publish for comment two alternative versions of a new rule that would provide a safe harbor exemption from the registration requirements of the Securities Act of 1933 for resales of securities to institutional investors if certain conditions are met. The first version would require that the issuer of such securities be a reporting company or that the securities be investment grade, non-convertible debt or preferred securities, while the second version would be available for resales of any securities, debt or equity, of reporting or non-reporting companies.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: William E. Morley, Special Counsel, Office of Chief Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2573

RIN: 3235-AC65

3889. CLASSIFICATION OF SMALL ISSUERS FOR REPORTING PURPOSES

Legal Authority: 15 USC 78l; 15 USC 78m

CFR Citation: 17 CFR 230; 17 CFR 240; 17 CFR 244; 17 CFR 260

Legal Deadline: None.

Abstract: Other appropriate criteria are being sought to establish the threshold level for companies to enter into the Securities Exchange Act of 1934 reporting system which would complement or be substituted for the present size criteria of 500 shareholders and total assets of $5 million.

Timetable:

Action	Date	FR Cite
ANPRM	07/08/86	51 FR 25369
ANPRM Comment Period End	09/30/86	
NPRM	02/01/88	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Richard K. Wulff, Chief, Office of Small Business Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2644

RIN: 3235-AC66

3890. RULES 701, 702, 703 AND FORM 701

Legal Authority: 15 USC 77c(b); 15 USC 77s(a)

CFR Citation: 17 CFR 230.701; 17 CFR 230.702; 17 CFR 230.703; 17 CFR 239.701

Legal Deadline: None.

Abstract: The proposed rules and form would provide an exemption from the registration requirements of the Securities Act of 1933 for offers and sales of Securities pursuant to certain employment contracts and employee benefit plans of non-reporting companies. Since some cost is involved in registration, the proposed rules would provide some relief to small issuers.

Timetable:

Action	Date	FR Cite
NPRM	08/05/87	52 FR 29033
NPRM Comment Period End	09/15/87	
Final Action	01/29/88	
Final Action Effective	03/15/88	

Next Action Undetermined

Small Entity: Yes

Agency Contact: John Reynolds, Special Counsel, Office of Small Business Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2644

RIN: 3235-AC82

3891. REGULATION D

Significance: Agency Priority

Legal Authority: 15 USC 77b(15); 15 USC 77c(b); 15 USC 77d(2); 15 USC 77d(b); 15 USC 77s(a); 15 USC 77s(c)

CFR Citation: 17 CFR 230.501; 17 CFR 230.502; 17 CFR 230.503; 17 CFR 230.504; 17 CFR 230.505; 17 CFR 230.506

Legal Deadline: None.

Abstract: The proposed revisions would add to the number of persons who would qualify as accredited investors, raise the dollar ceiling for certain exempt offerings and make general technical changes to the regulation which provides three different exemptions from the registration requirements of the Securities Act of 1933. By widening the scope of the exemptions, the proposed revisions would aid smaller businesses that would be able to raise needed capital without registering under the Securities Act.

Timetable:

Action	Date	FR Cite
NPRM	01/12/87	
NPRM Comment Period End	03/15/87	
Final Action	01/31/88	

Next Action Undetermined

Small Entity: Yes

Agency Contact: Karen O'Brien, Attorney Advisor, Office of Small Business Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2644

RIN: 3235-AC83

3892. TWO-TIER REAL ESTATE COMPANIES

Legal Authority: 15 USC 80a-6(c)

CFR Citation: 17 CFR 270.3a-7; 17 CFR 270.6c-11

Legal Deadline: None.

Abstract: The regulation will be designed to codify numerous exemptions from the provisions of the Investment Company Act of 1940 ("Act") granted to two-tier real estate limited partnerships. Exemptions from the Act pursuant to Section 6(c) of the Act have generally been granted where: 1) the two-tier partnership invests in limited partnerships engaged in the development and building of housing

for low and moderate income persons; 2) the limited partnership interests are sold only to suitable investors; and 3) requirements for fair dealing by the general partner of the issuer with the limited partners of the issuer are included in the basic organizational documents of the partnership. The regulation will reduce the number of exemptive relief applications received by the Office of Investment Company Regulation requesting exemptions for two-tier real estate limited partnerships.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Jack W. Murphy, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2048

RIN: 3235-AC84

3893. RULE 17F-5 UNDER THE INVESTMENT COMPANY ACT OF 1940

Legal Authority: 15 USC 80a-17(f); 15 USC 80a-6(c); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270.17f-5

Legal Deadline: None.

Abstract: Rule 17f-5 permits U.S. registered Investment Companies to maintain certain Securities and other assets in the custody of an "Eligible Foreign Custodian," as that term is defined in the rule. In response to comments that the present definition of Eligible Foreign Custodian and other provisions of the rule are too restrictive, the Commission is considering whether to propose amendments to the rule.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Agency Contact: Rochelle G. Kauffman, Staff Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2048

RIN: 3235-AC85

3894. MANAGEMENT'S DISCUSSION AND ANALYSIS OF FINANCIAL CONDITION AND OPERATIONS

Legal Authority: 15 USC 78w(a)

CFR Citation: 17 CFR 229.303

Legal Deadline: None.

Abstract: The Commission has solicited public comment on issues relating to Management's Discussion and Analysis of financial condition and operations as required by Item 303 of Regulation S-K. This requirement is the subject of recommendations from members of the accounting profession calling for a more specific approach to requiring disclosure of business risks and uncertainties, as well as additional board of director scrutiny and independent auditor association with these disclosures. The Commission will review comments received to determine whether future rulemaking is appropriate.

Timetable:

Action	Date	FR Cite
ANPRM	04/24/87	52 FR 13715
ANPRM Comment Period End	06/23/87	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Brian J. Lane, Special Counsel, Office of Disclosure Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D. C. 20549, 202 272-2589

RIN: 3235-AD03

3895. SECTION 16(A) COMPLIANCE

Legal Authority: 15 USC 78p

CFR Citation: 17 CFR 230.144; 17 CFR 239.300; 17 CFR 240.16a-1; 17 CFR 249.103; 17 CFR 249.104; 17 CFR 249.308a; 17 CFR 249.310

Legal Deadline: None.

Abstract: The Commission has perceived substantial non-compliance with Section 16(a) of the Securities Exchange Act of 1934. To address the problem, the Commission is considering proposing rules to insure that required information is disclosed, either by the reporting person or the registered companies.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Yes

Agency Contact: Brian Lane, Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th St., N.W., Washington, D.C. 20549, 202 272-2589

RIN: 3235-AD04

3896. REPORTING REQUIREMENTS FOR CHANGE IN FISCAL YEAR END

Legal Authority: 15 USC 78n; 15 USC 78w

CFR Citation: 17 CFR 240.13a-10; 17 CFR 240.13a-13; 17 CFR 240.14a-3; 17 CFR 240.15d-10; 17 CFR 240.15d-13; 17 CFR 249.308

Legal Deadline: None.

Abstract: The Commission staff is developing proposals to revise Rules 13a-10 and 15d-10 that would change, under certain circumstances, the reporting form to be used and the period for which audited financial statements are required to be filed where an issuer changes its fiscal year end. Also, proposals that would revise rules governing quarterly reporting are being developed. The proposals would close a reporting and clarify interim and quarterly reporting requirements when an issuer changes its fiscal year-end. The proposals also would permit an issuer, under certain circumstances, to utilize the reporting format of Form 10-1 for reporting on certain interim periods.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Barbara J. Green, Attorney Fellow, Office of Disclosure Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2589

RIN: 3235-AD05

3897. REGULATION 13D-G

Legal Authority: 15 USC 78a

CFR Citation: 17 CFR 240.13d-1; 17 CFR 240.13d-2

Legal Deadline: None.

Abstract: The Commission will consider proposing revision of Regulation 13D-G to close certain disclosure gaps, to make the disclosure more meaningful and to broaden the pool of persons allowed to use the short-form beneficial ownership report on Schedule 13G so as to lessen the costs and burdens of compliance.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: David A. Sirignano, Chief, Office of Tender Offers, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-3097

RIN: 3235-AD09

3898. PUBLICATION OF INTERPRETATIVE AND NO-ACTION LETTERS AND OTHER WRITTEN COMMUNICATIONS

Legal Authority: 15 USC 77s; 15 USC 77sss; 15 USC 78w; 15 USC 79t; 15 USC 80a-37; 15 USC 80b-11; 5 USC 552

CFR Citation: 17 CFR 200.81

Legal Deadline: None.

Abstract: The Commission is proposing amendments to Rule 81 of the Commission's regulations on Information and Requests, which would provide for immediate publication of interpretative and no-action letters written by the Commission's staff at the time such letters are sent or given to the requesting party, unless temporary confidential treatment is granted.

Timetable:

Action	Date	FR Cite
NPRM	09/08/87	52 FR 35115
NPRM Comment Period End	10/19/87	

Next Action Undetermined

Small Entity: Not Applicable

Agency Contact: Michael G. Hyatte, Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2573

RIN: 3235-AD10

3899. ● COMMUNICATIONS NOT DEEMED A PROSPECTUS

Legal Authority: 15 USC 77b; 15 USC 77s

CFR Citation: 17 CFR 230.134

Legal Deadline: None.

Abstract: The Commission will consider proposing amendments to Rule 134 of the Commission's rules and regulations under the Securities Act of 1933 that would permit direct participation programs such as state limited partnerships to include additional information in their Rule 134 tombstone advertisements.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: William E. Morley, Chief Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2573

RIN: 3235-AD22

3900. ● RULE GOVERNING FOREIGN OFFERINGS OF SECURITIES WITHOUT REGISTRATION UNDER THE SECURITIES ACT OF 1933

Legal Authority: 15 USC 77a et seq

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: The extraterritorial reach of Section 5 of the Securities Act of 1933 has become of critical importance with the development of major markets abroad and the growth of transnational investment. As a result of these developments, the Commission staff is re-evaluating the question of the proper scope of the registration requirements. The staff is currently developing a proposal for a safe harbor rule which would set forth specified non-exclusive conditions under which the Commission would not seek to apply the registration provisions. In general, under this approach the registration provisions would apply when an offer or sale of securities takes place in the United States--a territorial approach.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Carl Bodolus, Chief, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-3246

RIN: 3235-AD23

3901. ● AUTOMATICALLY EFFECTIVE POST -EFFECTIVE AMENDMENTS FOR ACQUISITIONS BY CERTAIN LIMITED PARTNERSHIPS

Legal Authority: 15 USC 77h(c); 15 USC 77s

CFR Citation: 17 CFR 230.465

Legal Deadline: None.

Abstract: The Commission will consider proposing a new Rule 465 to provide for the automatic effectiveness upon filing with the Commission of post-effective amendments that reflect acquisitions by specified limited partnerships. The proposal is intended to address the practical difficulties associated with acquisition related interruptions in sales efforts by sponsors of limited partnerships.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Yes

Agency Contact: Alexander G. Shtofman, Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2589

RIN: 3235-AD24

3902. ● DISCLOSURE OF BLOCK REPURCHASES BY AN ISSUES OR AFFILIATE

Legal Authority: 15 USC 78m; 15 USC 78w(a)

CFR Citation: 17 CFR 240; 17 CFR 249

Legal Deadline: None.

Abstract: The staff is developing proposals to require either pre - or post transactional disclosure of issuer or affiliate repurchases of securities of the issuers over a certain threshold percentage. The staff has yet to

determine the appropriate percentage level.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Sarah Miller, Special Counsel, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2589

RIN: 3235-AD25

Securities Markets and Securities Industry Rules

3903. PROPOSED RULE 10B-21 OF THE SECURITIES EXCHANGE ACT OF 1934 - SHORT SALES IN CONNECTION WITH A PUBLIC OFFERING

Legal Authority: 15 USC 78b; 15 USC 78c; 15 USC 78i(a)(6); 15 USC 78j(a); 15 USC 78j(b); 15 USC 78o(c); 15 USC 78w(a); 15 USC 78dd(a)

CFR Citation: 17 CFR 240.10b-21

Legal Deadline: None.

Abstract: Proposed Rule 10b-21 would prohibit a person who effects short sales of an equity security during the period between the filing of a registration statement relating to the same class of equity securities and the commencement of the public offering of such equity securities from covering such short sales with securities purchased from an underwriter or broker or dealer participating in the public offering of such equity securities. The proposed rule is designed to prevent manipulative short selling by market participants in anticipation of underwritten public offerings.

Timetable:

Action	Date	FR Cite
NPRM	05/20/87	52 FR 102
NPRM Comment Period End	07/27/87	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Nancy J. Burke, Branch Chief, Securities and Exchange Commission, Division of Market Regulation, 450 Fifth St., N.W., Washington, D.C. 20549, 202 272-2880

RIN: 3235-AC95

Investment Management Rules

3904. AMENDMENT TO RULE 180 -- EXEMPTION FROM REGISTRATION OF CERTAIN INTERESTS AND PARTICIPATIONS IN CERTAIN H.R. 10 PLANS

Legal Authority: 15 USC 77c(a)(2); 15 USC 77s(a)

CFR Citation: 17 CFR 230.180

Legal Deadline: None.

Abstract: Rule 180 provides an exemption from the registration requirements of the Securities Act for interests and participations issued in connection with certain qualified H.R. 10 plans. In order for interests in funding media issued to plans established by financially inexperienced employers to qualify for the rule's exemption, the rule, as adopted, requires those employers to obtain financial advice from an independent expert prior to adopting the H.R. 10 plan. Among other things, the Commission is considering proposing an amendment to Rule 180 that would codify a present "no-action" position regarding the situation where a financially unsophisticated employer has already established a plan for its employees without obtaining advice from an independent expert, and intends either to change the funding medium or add another funding medium to the choices already available to employees. The issuer of the funding medium in such a case would be in compliance with the rule if the issuer has reasonable grounds to believe and, after having made reasonable inquiry, does believe, that an independent financial expert reviewed the funding medium prior to the investment of the (cont)

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: plan's assets in that funding medium. The type of amendment being considered would impose no additional compliance cost, and would increase the flexibility of existing plans and the number of investment choices available to participating employees.

Agency Contact: Jack W. Murphy, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 Fifth Street, N. W. (Stop 5-2), Washington, DC 20549, 202 272-2048

RIN: 3235-AA08

3905. PROPOSED RULES 11A-3 AND 11C-1 UNDER THE INVESTMENT COMPANY ACT

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-11(a); 15 USC 80a-37

CFR Citation: 17 CFR 270.11a-3; 17 CFR 270.11c-1

Legal Deadline: None.

Abstract: The proposed rules would exempt certain persons from the requirements of Section 11(a) of the Investment Company Act. That section prohibits any registered open-end investment company and its principal underwriter from making an offer to a shareholder to exchange his security for another security on any basis other than the relative net asset values of the respective securities to be exchanged, unless the terms have been submitted to and approved by the Commission or comply with rules the Commission may prescribe. Section 11(c) states in part that the terms of any offer of exchange involving the securities of registered unit investment trusts must also be submitted to and approved by the Commission or comply with rules the Commission may prescribe. Proposed rule 11a-3 would permit a mutual fund or its principal underwriter to make certain exchange offers to its own shareholders or to shareholders of another fund in the same family of funds. Proposed rule 11c-1 would permit a unit investment trust or its sponsor to make certain exchange offers to unitholders of the same series or another series of the same trust or to unit holders of another unit investment trust

Timetable:

Action	Date	FR Cite
NPRM	12/23/86	51 FR 47260
NPRM Comment Period End	03/31/88	

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: having the same sponsor. By codifying standards for a variety of exchanges, these proposed rules are intended to significantly reduce the number of exemptive applications filed with the Commission under Section 11.

Analysis: Regulatory Flexibility Analysis

Agency Contact: Brian P. Kindelan, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-2048

RIN: 3235-AA14

3906. MUTUAL FUND GOVERNANCE

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-37

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: On December 10, 1982, the Commission issued an advance concept release (Investment Company Act Release No. 12888, (47 FR 56509)) soliciting public comment on whether the Commission should propose rules or recommend legislation which would provide for an alternative form of mutual fund governance. Specifically, this release requests comment on whether mutual funds should be exempted from shareholder voting and/or director requirements under the Investment Company Act of 1940 (the "Act") and, if so, whether conditions could be fashioned which would adequately insure against loss of investor protection. Although such changes might be effected through rulemaking, the Commission has indicated that, in its preliminary judgment, changes of this magnitude should be effected through legislative rather than administrative action. Since the costs and benefits of providing for an alternative scheme of mutual fund governance cannot be estimated at the present time, the release solicits specific comment on the costs and benefits which would result from such changes. Extension of comment period until April 18, 1983 was announced in Investment Company Act Release No. 13012 (cont)

Timetable:

Action	Date	FR Cite
ANPRM	12/10/82	47 FR 56509
Extended Comment Period to 4/18/83	02/07/83	48 FR 6354
ANPRM Comment Period End	04/18/83	48 FR 6354

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: (February 7, 1983) 48 FR 6354.

Agency Contact: Jack W. Murphy, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-2048

RIN: 3235-AA44

3907. RULE 17J-1 UNDER THE INVESTMENT COMPANY ACT OF 1940

Legal Authority: 15 USC 80a-17(j); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270.17j-1

Legal Deadline: None.

Abstract: Rule 17j-1 requires every access person of a registered investment company, or of an investment adviser of or principal underwriter for the investment company to report to the investment company certain of his securities transactions. The Commission is considering whether to propose an amendment to this rule which would reduce the reporting requirement for investment company directors who are interested persons with respect to the investment company by reason of their affiliation with a registered broker-dealer. Members of the industry have characterized these reporting requirements as unnecessarily burdensome in some instances. Any such rule amendment would have the effect of lessening the reporting requirements currently imposed by the rule. As a result, the staff believes that the costs, which should be insignificant, of complying with any amendment would be significantly less than the benefits it would provide. The Commission is also considering whether to amend Rule 12 j-1 to define specified acts as fraudulent, deceptive or manipulative or to require certain minimum standards to be set forth on a company's code of ethics. (con't)

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Jack W. Murphy, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, N.W. (Stop 5-2), Washington, D.C. 20549, 202 272-3038

RIN: 3235-AA68

3908. REVISION OF INVESTMENT COMPANY PROXY RULES

Legal Authority: 15 USC 78n; 15 USC 78w; 15 USC 80a-20; 15 USC 80a-37

CFR Citation: 17 CFR 240.14a-1 to 240.14a-102; 17 CFR 240.14b-1; 17 CFR 240.14c-1 to 240.14c-101; 17 CFR 270.20a-1; 17 CFR 270.20a-2; 17 CFR 270.20a-3

Legal Deadline: None.

Abstract: Absent an exception, every solicitation of a proxy, authorization or consent in respect of any security with respect to which a registered investment company is the issuer, is subject to rules adopted pursuant to the Securities Exchange Act of 1934 and the Investment Company Act of 1940 concerning solicitations of proxies. Solicitations to which the rules apply may not commence unless each person solicited is furnished or has previously been furnished with a proxy statement containing specified information prepared in accordance with certain rules and the material has been filed with the Commission. The existing proxy rules were adopted in piecemeal fashion and have been the subject of frequent changes. This has led to certain duplicative and, in certain cases, complex requirements. To the extent that a proxy statement contains repetitive material or is overly complicated and difficult to read, it may not effectively perform its intended function of communicating meaningful information to security holders in order that they may make informed voting decisions. In order to update the proxy regulations and, in doing so, improve the (cont)

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: readability of proxy statements and eliminate unnecessary disclosure costs, the Commission has commenced a comprehensive review of the proxy regulations as they relate to investment companies. There does not currently exist a basis upon which to quantify the reduced costs and burdens of such action on those registrants affected. Since the action will apply to all registered investment companies soliciting proxies, unless the solicitation is excepted, the Action is expected to have a significant impact on a substantial number of small entities. However, the contemplated revisions are still in the developmental stage and have not yet been formally proposed by the Commission. Thus, the extent of the revision actually proposed and the attendant reductions in costs and burdens are as yet largely unknown, but are anticipated to be significant.

Agency Contact: Dorothy M. Donohue, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-7317

RIN: 3235-AA69

3909. PROSPECTUS SIMPLIFICATION AMENDMENTS TO FORM N-2

Legal Authority: 15 USC 80a-8 Investment Company; 15 USC 77g Securities Act; 15 USC 77j Securities Act

CFR Citation: 17 CFR 239.14; 17 CFR 274.11a-1

Legal Deadline: None.

Abstract: Form N-2 is the registration statement form under the Investment Company Act of 1940 and the Securities Act of 1933 for closed-end management investment companies other than small business investment companies and companies which issue periodic payment plan certificates or which are sponsors or depositors of companies issuing such certificates. Included within the registration statement are the companies' prospectuses used in offering their securities to the public. The Commission believes a simplified prospectus is necessary because current prospectuses have become too cumbersome for the average investor to understand and because current requirements result in the disclosure of much information that is not necessarily material to an investment decision. Simplification will, therefore, make disclosure easier for investors to understand and reduce the costs and burdens of of preparing and distributing prospectuses. Accordingly, the Commission is proposing a new form N-2A that most likely would be structured as a three-part form, one part of which would be a new simplified prospectus. There does not currently exist (cont)

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Additional Information: ABSTRACT CONT: a basis upon which to quantify the reduced costs and burdens of such action on those registrants affected. The contemplated amendments are still in the developmental stage and have not yet been formally proposed by the Commission. Thus, the extent of the simplification of investment companies' prospectuses actually proposed and the attendant reductions in costs and burdens are as yet largely unknown, but are expected to reduce the cost of registration for both the industry and government.

Agency Contact: Debra J. Kertzman, Attorney, Securities and Exchange Commission, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-2107

RIN: 3235-AB40

3910. METHOD FOR COMPLIANCE WITH SECTION 206(3) OF THE INVESTMENT ADVISERS ACT OF 1940 WITH RESPECT TO CERTAIN TRANSACTIONS

Legal Authority: 15 USC 80b-11(a)

CFR Citation: 17 CFR 275.206(3)-3

Legal Deadline: None.

Abstract: Section 206(3) of the Investment Advisers Act of 1940 makes it unlawful for any investment adviser, by use of the mail or any means or instrumentality of interstate commerce, directly or indirectly, knowingly to effect a securities transaction (a) with a client while acting as principal or (b) for a client while acting as broker for a person other than such client, without disclosing in writing to such client before the completion of the transaction the capacity on which he is acting and obtaining the consent of the client to the transaction. The Commission is considering whether to propose a rule that would provide a nonexclusive method for compliance with the provisions of Section 206(3) of the Investment Advisers Act of 1940 in connection with purchases of securities from an underwriting syndicate for an advisory client under specified conditions. Because the proposed rule is still in the developmental stages, its potential effect on small entities and its potential costs and benefits as a whole are unknown at this time.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: John McGuire, Attorney, Securities and Exchange Commission, Investment Management, 450 5th Street, N.W. (Stop 5-2), Washington, D.C. 20549, 202 272-2107

RIN: 3235-AB74

3911. PROPOSED RULE 3A-6 UNDER THE INVESTMENT COMPANY ACT(THE "ICA")

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270.3a-6

Legal Deadline: None.

Abstract: The Commission is considering whether to propose a rule that would provide exemptive relief from all provisions of the ICA to limited purpose finance subsidiaries that own or hold mortgage-backed securities. This would obviate the necessity of these subsidiaries filing applications for exemptive relief.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Brian P. Kindelan, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, N.W. (Stop

5-2), Washington, D.C. 20549, **202 272-2048**

RIN: 3235-AC03

3912. ADVERTISING BY INVESTMENT ADVISERS

Legal Authority: 15 USC 80b-6(4)

CFR Citation: 17 CFR 275.206(4)-1

Legal Deadline: None.

Abstract: Rule 206(4)-1 contains a wide range of restrictions on advertising by investment advisers including prohibitions on the use of testimonials. The rule was adopted in 1962 and has not been revised since. The Commission is considering whether to amend the rule in a manner which would permit greater flexibility to investment advisers in their advertising and protect the investing public from potential abuse. Because the proposed amendments to the rule are still in the developmental stages, the potential effect on small entities and its potential costs and benefits as a whole are uncertain at this time.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Robert E. Plaze, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, N.W. (Stop 5-2), Washington, D.C. 20549, **202 272-2098**

RIN: 3235-AC09

3913. PROPOSED AMENDMENTS TO RULES 12B-1 AND 17D-3 UNDER THE INVESTMENT COMPANY ACT OF 1940

Legal Authority: 15 USC 80a-12(b); 15 USC 80a-17(d); 15 USC 80a-37

CFR Citation: 17 CFR 270.12b-1; 17 CFR 270.17d-3

Legal Deadline: None.

Abstract: The Commission will consider whether to propose amendments to Rule 12b-1 under the Investment Company Act to redefine the circumstances under which investment companies may finance distribution out of fund assets. The Commission will also consider whether to propose amendments to Rule 17d-3 to allow affiliated investment companies to jointly finance distribution Activities under certain conditions.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Jack W. Murphy, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, N.W. (Stop 5-2), Washington, D.C. 20549, **202 272-2048**

RIN: 3235-AC11

3914. EXEMPTION OF ACQUISITION OF SECURITIES DURING THE EXISTENCE OF UNDERWRITING SYNDICATE

Legal Authority: 15 USC 80a-10(f); 15 USC 80a-37(a); 15 USC 80a-6(c)

CFR Citation: 17 CFR 270.10f-3

Legal Deadline: None.

Abstract: The conditions in existing Rule 10f-3, which allow purchases from affiliated underwriters during the existence of an underwriting syndicate, may no longer be appropriate in today's financial markets. The Commission is investigating possible alternative provisions and soliciting comment on these alternatives.

Timetable:

Action	Date	FR Cite
ANPRM	01/29/86	51 FR 4386
ANPRM Comment Period End	04/07/86	51 FR 4386

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Ann M. Glickman, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 Fifth Street, NW (Stop 5-2), Washington, DC 20549, **202 272-2048**

RIN: 3235-AC28

3915. PROPOSED RULE 12D3-2UNDER THE INVESTMENT COMPANY ACT

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-37

CFR Citation: 17 CFR 270.12d3-2

Legal Deadline: None.

Abstract: The Commission is considering whether to propose a rule that would set forth the conditions under which registered investment companies may engage in repurchase agreement transactions with persons engaged in securities related businesses.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Brian Kindelan, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 Fifth Street, N.W. (Stop 5-2), Washington, DC 20549, **202 272-2048**

RIN: 3235-AC36

3916. ADVERTISING BY UNIT INVESTMENT TRUSTS

Legal Authority: 15 USC 77j; 15 USC 77s; 15 USC 80a-37(a)

CFR Citation: Not yet determined

Legal Deadline: None.

Abstract: Currently unit investment trusts advertise their performance by means of an "estimated current return" which shows estimated cash flow. However, because there is no uniform method of computing the estimated current return, they cannot be compared by prospective investors. This rulemaking project will endeavor to create such a uniform method. A uniform method of computation will permit investors to make more informed investment decisions by enabling them to compare the performance of different trusts.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: No

Government Levels Affected: Federal

Agency Contact: Diane C. Blizzard, Securities and Exchange Commission, Securities and Exchange Commission, 450 5th Street, N.W., Washington, D.C. 20549, **202 272-2107**

RIN: 3235-AC70

SEC

Proposed Rule Stage

3917. ● INFORMATION THAT BROKER-DEALERS MAY DISSEMINATE ABOUT INVESTMENT COMPANIES

Legal Authority: 15 USC 775(a)

CFR Citation: 17 CFR 230.139a

Legal Deadline: None.

Abstract: The Commission is considering proposing a rule that would provide a safe harbor under Section 5 of the Securities Act of 1933 for broker-dealer publications that contain information about investment companies whose shares are available through the broker-dealer.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: Diane C. Blizzard, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2107

RIN: 3235-AD20

3918. ● REVISIONS TO THE REGISTRATION AND THE ANNUAL SUPPLEMENT FORMS USED BY INVESTMENT ADVISERS

Legal Authority: 15 USC 78o(b)(1); 15 USC 78w(a); 15 USC 80b-3; 15 USC 80b-4; 15 USC 80b-6A; 15 USC 80b-11; 15 USC 80b-1

CFR Citation: 17 CFR 275.; 17 CFR 279.

Legal Deadline: None.

Abstract: The Commission is considering a proposal that would revise the Amendment and updating requirements and procedures for an advisers registration form and annual report. The Commission would propose such revisions in order to facilitate the review of investment adviser registration forms and resolve certain administrative difficulties.

Timetable:

Action	Date	FR Cite
Next Action Undetermined		

Small Entity: Undetermined

Agency Contact: John McGuire, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2107

RIN: 3235-AD21

SECURITIES AND EXCHANGE COMMISSION (SEC)

Final Rule Stage

Accounting Rules

3919. PROPOSALS REGARDING INDUSTRY SEGMENT AND OTHER INTERIM FINANCIAL REPORTING MATTERS, MANAGEMENT'S DISCUSSION AND ANALYSIS, AND OFF BALANCE SHEET FINANCING DISCLOSURES

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77h; 15 USC 77j; 15 USC 77s(a); 15 USC 77aa(25) to 77aa(26); 15 USC 78l; 15 USC 78m; 15 USC 78o(d); 15 USC 78w(a); 15 USC 79e(b); 15 USC 79n; 15 USC 79t(a); 15 USC 80a-8; 15 USC 80-29

CFR Citation: 17 CFR 210.5-02; 17 CFR 210.10-01; 17 CFR 210.11-02; 17 CFR 229.303

Legal Deadline: None.

Abstract: The Commission proposed amendments to require (1) presentation of certain industry segment information for interim periods; (2) a discussion of reportable segments in management's discussion and analysis; and (3) modifications of other miscellaneous interim reporting requirements. The release also provides advance notice of possible future rulemaking regarding (1) additional segment reporting disclosures and (2) uniform disclosure of off balance sheet financing arrangements. The proposals are designed to enhance analysis of financial information. They may entail some new recordkeeping but any such costs have not been determined. The Commission's interim reporting rules will be reviewed as a part of this action.

Timetable:

Action	Date	FR Cite
NPRM	02/15/84	49 FR 6737
NPRM Comment Period End	05/15/84	
Next Action Undetermined		

Small Entity: Undetermined

Additional Information: This entry replaces the following three entries from the October 1983 agenda. RIN 3235-AA53 -- Off Balance Sheet Obligations. RIN 3235-AA54 -- Segment Information. RIN 3235-AA55 -- Quarterly Financial Reporting.

Agency Contact: John W. Albert, Assistant Chief Accountant, Securities and Exchange Commission, 450 5th Street, NW, Washington, DC 20549, 202 272-2130

RIN: 3235-AB15

3920. REQUEST FOR COMMENTS ON "OPINION SHOPPING"

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77h; 15 USC 77j; 15 USC 77s; 15 USC 78l; 15 USC 78m; 15 USC 78n; 15 USC 78o; 15 USC 78w; 15 USC 79e; 15 USC 79n; 15 USC 79t; 15 USC 80a-8; 15 USC 80a-29

CFR Citation: 17 CFR 210; 17 CFR 249

Legal Deadline: None.

Abstract: The Commission requested comments on proposed amendments to Forms 8-K and N-SAR and Regulation S-K related to a change in a registrant's certifying accountant. Certain amendments to Form clarify the circumstances in which registrants are deemed to have N-SAR were adopted by the Commission on November 24, 1987. The remaining proposals would clarify the circumstances in which registrants are deemed to have bad disagreements with their former auditors and provide for more complete disclosure of potential opinion shopping situations and the circumstances surrounding the change in accountants.

SEC

Final Rule Stage

Timetable:

Action	Date	FR Cite
ANPRM	07/01/85	50 FR 28219
ANPRM Comment Period End	10/09/85	50 FR 28219
NPRM	06/18/87	52 FR 24019
NPRM Comment Period End	09/24/87	52 FR 24019
Final Action	03/31/88	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Robert E. Burns, Chief Counsel, Office of Chief Accountant, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street, NW, Washington, D.C. 20549, 202 272-2130

RIN: 3235-AC02

Disclosure Rules

3921. INDEPENDENT ACCOUNTANTS - MANDATORY PEER REVIEW

Legal Authority: 15 USC 77f; 15 USC 77g; 15 USC 77h; 15 USC 77j; 15 USC 77s(a); 15 USC 77aa(25) to 77aa(26); 15 USC 78l; 15 USC 78m; 15 USC 78o(d); 15 USC 78w(a); 15 USC 79e(b); 15 USC 79n; 15 USC 79t(a); 15 USC 80a-8; 15 USC 80a-29

CFR Citation: 17 CFR 210

Legal Deadline: None.

Abstract: The Commission has proposed amendments to its rules that would require accountants' reports included in Commission filings be signed by an independent accountant who has undergone a peer review of its accounting and audit practice within the past three years.

Timetable:

Action	Date	FR Cite
NPRM	04/01/87	52 FR 11665
NPRM Comment Period End	09/01/87	52 FR 11665
Final Action	03/31/88	

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: John A. Heyman, Professional Accounting Fellow, Securities and Exchange Commission, Office of the Chief Accountant, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2130

RIN: 3235-AC79

3922. PROSPECTUS DELIVERY REQUIREMENTS IN FIRM COMMITMENT UNDERWRITTEN OFFERINGS OF SECURITIES MADE FOR CASH (RULE 433)

Legal Authority: 15 USC 77b(10); 15 USC 77s(a); 15 USC 77j(a)(4); 15 USC 77j(d)

CFR Citation: 17 CFR 230.433

Legal Deadline: None.

Abstract: The Commission proposed two alternative versions of a new Rule 433 that would provide a safe harbor from the requirement to deliver a final prospectus prior to or contemporaneously with a confirmation of sale in a firm commitment offering of securities for cash. Both proposals would permit, if all conditions of the rule are satisfied, the sending of a final prospectus no later than five business days after a confirmation of sale is sent to an investor in such an offering.

Timetable:

Action	Date	FR Cite
NPRM	08/06/87	52 FR 29206
NPRM Comment Period End	10/05/87	

Next Action Undetermined

Small Entity: Yes

Agency Contact: Sarah A. Miller, Special Counsel, Office of Disclosure Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2589

RIN: 3235-AC80

3923. FACILITATING SHAREHOLDER COMMUNICATIONS

Legal Authority: 15 USC 78l; 15 USC 78n; 15 USC 78q; 15 USC 78w(a)

CFR Citation: 17 CFR 240.14a-1; 17 CFR 240.14a-13; 17 CFR 240.14b-1; 17 CFR 240.14b-2; 17 CFR 240.14c-1; 17 CFR 240.14c-7

Legal Deadline: None.

Abstract: In order to avoid duplicative forwarding of proxy soliciting material to employee benefit plan participants who are beneficial owners and excessive recordkeeping burdens for both brokers and banks and to save costs for registrants, the Commission is proposing amendments that would exclude, under certain circumstances, certain employee benefit plan participants from the shareholder communications rules. The alternatives proposed include: (1) an optional exclusion on the part of registrant if certain prerequisites are satisfied; (2) a mandatory exclusion without any trigger mechanism; and (3) a mandatory exclusion with a trigger mechanism.

Timetable:

Action	Date	FR Cite
NPRM	03/27/87	52 FR 11083
NPRM Comment Period End	05/07/87	
Further public comment requested	06/19/87	52 FR 23855
Extended comment period will end	08/10/87	

Next Action Undetermined

Small Entity: No

Agency Contact: Sarah A. Miller, Special Counsel, Office of Disclosure Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, 202 272-2589

RIN: 3235-AC81

3924. FACILITATING SHAREHOLDER COMMUNICATIONS

Legal Authority: 15 USC 78l; 15 USC 78n; 15 USC 78q; 15 USC 78w(a)

CFR Citation: 17 CFR 240.14a-1; 17 CFR 240.14a-13; 17 CFR 240.14b-1; 17 CFR 240.14b-2; 17 CFR 240.14c-1; 17 CFR 240.14c-7

Legal Deadline: None.

Abstract: The Commission is proposing amendments to the shareholder communications rules that would require a registrant to exclude under certain circumstances, employee benefit plan participants from the operation of the proxy processing provisions with respect to securities of a registrant held in nominee name pursuant to the plan. The proposed amendments also would exclude plan participants from a registrant's request for a list of beneficial owners under certain circumstances. The proposed amendments are intended to avoid duplicative mailing of proxy materials to plan participants, to achieve the most efficient means of communicating with such plan participants and to realize cost savings for registrants in connection with proxy processing obligations and requesting beneficial ownership lists. In addition to these proposed amendments, the Commission

is considering various alternatives including an optional exclusion of plan participants from the shareholder communications rules if certain prerequisites are satisfied, making one or both of the exclusions from the proxy processing and direct communications systems mandatory and an automatic across-the-board (cont')

Timetable:

Action	Date	FR Cite
NPRM	06/19/87	52 FR 23855
NPRM Comment Period End	08/10/87	

Next Action Undetermined

Small Entity: No

Additional Information: ABSTRACT (CONT') mandatory exclusion.

Agency Contact: Barbara J. Green, Attorney Fellow, Office of Diclosure Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, **202 272-2589**

RIN: 3235-AD07

3925. ELIMINATION OF FILING REQUIREMENTS FOR PRELIMINARY PROXY MATERIAL UNDER CERTAIN CIRCUMSTANCES; RULE 14A-8 SHAREHOLDER PROPOSALS

Legal Authority: 15 USC 78n; 15 USC 78w(a)

CFR Citation: 17 CFR 229.401; 17 CFR 240.14a-3; 17 CFR 240.14a-6; 17 CFR 240.14a-8; 17 CFR 240.14a-101; 17 CFR 240.14c-3; 17 CFR 240.14c-5; 17 CFR 240.14c-101; 17 CFR 270.20a-1

Legal Deadline: None.

Abstract: The Commission is proposing to eliminate the filing of preliminary proxy and information statements under certain circumstances. The proposed amendments are intended to decrease filing burdens on registrants and reduce administrative costs incurred by the Commission in processing such preliminary material. The Commission also is proposing amendments to Rule 14a-8, the shareholder proposal Rule including deleting the limitation on inclusion of a shareholder proposal in a registrant's proxy material where the proponent delivers written proxy materials to holders of more than 25% of a class of the registrant's securities. As alternatives, the Commission is considering modifying or clarifying the 25% limitation.

Timetable:

Action	Date	FR Cite
NPRM	06/04/87	52 FR 22334
NPRM Comment Period End	07/27/87	

Next Action Undetermined

Small Entity: Yes

Agency Contact: Barbara J. Green, Attorney Fellow, Office of Disclosure Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 5th Street, N.W., Washington, D.C. 20549, **202 272-2589**

RIN: 3235-AD08

Investment Management Rules

3926. PROPOSED RULE 3A-4 -- INDIVIDUALIZED INVESTMENT MANAGEMENT SERVICES

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270.3a-4

Legal Deadline: None.

Abstract: In Investment Company Act Release No. 11391 (October 10, 1980) (45 FR 69479) the Commission proposed for public comment Rule 3a-4, which would deem investment management services providing their clients with individualized treatment not to be investment companies for purposes of the Act. The rule provides a "safe harbor" for any investment manager providing its clients with treatment based on the needs and goals of each client. Under such circumstances, regulation of investment management services under the Act appears unnecessary. The proposed rule was intended to clarify the Commission's position on the question of "mini-accounts" by providing a safe harbor for certain investment management services and thereby provide some certainty to the public. The Commission does not expect any final action taken on the proposal to significantly affect the cost of providing investment management services. The public comment letters on the proposal have been reviewed and alternatives for final action are being considered.

Timetable:

Action	Date	FR Cite
NPRM	10/10/80	45 FR 69479
NPRM Comment Period End	01/31/81	45 FR 69479

Next Action Undetermined

Small Entity: Undetermined

Additional Information: NPRM is Release No. IC-11391 (10/10/80)

Agency Contact: Jack W. Murphy, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, **202 272-2048**

RIN: 3235-AA12

3927. PROPOSED AMENDMENT TO RULE 17G-1 UNDER THE INVESTMENT COMPANY ACT

Legal Authority: 15 USC 80a-6(c); 15 USC 80a-17(g); 15 USC 80a-37(a)

CFR Citation: 17 CFR 270.17g-1

Legal Deadline: None.

Abstract: The Commission is considering whether to adopt an amendment to Rule 17g-1 under the Investment Company Act. The amendment was proposed for public comment in Investment Company Act Release No. 11193 (June 2, 1980) (45 FR 38407). Rule 17g-1 requires every registered investment company to provide and maintain a bond against larceny and embezzlement covering officers and employees of the company. In some circumstances, the officers and employees of a company's depositor, trustee, investment adviser or other manager and various affiliates of such persons, because they have access to the company's assets, function as officers and employees of the investment company. The proposed amendment to the rule would clarify the scope of the rule by explicitly requiring the bonding of such persons. The principal cost associated with this rule would be the cost of a bond. That cost would vary according to the persons required to be bonded by the rule. In this regard, before adopting any amendment to the rule, the Commission will carefully consider what persons should be bonded to protect investors adequately, weighing the benefits of the protection against the cost of a bond.

SEC

Final Rule Stage

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Jack W. Murphy, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-2048

RIN: 3235-AA16

3928. SIMPLIFICATION OF REGISTRATION STATEMENTS FILED BY UNIT INVESTMENT TRUSTS

Legal Authority: 15 USC 80a-8; 15 USC 77g; 15 USC 77j

CFR Citation: 17 CFR 239.16; 17 CFR 274.12

Legal Deadline: None.

Abstract: On May 14, 1985, the Commission issued a release (Investment Company Act Release NO.14513 (50 FR 21282) soliciting public comment on proposed Form N-7, a form for registration of unit Investment Trusts and their securities under the Investment Act of 1940 and the Securities Act of 1933, and certain related rules and rule amendments. The Commission also published staff guidelines for the preparation of Form N-7. The proposed form would establish a two-part format for disclosure to prospective investors consisting of a simplified prospectus that can be use to satisfy the prospectus delivery requirements of the Securities Act of 1933 and a statement of additional information that would be available to prospective investors upon request and without charge. The Commission is proposing Form N-7 in order to (I) integrate the reporting and disclosure requirements of the Securities Act of 1933 and the investment trusts in one document; (II) codify in the form and guidelines the disclosure standards that have been developed for unit investment trusts; and (III) shorten and simplify the prospectus while making available on request more extensive information not of routine(cont)

Timetable:

Action	Date	FR Cite
NPRM	05/23/85	
NPRM Comment Period End	12/31/87	50 FR 21282

Next Action Undetermined

Small Entity: Yes

Additional Information: ABSTRACT CONT: interest to most investor.

Agency Contact: Jay Gould, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 5th Street, NW (Stop 5-2), Washington, DC 20549, 202 272-3040

RIN: 3235-AA47

3929. DISCLOSURE OF SECURITY RATINGS IN REGISTRATION STATEMENTS OF MONEY MARKET FUNDS

Legal Authority: 15 USC 77(g); 15 USC 77(i); 15 USC 77(s)(a)

CFR Citation: 17 CFR 230.134; 17 CFR 230.436; 17 CFR 230.482

Legal Deadline: None.

Abstract: The Commission proposed amendments to Rules 134, 436, and 482 under the Securities Act of 1933 on March 14, 1986. The amendments would, if adopted, permit certain investment companies to use in their statutory and omitting prospectuses security ratings assigned by a nationally recognized statistical rating organization (NRSRO) without first obtaining the NRSRO'S consent to being named pursuant to Section 7 of the Securities Act. The Commission is now considering whether to adopt such amendments.

Timetable:

Action	Date	FR Cite
NPRM Comment Period End	05/16/86	51 FR 9838

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: Robert E. Plaze, Special Counsel, Securities and Exchange Commission, Division of Investment Management, 450 Fifth Street, N.W. (Stop 5-2), Washington, D.C. 20549, 202 272-2107

RIN: 3235-AC24

3930. N-1A TECHNICAL AMENDMENTS

Legal Authority: 15 USC 580a-8(b)

CFR Citation: 17 CFR 274.11A

Legal Deadline: None.

Abstract: The Commission is considering several modifications to Form N1A which would reduce the number of copies that must be filed with the Commission, clarify the operation of item 15(c) of the Statement of Additional information with respect to series companies, and confirm the procedures for requesting the statement of additional information to those contained in Forms N-3 and N-4.

Timetable:

Action	Date	FR Cite

Next Action Undetermined

Small Entity: Undetermined

Agency Contact: John McGuire, Staff Attorney, Securities and Exchange Commission, Division of Investment Management, 450 Fifth street, N. W., Washington, DC 20549, 202 272-2107

RIN: 3235-AC25

3931. RULE 174 AMENDMENT - PROSPECTUS DELIVERY DURING QUIET PERIOD

Legal Authority: 15 USC 77s; 15 USC 77d

CFR Citation: 17 CFR 230.174

Legal Deadline: None.

Abstract: The Commission intends to adopt amendments to Rule 174 under the Securities Act of 1933 that would reduce or eliminate under certain circumstances the 40 or 90 day delivery period during which dealers must deliver a prospectus in after market transactions in registered securities following a public offering.

Timetable:

Action	Date	FR Cite
NPRM	12/29/86	51 FR 46874
NPRM Comment Period End	03/01/87	51 FR 46874
Final Action	04/04/88	

Small Entity: Undetermined

Agency Contact: Larisa Dobriansky, Special Counsel, Office of Disclosure Policy, Securities and Exchange Commission, Division of Corporation Finance, 450 Fifth Street, N.W., Washington, D.C. 20549, 202 272-2589

RIN: 3235-AC34

3932. REVISION OF CERTAIN INVESTMENT ADVISER RECORDKEEPING RULES

Legal Authority: 15 USC 80b-4(2); 15 USC 80b-6(4)

SEC

Final Rule Stage

CFR Citation: 17 CFR 275.204-2(a); 17 CFR 275.204-2(e)

Legal Deadline: None.

Abstract: Under the books and records rules of the Investment Advisers Act of 1940, investment advisers are permitted to advertise but are not required to maintain their advertisements nor the worksheets used to calculate the performance information in advertisements. We are proposing a rule that would require these documents to be kept. If the rule is proposed and adopted, Commission inspectors would be able to examine these advertisements and the worksheets used to calculate performance information in advertisements which would aid the Commission's efforts to eliminate fraudulent and misleading advertisements by investment advisers.

Timetable:

Action	Date	FR Cite
NPRM	09/01/87	
NPRM Comment Period End	12/29/87	
Final Action	04/30/88	

Small Entity: Yes

Agency Contact: Dorothy M. Donohue, Attorney, Securities and Exchange Commission, Division of Investment Management, 450 Fifth Street, N.W., Washington, D.C. 20549, 202 272-2107

RIN: 3235-AC97

SECURITIES AND EXCHANGE COMMISSION (SEC)

Completed Actions

3933. PROPOSED RULE AMENDMENTS CONCERNING DISCLOSURE OF INFLATION-ADJUSTED INFORMATION

CFR Citation: 17 CFR 229; 17 CFR 249

Completed:

Reason	Date	FR Cite
Final Action	08/06/87	52 FR 30917
Final Action Effective	09/17/87	52 FR 30917

Small Entity: No

Agency Contact: James R. Bradow 202 272-2130

RIN: 3235-AC78

3934. RULE 3A12-8 OF THE SECURITIES EXCHANGE ACT OF 1934

CFR Citation: 17 CFR 240.3a12-8

Completed:

Reason	Date	FR Cite
Final Action Adopted second proposed alternative amendment	10/29/87	52 FR 42277

Small Entity: No

Agency Contact: David Underhill 202 272-2375

RIN: 3235-AC88

3935. REVISIONS TO EXPENSE-RELATED DISCLOSURE REQUIREMENTS OF FORM N-1A

CFR Citation: 17 CFR 239.15A; 17 CFR 274.11A

Completed:

Reason	Date	FR Cite
Final Action	02/04/88	53 FR 3192
Final Action Effective	05/01/88	

Small Entity: No

Agency Contact: John McGuire 202 272-2107

RIN: 3235-AB73

3936. DISCLOSURE OF LEGAL AND DISCIPLINARY PROCEEDINGS

CFR Citation: 17 CFR 275.206(4)-4

Completed:

Reason	Date	FR Cite
Final Action	09/25/87	52 FR 36915
Final Action Effective	10/02/87	52 FR 36915

Small Entity: Undetermined

Agency Contact: Debra J. Kertzman 202 272-2107

RIN: 3235-AC06

3937. ACCOUNTING FOR DISTRIBUTION EXPENSES

CFR Citation: 17 CFR 210.6-07

Completed:

Reason	Date	FR Cite
Final Action June 12, 1987 adopted financial statements.	06/18/87	52 FR 23170

Small Entity: No

Agency Contact: Debra Kertzman 202 272-2107

RIN: 3235-AC07

3938. STANDARDIZED FORMULA FOR CALCULATING INVESTMENT COMPANY PERFORMANCE DATA IN ADVERTISEMENTS

CFR Citation: 17 CFR 270

Completed:

Reason	Date	FR Cite
Final Action	02/02/88	53 FR 3868

Small Entity: Undetermined

Agency Contact: Robert E. Plaze 202 272-2107

RIN: 3235-AC08

3939. REGISTRATION UNDER THE SECURITIES ACT OF 1933 OF AN INDEFINITE NUMBER OF CERTAIN INVESTMENT COMPANY SECURITIES

CFR Citation: 17 CFR 270.24f-3

Completed:

Reason	Date	FR Cite
Final Action	12/31/88	52 FR 8302

Small Entity: Undetermined

Agency Contact: Diane C. Blizzard 202 272-2107

RIN: 3235-AC10

SEC

Completed Actions

3940. EXEMPTION FOR THE OFFER OR SALE OF DEBT SECURITIES AND NON-VOTING PREFERRED STOCK IN THE UNITED STATES BY FOREIGN BANKS AND SUBSIDIARIES ORGANIZED TO FINANCE THE OPERATIONS OF FOREIGN BANKS

CFR Citation: 17 CFR 270.6c-9; 17 CFR 274.304

Completed:

Reason	Date	FR Cite
Final Action Final Amendments adopted-effective 12/04/87	11/04/87	52 FR 42280
Final Action Effective	12/04/87	52 FR 42280

Small Entity: No

Agency Contact: Ann M. Glickman 202 272-2048

RIN: 3235-AC37

3941. RULE 19B-1 UNDER THE INVESTMENT COMPANY ACT

CFR Citation: 17 CFR 270.19b-1

Completed:

Reason	Date	FR Cite
Final Action Final Rule Amendments Adopted	11/05/87	52 FR 42426
Final Action Effective	11/05/87	52 FR 42426

Small Entity: Undetermined

Agency Contact: Brian M. Kaplowitz 202 272-3038

RIN: 3235-AC99

[FR Doc. 88-5114 Filed 04-22-88; 8:45 am]
BILLING CODE 8010-01-T

SUBJECT INDEX TO THE UNIFIED AGENDA OF FEDERAL REGULATIONS

Sequence Number

A

Accounting:
- Accountants, peer review ... 3921
- Accrual basis ... 750
- Airline uniform system ... 1992
- Automated clearing house ... 2067
- Banks, uniform standards ... 3694
- Bills of lading ... 2993
- Bonds ... 2069, 2070
- Colleges and universities ... 575
- Cost principles ... 3088
- Emission standards ... 2854
- Farm Credit System ... 3556
- Grants audit ... 586
- Job training audit ... 1405
- Loans ... 3672
- Motor carriers ... 3775
- Nuclear fuel retirement ... 3653
- Rail costing system ... 3767
- Reclamation actions ... 2068
- State and local governments ... 422, 584, 3088
- Treasury checks ... 2068

Advertising:
- Airline tickets ... 1546
- American viticultural areas ... 2082
- Athletes and athletic events ... 2073
- Distilled spirits ... 2073, 2086, 2091
- Food store practices ... 3762
- Games of chance ... 3758
- Health benefits program, Federal employees ... 3135
- Interest on deposits ... 3735
- Investment companies ... 3912, 3938
- Light (Lite), use of word ... 2086
- Malt beverages ... 2073, 2086, 2090, 2091
- Ophthalmic goods and services ... 3760
- Pesticide product registration ... 2636
- Pesticides restriction ... 2635
- Political ... 2185
- Wine ... 2071, 2073, 2075, 2086, 2091

Advisory Committee Management, Federal ... 3013

Age, nondiscrimination ... 431, 1061, 1306, 1566, 2607, 2904, 2923, 2944

Agricultural commodities:
- Biological residues ... 134
- Cotton ... 5, 6, 12, 14, 18, 23, 27, 29, 35, 37, 46, 47, 52, 69
- Dairy products ... 38, 2614
- Disaster relief ... 2615
- Fruits and vegetables ... 58
- Grain ... 5, 11, 18, 23, 26, 36, 45, 52
- Honey ... 2, 17, 49
- Inspection ... 1, 104, 105, 107, 113, 114, 115, 116, 117, 133, 134, 136, 140, 141, 142, 143, 146, 149, 151
- Milk and milk products ... 38, 43, 56, 57
- Overseas donations ... 154
- Peanuts ... 8, 10, 16, 22, 32, 39, 40
- Rice ... 5, 18, 19, 23, 24, 48, 52
- Safety and sanitation ... 142
- Soybeans ... 53
- Speculative position ... 3498
- Sugar beets and sugarcane ... 21, 33, 55
- Sugar imports, quota system ... 152, 153
- Supply regulation ... 88
- Tobacco ... 9, 15, 28, 30, 31, 41, 42, 44, 54
- Wheat ... 4, 5, 18, 20, 23, 25, 50, 52, 2614
- Wool and mohair ... 3, 34

Agriculture:
- Alien farmworkers ... 1350, 1407
- Grain handling facilities ... 1519
- Loans ... 81, 89
- Migrant and seasonal farmworkers ... 1381, 1385, 1388
- Plant pests and diseases ... 58
- Relocation assistance ... 208

Aid to families with dependent children:
- Administrative involvement ... 843
- Aliens ... 840, 847, 867
- Cooperative agreements ... 850
- Deficit Reduction Act ... 858
- Eligibility ... 98, 859
- Essential persons ... 866
- Foster care payments ... 592, 853
- Health coverage ... 849
- OASDI lump sum and monthly payments treatment ... 609
- Payments, scope of ... 842
- Policy consistency ... 860
- Quality control system ... 862
- Refugees, costs for assistance ... 854
- Scoring system ... 851
- State practice-quality control ... 856
- Tax refund offset process ... 852
- Utility payments ... 857

AIDS, acquired immune deficiency syndrome ... 624, 694, 1498, 3332

Air carriers:
- Accounts and reports ... 1983, 1992, 1993
- Agreements and applications ... 1578
- Aviation exemption ... 1575
- Cargo ... 1540, 1544
- Certification ... 1750
- Charters ... 1541, 1549, 2018
- Customs duties and inspection ... 2121
- Employee benefits ... 1392
- Financial information ... 2007
- Flammability standards ... 1721
- Flight restrictions ... 1554, 1673, 1710
- Foreign ... 1557, 1573, 1695, 2017
- Handicapped persons, nondiscrimination ... 1548
- Immigration ... 1352
- Insurance for taxi operators ... 1572
- Passengers ... 1549, 1554, 1568
- Seats ... 1981
- Security ... 1695
- Service defaults, consumer protection ... 1538
- Subsidy claims ... 1574, 1990

Air pollution control:
- Air pollutants ... 2794
- Air quality models ... 2796, 2862
- Ambient air quality standards:
  - Carbon monoxide ... 2790, 2846
  - Dust, rural fugitive ... 2848
  - Nitrogen dioxide ... 2789
  - Ozone ... 2825, 2846
- Asbestos ... 2662, 2813
- Asphalt roofing manufacturing plants ... 2792, 2793
- Benzene ... 2811, 2821
- Boilers ... 2808
- Butadiene ... 2817
- Cadmium ... 2795
- Carbon monoxide ... 2846
- Carbon tetrachloride ... 2817
- Cement plants ... 2842
- Chemicals, manufactured ... 2833
- Chemicals, synthetic organic ... 2807
- Chloroform ... 2817
- Chromium ... 2814, 2815, 2816, 2847
- Coal mines, surface ... 2861
- Coal preparation plants ... 2791

Sequence Number

Air pollution control—Continued
Coke oven batteries ... 2812
Diesel fuel ... 2799, 2827
Dust, rural fugitive ... 2848
Emission standards ... 2828, 2854
Environmental protection ... 2866
Ethylene dichloride ... 2817
Ethylene oxide ... 2817, 2819
Fuel and fuel additives ... 2798
Fuel switching prevention ... 2830
Gasoline ... 2797, 2829, 2851, 2864
Hazardous substances:
Air toxicants, waste ... 2867
Radionuclides ... 2883
Heavy-duty engine gasoline vehicle emission ... 2826
Hydrocarbon ... 2824, 2825, 2851
Imported motor vehicles ... 2853
Lead ... 2801
Magnetic tape ... 2845
Methanol-fueled vehicles ... 2850
Methylene chloride ... 2817, 2820
Motor vehicles ... 2825, 2840, 2850, 2863
Municipal landfills ... 2810
Municipal waste combustors ... 2809
National parks ... 2804
Nitrogen oxides ... 2832, 2865
Noise control ... 1722, 1753, 1768, 1769, 1799, 2734
Nuclear fuel ... 2711
Nuclear power plants ... 3842
Oil and gas operations in the OCS ... 1190, 1194
Organic solvent cleaners ... 2806, 2820
Ozone ... 2802, 2846, 2849
Parks ... 2856
Particulates ... 2799, 2803, 2823, 2827, 2848, 2852, 2860
Perchloroethylene ... 2805, 2817, 2818, 2820
Petroleum refinery wastewater systems ... 2844
Radioactive wastes ... 2711
Radionuclides ... 2822
Sewage treatment plants ... 2839
Solvent degreasing ... 2834
Sterilization chambers ... 2819
Sulfur dioxide ... 2837, 2841, 2858
Sulfur oxides ... 2800
Technical standards for corrective action ... 2756
Toxic chemicals ... 2639
Transuranium elements ... 2714
Trichloroethylene ... 2817, 2820
Turbine-engine powered airplanes ... 1759
Vehicle certification ... 2855
Vehicles and engines ... 2828
Volatile organic compounds ... 2749, 2835, 2836, 2838, 2843, 2845, 2857, 2859
Waste facilities ... 2831
Wilderness areas ... 2804, 2856
Air transportation:
Pilots and other personnel standards ... 1697, 1699, 1703, 1735, 1765
Traffic control systems ... 1719, 1778
Aircraft:
Airspace review ... 1713, 1714, 1793
Airworthiness directives and standards ... 1693, 1700, 1701, 1704, 1705, 1706, 1707, 1708, 1717, 1730, 1733, 1734, 1737, 1738, 1741, 1742, 1745, 1762, 1763, 1770, 1779, 1781, 1782, 1784, 1785, 1786, 1787, 1794, 1795, 1796, 1798, 1802, 1805
Airworthiness review ... 1751, 1752, 1771
Altitude reporting capability ... 1776
Army airfields, use of ... 399
Balloons ... 1740, 1805
Certification ... 1749
Cessna finance petition ... 1801
Continental control area ... 1776
Customs user fees ... 2122
Design standards ... 1728
Eglin Air Force Base area ... 1793
Flammability standards ... 1721
Flight plan ... 1696, 1790

Sequence Number

Aircraft—Continued
Flight restrictions ... 1673, 1710
Foreign repair stations ... 1764
Fuel system modification records ... 1803
Fuel venting and exhaust-emission ... 1759
Fuel-tank access panels ... 1728
Grand Canyon National Park area ... 1777
Helicopters ... 1718, 1744, 1788, 1799
High altitude flyover noise standard ... 1753
Immigration ... 1349
Jet route actions ... 1702
Kites ... 1740
Leasing USAF aircraft to nongovernment organizations ... 414
Liability insurance for foreign missions ... 1529
Navy airport traffic area ... 1714
Noise standards ... 1720, 1753, 1768, 1769, 1783, 1799
Parts and products ... 1698
Pilots and other personnel standards:
Airman training and certification ... 1735
Drug and alcohol use, control of ... 1724, 1727
Flight attendants ... 1694, 1723
Flight crewmembers certification ... 1806
Flight engineers skills ... 1703
Medical standards and certification ... 1697
Pilots and flight instructors certification ... 1699
Recreation pilots and annual flight review, certification ... 1765
Ultralight airman certification ... 1691
Propeller-driven small airplanes ... 1768
Registration of titles and security documents ... 1709
Repair station requirements ... 1715
Restricted areas ... 1793
Restrictions on landing at energy nuclear sites ... 531
Rockets, unmanned ... 1740
Rotorcraft ... 1732, 1737, 1743, 1754, 1760, 1766, 1767, 1779, 1780
Safety:
Air carrier, certification and operations ... 1700
Air taxi operations ... 1701
Airspace review recommendations, national ... 1730
Airspace system, exemption of regulations ... 1734
ATC transponders, system tests ... 1705
Bird impact and lightning protection ... 1706
Cabin fire protection ... 1693
Cabins, pressurized ... 1756
Cockpit voice recorder ... 1775
Crash-resistant fuel systems ... 1717, 1761
Crashworthiness program ... 1728, 1763
Emergency evacuation systems ... 1792
Emergency exits ... 1725, 1726, 1757, 1772
Engine control systems ... 1785
Engine fuel and induction systems ... 1741
Fatigue integrity of small airplanes ... 1782
Firefighting, rescue, and airport refueling ... 1798
Flight data recorder ... 1775
Flight rules ... 1704, 1794, 1796
Instruments or equipment, inoperative ... 1779
Low-fuel-quantity alerting system ... 1787
Maintenance agreements ... 1742
Nighttime VFR weather minimums ... 1784
Occupant restraint systems in rotorcraft ... 1767
Operational regulations ... 1738
Power source for public address system ... 1770
Propulsion system, safer ... 1733
Radar service ... 1804
Seats ... 1760, 1763, 1981
Subsonic airplanes, high altitude operation ... 1707
Takeoff trust control system, automatic ... 1802
Transport category airworthiness ... 1781
Ultralight airman certification ... 1691
Voice communication radios, antiblocking devices ... 1745
Wet and contaminated runways, takeoff on ... 1786
Wind shear equipment requirements ... 1762
Security control ... 1755
Seizure and forfeiture of alien ... 1319
Smoking notices to passengers ... 1550

Sequence Number

Aircraft—Continued
Supersonic noise compliance....1722
Terminal control areas....1774
Traffic control systems....1758, 1773, 1778
Transponder requirements....1748, 1776
Turbojet noise compliance....1722
Ultralights....1691, 1692, 1708, 1739
Weather conditions....1711
Airlines:
Accounts and reports....1992
Baggage liability notices....1555
Countersign notices to passengers....1556
Direct flights....1543
Electronic filing....1547
Employee benefits....1392
Government contractors....547
Handicapped persons, nondiscrimination....1548
Interstate transportation....1571
Mail rates, zones for....1569
Passengers air fare....1989
Price advertising....1546
Reports, confidentiality....1993
Ticket agents, unfair and deceptive practice....1542
Ticket escrow/bond protection....1539
Time and mileage guides....1567
Traffic control systems....1773
Travel promotion fees....370
Travelers, prohibit age discrimination....1570
Airports:
Airspace review....1713
Delays, elimination of....1719
Global positioning system....1712
Heliports....1791
Jet route actions....1702
Noise compatibility planning....1791
Passenger ceiling policy....1716
Personnel security access....1729
Security systems....1729
Terminal control areas....1712, 1736, 1774, 1789, 1800
Traffic control systems....1773, 1778
Washington Dulles International....1716
Washington Metropolitan....1716
Weather conditions....1711
Airspace:
Airspace review recommendations, national....1730
Nuclear facilities, prohibited areas....1718
Objects affecting navigable....1731
Offshore review....1746
Reclassification....1747
Regulations, nonsignificant....1797
Terminal control areas....1736
Airworthiness directives....1795, 1805
Alaska:
Chugach National Forest....169
Fish and wildlife conservation....169
Fishery management plan....304
Historic preservation....1120
Land use, National Forest....164
Marine mammals....1097
Migratory birds, subsistence take....1081
National parks....1117, 1133
Native cemetery sites....1120
Native claims....848, 1170
Salmon fishing, reporting requirements....306
Supplemental security income program....620
Timber use....179
Trans-Alaska pipeline liability fund....1057
Watershed, Petersburg....188
Alcohol and alcoholic beverages:
Alcohol abuse....584
Athletes and athletic events....2073
Beer....2076, 2092
Brandy treated with wood....2078
Caloric content, labeling and advertising....2086
Distilled spirits....2073, 2076, 2077, 2081, 2084, 2086, 2091, 2997

Sequence Number

Alcohol and alcoholic beverages—Continued
Grape....2088
Malt beverages....2073, 2086, 2090, 2091
Recordkeeping requirements....2074
Vodka, standard of identity....2083
Whiskies, straight....2097
Wine....2071, 2072, 2073, 2076, 2077, 2081, 2082, 2085, 2086, 2087, 2091
Aliens:
Agricultural workers, special....1338, 1350
Agriculture employment....1384, 1385, 1407
Aid to families with dependent children....847
Asylum procedures....1325
Border patrol sectors....1341
Certificate of Citizenship....1343
Children, adopted....1343
Classification....1333
Criminals....1356
Deportation....1325, 1356
Documentary requirements....1340, 1361
Employment....1314, 1357, 1360
Entry, unlawful....1345
Extension of stay....1320
Fathers, equal treatment....1347
Felony and misdemeanor....1339
Financial assistance....1337
Fines Office, National....1372
Housing....861
Housing assistance....884
Immigration....1349
Immigration service officers....1328, 1329
Information, verification of....1321
International organizations and families....1348
Juveniles, detention and release....1335
Labor certification process....1397
Legalization....867
Marriage fraud....1331
Medicaid....840, 847
Medicare eligibility....756
Narcotics traffickers....1356
Nonimmigrant classes....1320, 1344, 1346, 1348, 1351, 1359, 1361
Parole....1341
Passport validity....1359
Permanent residence....1330
Police clearances....1358
Refugees....861
Residence....1358
School enrollment....1329
Seizure and forfeiture....1319
Status adjustment....1342
Surety bonds....1332
Transportation lines contracts....1352
User fees....1317
Visa waiver pilot program....1346, 1347
Visitors for business and pleasure....1344
All Volunteer Force....3328
All-terrain vehicle safety....3506
America, Take Pride in....1059
American viticultural areas....2082
Animal welfare:
Antarctic....3078
Cats....60
Dogs....60
Drugs....673, 678, 683, 693
Exotic....121
Guinea pigs and hamsters....60
Horses and burros, wild and free roaming....165
Humane and healthful transport....1085
Nonhuman primates....60
Standards....60
Terms and regulations....61
Antidumping duties....246, 250, 252
Antitrust mergers or acquisitions, review of....3757
Archeological resources, protection....209, 3309, 3315, 3363

Sequence Number

Archives and records:
Copiers, use of self-service....3068
Credit unions....3787
Disposition of Federal records....3066
Electronic records management....2979, 3059
Employee Medical Folder....3061
Exhibition loans....3060
Fees for reproduction of material....3067
Freedom of Information Act....3055, 3067
Inspection and copying....2606
Medical record request form....3061
Microfiche/microfilm....3053
Micrographics management....3056
National Personnel Records Center....3053, 3061
Patent and Trademark Office....359
Presidential Records Act....3057
Restrictions on access....3055
State Historical Records Advisory Boards....3054
Statistical research....3065
Armed forces:
Aircraft, leasing to nongovernment organizations....414
Arsenals, Army sale to U.S. companies....393
Certificates of separation....415
Claims....411
Education, dependent children....382
Environmental impact....409
Financial responsibility....413
Firearms and weapons....400
Hotline program....390
Information service....397
Information system, AF visual....416
Investigative service....388
Metrication program....384
Military law....398, 412
Military reservations....400, 405
Offshore military activities....392
Pay allotments, voluntary....385
Public affairs....410
Scientific and technical papers....377
Selective service regulation....3252
Uniform reserve, training and retirement....394
Armed Forces Information Council....397
Arms and munitions:
Armor piercing ammunition, restrictions....2094
Arsenals, Army sale to U.S. companies....393
Firearms dealers, recordkeeping....2095
Gun Control Act amendments....2093
International traffic regulations....1535
Astronauts....3046
Atlantic sea scallops....289
Authority delegations:
Bank acquisitions of control....3623
Business, small....3301
Civil rights....3029
Damages, assessment of liquidated....3052
Domestic energy supplies....2948
Heads of offices, HUD....1013
Maritime Defense Zone Commanders....1680
Motor carrier safety....1875
Oil and gas inspection and enforcement....1275
Urban mass transportation....1978
Vessel measurement....1676
Vessels inspection review....1684
Automobile liability insurance....1529

B

Bank deposit insurance:
Clarification and definition....3618
Law, powers inconsistent with Federal....3627
Rules of practice and procedure....3633
Banks, banking:
Accounting standards, uniform....3694
Acquisition of control, disapproval....3633
Acquisition of control, notices....3623

Sequence Number

Banks, banking—Continued
Adjustable-rate disclosures....3671
Administrative proceedings....3619, 3633
Agricultural loans....2112, 2118
Applications processing guidelines....3685
Appraisal policies and practices....3678, 3687
Assets....3679
Automated clearing house....2067
Bank holding companies...3731, 3732, 3736, 3737, 3738, 3739, 3747, 3750
Book-entry procedure....3693
Book-entry securities of GNMA....1003
Bribery Act....3750
Capital forbearance....3686
Capital maintenance....3629
Capital ratios, minimum....2103
Capital requirements and directives....3691
Cease-and-desist orders, issuance of....3633
Civil penalties, assessment of....3633
Collection of checks....3741
Collective investment funds....2099, 2105
Conservators and receivers....3665
Consolidations....2107
Construction loans....3672
Control, change in....3731, 3736, 3739, 3747
Corporate activities....2111, 3670
Credit....3729, 3730, 3745, 3746
Credit programs, Federal....3098
Credit unions....3806
Crime reporting....2113
Debt restructuring, troubled....3690
Delegations of authority....3623
Depository institutions, reserve requirements....3733
Electronic fund transfers....3724
Equality Banking Act....3680
Farm credit:
Accounting practices....3556, 3559
Agricultural loan loss amortization....3624
Assistance corporation....3534
Borrower rights....3530, 3557
Capital....3540, 3541, 3542
Civil money penalties....3537
Collateral issues....3527
Compensation of District Director Board members....3539
Cooperatives, banks for....3547, 3548, 3552, 3553
Debt collection....3535
Disclosure to shareholders....3546, 3559
Examinations....3526
Funding corporation....3533
Funding and fiscal affairs....3540
Handicapped, nondiscrimination....3545
Information, release of....3538
Insurance....3536
Interest rates....3558
Investment policies....3554
Lending authorities....3531
Loans....3544, 3548, 3549, 3550, 3553, 3557, 3560
Loss-sharing agreements....3560
Mergers and consolidations....3543
Organization....3529
Personnel administration....3555
Receivers....3528
Regulatory approval review....3551
Secondary market....3532
Standards of conduct....3555
FDIC meetings of the Board of Directors....3617
Federal deposit insurance law....3627
Federal home loan banks...3665, 3666, 3667, 3668, 3669, 3670, 3671, 3672, 3673, 3674, 3675, 3676, 3677, 3678, 3679, 3680, 3681, 3682, 3683, 3684, 3685, 3686, 3687, 3688, 3689, 3690, 3691, 3692, 3693, 3694
Federal Reserve System....3627, 3726
Fees for disclosures....2062
Fiduciary powers of National Banks....2099, 2105

Sequence Number

Banks, banking—Continued
Financial corporation assessments....3693
Financial disclosure....2102, 2115, 3630, 3875
Foreign....2061, 3620, 3627, 3632, 3634, 3940
Foreign country loans....2102
Foreign missions....1531
FSLIC industry advisory committees....3689
Hearing rules for administrative hearings....2100
Home loan disclosures....3671
Home mortgage disclosure....3723
Housing....3625
Indemnification of directors, etc....3674
Information....3616, 3743
Insurance....3618, 3627, 3631, 3633, 3634, 3668, 3678, 3693
Insurance termination....3673
Interest on deposits....3735
International operations....3727, 3734
Investigative and enforcement records system....3626
Investment securities regulations....2116
Lending limits....2108, 2118
Litigation....2101
Loans....3666
Membership....3725
Mergers....2107
Mortgage-backed....1004, 2116
Mortgages....3748
Municipal securities....3633
Name or logo, common....3628
National banks....3627
Nonmember....3621, 3622, 3624, 3627, 3630
Oil and gas loans....2118
Organization and operation....3681, 3682, 3683
Practice and procedure....3619, 3628, 3633, 3688
Public observation of meetings....3617
Purchase and assumption....2107
Real estate....2117, 3627, 3736
Recordkeeping and confirmations....3621
Records....3676
Regulatory capital....3667, 3677
Removal or suspension orders....3633
Reporting requirements....2063, 3631
Savings banks, federally chartered....3627
Savings and loan....3665, 3667, 3668, 3692
Secrecy Act....2061, 2062, 2063, 2064, 3669
Securities....2102, 2104, 3621, 3622, 3684
Security devices and procedures....2113, 3728
State banks....3624, 3627, 3726, 3737, 3744
Stock issuance....3675
Subsidiary activities....3627
Supervision of operations....2106
Surety business....3627
Thrift lender test, qualified....3692
Truth-in-lending....3740, 3748, 3749
Unsafe and unsound practices....3628
Wire transfer systems, risk on large-dollar....3742
Barges, rules on carrying dangerous cargo....1609
Black lung program....664, 1245
Boats:
Casualty reporting for recreational....1589
Dealers, requirements for first purchase list....1658
Transporters, specialized equipment....1812
Bridges:
Aliens....1345
Inspection standards....1858
Truck size and weight....1863
Buildings:
Fall protection standards....1510
Handicapped access....228, 2616, 2617
Platforms, safety standards....1508
Business, small:
Acquisition regulation....3424
Aircraft....3290
Capital ownership development assistance....3266
Certificate of competency....3260, 3419
Compliance audits of small investment companies....3262

Sequence Number

Business, small—Continued
Counseling fees....3267
Credit, revolving line of....3273
Development centers....3281
Disadvantaged status appeals procedure....3291
Dredging industry size....3253
Fees for SBA programs....3271
Fraud civil remedies regulations, program....3283
Grants and cooperative agreements....3286
Indian tribes....3263
Investment companies....3262, 3264, 3280, 3305, 3308
Lending companies....3265, 3285
Loans....3268, 3279, 3285, 3287, 3298, 3301
Manufacturer or regular dealer....1386
Manufacturing industry size....3299
Minority....3263, 3266
Missiles, guided....3290
Mobile and modular building....3258
Nondiscrimination....3269
Nonmanufacturers....3289
PASS system user fees....3296
Refuse systems, surveying, and mapping....3259
Regular dealers....3306
Research....3295
Ship hull cleaning....3257
Size standards....3255, 3256, 3257, 3258, 3259, 3277, 3282, 3284, 3288, 3289, 3290, 3295, 3306
Space vehicle research and development....3290
Subcontracting plans....2972
Timber industry....193, 3254
Travel agency size....3276
Business and industry:
American vendors....1529
Funeral industry practice rule....3755
Pipelines and marketing affiliates....3645
Uranium mill sites, radon standards for inactive....3849

C

Cadastral survey, public lands....1290
Cash management:
Automated clearing house....2067
Bonds....2069, 2070
Funding techniques for Federal programs....2066
Treasury checks....2068
Chemicals:
Acrylate/methacrylate....2645
Benzene....1472
Carcinogens....1468
Comprehensive assessment information rule....2666
Ethylene dibromide....1504
Fees for processing premanufacture notices....2667
Formaldehyde....1522, 2648
Glycol ethers....1492
Hazardous substances:
Acute air toxicants....2867
Ethylene oxide....1518
Methylene chloride....1495
Volatile organic compounds....2835
Health and safety reporting rule....2665
Inorganic and organic....2722
Methylene chloride....2650
New use rules....2659
Peak release reporting rule....2639
Polychlorinated Biphenyls....2649, 2661
Preliminary assessment information rule....2664
Specific significant new use rules....2644
Test rules....2640, 2656
Toxic substances....2658
Toxic substances follow-up rules....2642, 2643
Toxicity profiles....2641
1,3-Butadiene....1491
4,4'-Methylenedianiline....1478
Children:
Abduction, international....1530

Sequence Number

Children—Continued
Adoption and foster care information 603
Aid to families with dependent 98
Alien, adopted 1343
Bunk bed safety standard 3519
Child support:
Arrears, retroactive 855
Collections distribution 846
Enforcement audit regulations 845
Enforcement program 868
Payments, disregard of 864
Choking incidents, small parts regulation 3525
Cigarette lighters, child-resistant 3513
Education:
Federally-impacted areas 443, 447
Handicapped 488, 495, 496, 497
Refugees 428
Food distribution program 95
Foster Grandparent Program 2610
Handicapped 597
Head Start program 594, 596, 597, 599, 600, 601, 606
Household substances, resistant packaging 3502
Labor law 1374
Lawn darts ban 3512
Lead fumes and dust 3515
Lighters, child-resistant disposable 3521
Medical support enforcement 863
Packaging, child-resistant 3502, 3509, 3510, 3511, 3524
Parent locator service 1395
Runaway and homeless 593
Toys for children under 3 years of age 3516
Welfare services 592
Cigarette papers and tubes 2080
Citizenship and naturalization:
Agricultural workers, special 1338, 1350, 1365
Aliens 1333, 1354
Asylum procedures 1325, 1362
Border patrol sectors 1341
Certificate of Citizenship 1343
Children, adopted alien 1343
Deportation proceedings 1356
Direct mail of applications 1364
Documentary requirements 1323, 1326, 1340, 1356, 1361
English language test 1318
Entry, unlawful 1345
Fathers, equal treatment 1347
Felony and misdemeanor 1339
Financial assistance 1337
Fines Office, National 1322
Foreign licensed attorneys 1313
Immigration 1349
Immigration user fees 1355
Information, verification of 1321
International organizations and families 1348
Juveniles, detention and release 1335
Marriage fraud 1331
Nonimmigrant classes 1320, 1340, 1344, 1346, 1348, 1351, 1356, 1359, 1361
Passport validity 1359
Police clearances 1358
Public use forms 1336
Relative petitions 1324
Residence 1330, 1337, 1358, 1363
Seizure and forfeiture of conveyances 1353
Status adjustment 1342
Surety bonds 1332
Transportation lines contracts 1352
Visa waiver pilot program 1346
Visitors for business and pleasure 1344
Civil defense:
Common use items 2949
Comprehensive cooperative agreement 2924
Defense production priorities 2956
Dispersal of facilities 2958
Earthquake hazards reduction program 2962

Sequence Number

Civil defense—Continued
Emergency blood program 2952
Emergency health and medical occupations 2953
Energy supplies, domestic 2948
Industrial plant equipment 2951
Mobilization base 2947, 2957
National oil and hazardous substances pollution 2872
Priority use of resources 2955
Radiological emergency 2925, 2926
State and local emergency management assistance 2943
Strategic and critical materials 2950
Training and education, emergency management 2959
Civil Remedies Act, Program Fraud 216, 373, 374, 514, 561, 579, 582, 888, 1058, 1315, 1373, 1526, 1582, 2902, 3051, 3283, 3389
Civil rights:
Authority delegations 3029
Burden of proof 1067
Complaint procedure 3199, 3200
Equal employment opportunity 2910, 2914
Fair housing 1010
Federally-assisted programs 3043
Nondiscrimination 2612, 3275
Program Fraud Civil Remedies Act 514, 1058, 1315, 3389
Remedial relief to complainant 2920
Transportation, Department of 1563, 1963
Veterans education 3334
Claims:
Administrative offset 886
Alaska Native 848
Arts, National Endowment of the 3069
Collection regulation 550
Commodity Credit Corporation 7
Community right-to-know information 2892
Consumers, preservation of 3756
Education, Department of 421
Environmental Superfund 2877, 2878, 2903
Fishermen's Protective Act 1525
Indian judgement funds 1184
Interest and penalties 3251
Maritime Administration 1579
Mining 1283
National contingency plan for hazardous wastes 2888
National Education Association 3071
Negligent HUD inspection 904
Policies and procedures 411
Program Fraud Civil Remedies Act 373, 374, 1526, 2902, 3051
Reclamation actions 2068
Small Business Administration employees 3302
Social security disability 616
Trade secrets for emergency planning 2892
Trans-Alaska pipeline liability fund 1057
Veterans 3333, 3415
Veterans Administration 3362
Coal:
Abandoned 1247
Definition of "valid existing rights" 1216
Environmental issues 1303
Experimental practices 1253
Exploration 1213, 1279
Federal lands program 1215
Hearings and appeals 1066, 1071
Mine waste disposal 1219, 1220
Rate guidelines for small shippers 3771
Support facilities 1211
Surface mining 1209, 1219, 1221, 1222, 1225, 1229, 1232, 1233, 1234, 1237, 1243, 1245, 1246, 1250
Valuation for royalty purposes 1197
Coastal zone management:
Estuarine reserve research system 319
Outer Continental Shelf 283
State programs, federally-approved 320
Colleges and universities 3092
Commercial space transportation:
Information requirements 1581

Sequence Number

Commercial space transportation—Continued
- Insurance, third-party liability ... 1559
- Launch safety review ... 1581
- Licensing procedures ... 1581
- Mission review ... 1581
- National security and foreign policy issues ... 1581
- Rocket launches, prohibition by statute ... 1559

Commodity futures:
- Agriculture commodities ... 3498
- Associations ... 3497
- Capital charge for adjusted net ... 3496
- Commission merchants ... 3496
- Dealer options ... 3495
- Debit/deficit accounts ... 3496
- Financial reporting requirements ... 3496
- Guaranteed accounts ... 3496
- Hybrid and related instruments ... 3494
- Information regulations ... 3499
- Registration exemption ... 3500
- Repurchase agreements ... 3496

Common carriers:
- Agreement exemption ... 3713
- Electronic distance systems ... 3779
- Maritime carriers ... 3701
- Motor carriers ... 3770, 3775, 3776
- Ocean, timely payment ... 3710
- Railroads ... 3764, 3765, 3767, 3769, 3773
- Rate changes ... 3712
- Rate guidelines for non-coal commodities ... 3771
- Vessels ... 3708
- Water carriers ... 3776

Communications:
- Address systems, multiple ... 3610, 3611
- Aeronautical advisor stations ... 3609
- Aeronautical mobile-satellite ... 3579
- AM:
  - Application criteria ... 3588
  - Clear channels, foreign class I-A ... 3589
  - Daytime-only operator ... 3605
  - Expanded band, domestic ... 3598
- Aviation rules ... 3609, 3612
- Basic services, deregulation ... 3567
- Bible, Moody ... 3600
- Broadcast ... 3586, 3590, 3596, 3606
- Cable interests ... 3586
- Cable and wire facilities ... 3561
- Cellular ... 3563, 3585
- Civil Air Patrol ... 3609
- Consumer bands, open up ... 3578
- Contract services ... 3567
- Cordless telephones ... 3580, 3581
- Daytimers issues ... 3597
- Devices, authorization ... 3583
- Electronic Industries Association ... 3580, 3581
- Emergency radio private carriers ... 3614
- Emission limits, re-establish ... 3578
- Enhanced services ... 3566
- Equipment ... 3562, 3582
- FM:
  - Technical clean-up ... 3591
  - Translators ... 3600, 3603
  - TV ... 3601
- Foreign class I-A AM clear channels ... 3589
- Frequencies ... 3577, 3580, 3615
- Interference problems ... 3602
- Interstate ... 3565, 3566
- Jurisdictional separations ... 3561, 3562, 3565, 3569, 3570
- Land mobile radio services ... 3581, 3608, 3615
- Licensing ... 3563, 3564, 3613
- Lifeline assistance program ... 3572
- Market expenses ... 3569
- Mobile-satellite service ... 3579
- MTS and WATS market structure ... 3572
- Nighttime operation ... 3597
- Noncommercial broadcast stations ... 3593

Sequence Number

Communications—Continued
- Operating rules ... 3573
- Packet switched services ... 3567
- Private land mobile radio services ... 3574, 3579
- Public safety national plan ... 3576, 3579
- Radio multiple ownership and cross ownership rules ... 3594
- Receiver labeling ... 3584
- Remote control security devices ... 3575
- Revenue accounting expenses ... 3570
- Satellite:
  - Communications ... 3571
  - Duty-free entry ... 3044
  - Microwave ... 3600
  - Television stations ... 3595
  - Tracking and data relay ... 3040
- Spectrum allocation ... 3576
- Studio location requirements, main ... 3592
- Subscriber line services ... 3572
- Technical deregulations ... 3587
- Telephone companies ... 3572
- TV ... 3587, 3601, 3604
- UHF ... 3574, 3607
- Wireless cameras ... 3599
- Wireline common carriers ... 3608

Community development:
- Block grant programs ... 572, 584, 872, 874, 987, 988, 991, 996, 997, 1001
- Buildings, design and construction ... 228
- Cities, small ... 989
- Credit union program ... 3803
- Debt settlement ... 84
- Development policies and procedures ... 3202
- Emergency shelter grants ... 999
- Employees ... 232
- Environmental protection ... 231, 872, 874, 883
- Escrow accounts for contractors ... 997
- Financial assistance ... 228, 231, 232, 235, 237, 238
- Flood insurance program ... 231
- Food commodities for disaster relief ... 2615
- Housing loans for elderly or handicapped ... 955
- Indians, block grants ... 992
- Management standards ... 230
- Neighborhood conservation ... 998
- Nonrelocation ... 237
- Parks and plazas ... 3203
- Private sector loans sale ... 236
- Project modification ... 238
- Property ... 229, 230, 239
- Public works impact areas ... 233, 234
- Rental rehabilitation ... 994
- Rural ... 67
- Unfair competition ... 235
- Urban development action grants ... 989
- Work study program ... 990

Computer technology:
- Information processing standards:
  - Cartridge and cassette tape drives ... 262
  - Codes of aquifer names and geographic units ... 255
  - Computer system input/output interface ... 269
  - Data encryption ... 274
  - Data terminal equipment interface ... 266
  - Dictionary system ... 254
  - Electronic business data exchange ... 263
  - Flexible disk cartridge ... 260, 261, 273
  - Generalized markup language ... 268
  - Magnetic tape ... 257, 258, 259, 261
  - Open system interconnection procurement ... 270
  - Portable operating system environments ... 267
  - Programmer's hierarchical interactive graphics system ... 265
  - Programming languages ... 256, 264, 271, 272
- Microfiche/microfilm ... 3053
- Microfilm computer output ... 3053
- Semiconductor chip products ... 2128

Sequence Number

Confidential business information:
Commercial, disclosure of....3365
Federal Reserve Board....3743
Fishery statistics....323
Freedom of information....3695
Information....2901
Litigation....2101
Predisclosure notification....218, 1371
Construction:
Asbestos....1464, 1633
Buildings....228, 3360
Clean Water Act....2694
Concrete and masonry standards....1506
Education facilities, higher....477
Energy performance standards....523, 525
Excavation safety standards....1509
Family housing....3095
Highways....1861, 1872
Housing....90
Labor standards....1382, 3474
Rail connecting tracts....3772
Railroads....3766
Scaffolds....1512
Tunnels and shafts....1511
Consumer protection:
Air carrier service defaults....1538
Airline countersign notices....1556
All-terrain vehicles....3506
Appliances, energy information....3763
Aspirins....3510
Bunk beds safety standard....3519
CAB rules review....1545
Child-resistant packaging....3502, 3514
Cigarette lighters, child-resistant....3513
Claims and defenses....3756
Diapers hazards....3523
Effervescent acetaminophen tablets....3509
Electric power....3640, 3649
Electronic video games....3505
Energy efficiency....518, 524, 527
Estrogen tablets....3514
Estrogens, conjugated....3524
Fair packaging and labeling rules....3754
First aid products....3520
Flammable Fabrics Act....3501
Food store advertising....3762
Fruit or vegetable juice beverages....690
Funeral industry....3755
Games of chance advertisements....3758
Hazardous Substances Act....3504
Inspection....143
Interstate land sales registration....924
Kerosene heaters....3508
Lawn darts ban....3512
Lead fumes and dust....3515
Lighters, disposable....3521
Mail order merchandise....3752
Meat and meat products....59, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 119, 131, 133, 134, 136, 139, 140, 141, 142, 144, 150
Medroxyprogesterone acetate tablets....3511
Methylene chloride....3517, 3518
Ophthalmic practice rules (eyeglasses)....3760
Paint removal tools, hot air....3515
Pharmaceuticals....671
Physical commodities....3495
Poison Prevention Packaging Act....3503, 3514
Poultry and poultry products....108, 109, 110, 113, 114, 134, 138, 141, 149, 151
Premerger notification....3757
Sales, door-to-door....3751
Small parts, child use....3525
Tamper-resistant packaging....691
Television carts....3522
Textile, wool, and fur products....3759

Sequence Number

Consumer protection—Continued
Tire quality grading standards....1893
Toys for children under 3 years of age....3516
Tremolite....3507
Truth-in-lending....3748
Vocational and home study schools....3761
Warranties....3753
Cotton:
Acreage allowance....18
Extra long staple....14, 29
Loan program....6, 35
Price support program....12, 37, 46, 47, 69
Program provisions....5, 23, 52
Supply....12, 14, 27, 37, 47
Upland program....47
Countervailing duties....246, 250, 252
Credit:
Brokers and dealers....3729, 3745
Management of Federal programs....3098
Mortgages....3748
Truth-in-lending....3740, 3748
Credit unions:
Adjudication of claims....3792
Applications....3798
Bank Bribery Act....3806
Board procedures....3796
Borrowed funds....3805
Cash fund....3802
Chartering policy....3795
Checks and money orders....3802
Community development program....3803
Compensation of officials....3799
Competitive Equality Banking Act....3794
Conflict of interest....3807
Conservatorships and liquidations....3788
Corporate....3789
Credit practices....3810
Definition of regulations....3783
Depositories and financial agents....3786
Employee responsibility and conduct....3800
Fidelity bond and insurance....3790
Financial and statistical reports....3804
Government regulations....3808
Home improvement loans....3794
Interest, refund of....3782
Investment and deposit activities....3793
Liquidation priorities....3792
Loans....3784, 3785
Membership policy....3795
Mortgage-backed obligations....3801
Nondiscrimination requirements....3781
Policies....3808
Real estate loans and appraisals....3781
Records disclosure....3809
Records preservation program....3787
Reserves....3780
Second mortgage loans....3794
Share draft program....3791, 3797
Trade practices, unfair or deceptive....3810
Crime:
Criminal intelligence systems....1369
Environmental Superfund....2887, 2893
Immigration service officers....1328
Insurance....2946
Insurance program, Federal....2963
International child abduction, civil aspects of....1530
Justice information systems....1370
Program Fraud Civil Remedies Act....1526, 3051
Real estate settlement kickbacks....897
Vehicle theft prevention....1941
Cultural resource management....1287
Customs duties and inspection:
Air ambulance operators....2126
Air commerce regulations....2121

Sequence Number

Customs duties and inspection—Continued
Air overseas military personnel charters....1541
Airlines electronic....1547
Bill of lading....2127
Cargo....1540, 1544
Communication satellites....3044
Country of origin marking....2120
Customs brokers....2122, 2130
Electronic filing of tariffs....3768
Entry documentation filing....2125
Harbor maintenance fee....2124
Maritime carriers:
Automated tariff filing....3700
Equipment interchanged....3704
Semiconductor chip products....2128
Shipments, entry of consolidated....2123
Space articles....3044
Stores, duty-free....2119
Unfair and deceptive practice....1542
User fees....2122, 2129

D

Debt collection:
Acquisition regulation....3475
Administrative offset....886
Arts, National Endowment of the....3069
Disaster home loans....3304
Education, Department of....420, 421
Energy, Department of....550
Environmental Protection Agency....2903
Farm credit....3535
Income tax refund offset....3307
Maritime Administration....1585
Railroad retirement....3232, 3251
Salary offset....3303
Veterans....3374, 3415
Defense Management, President's Blue Ribbon Commission on....383
Defense Production Act....248, 2948, 2949, 2956
Disaster assistance:
Agricultural commodities....2615
Community loans....2939
Emergency food assistance....97
Flood....2928, 2936, 2940, 2941, 2945
Hurricane preparedness....2930
Preparedness....2929
Unemployment....1390
Diseases:
AIDS, acquired immune deficiency syndrome....624, 694, 1498, 3332
Black lung....664, 1245
Bloodborne infectious....1498
End-stage renal....753, 761, 828
Ethylene dibromide exposure....1504
Hepatitis B....1498
Plant....58
Rare, development of drugs for....676
Swine identification....59, 106, 150
Systemic, disability awards....3332
Drug Price Competition and Patent Term Restoration Act....677
Drugs:
Abbreviated application procedures....677
Abuse....584
Adverse experiences....675
Alien traffickers....1356
Animal welfare....673, 678, 683, 693
Communities, drug-free....467
Drivers....1849
Fees for review of applications....684
Merchant Marine personnel....1597, 1600
Money laundering....2063
Over-the-counter....670
Packaging, tamper-resistant....691
Patent term loss....686
Railroad personnel....1961
Rare diseases and conditions....676
Review process....1537

Sequence Number

Drugs—Continued
Schools and communities, drug-free....467
Veterinary and human, exports....669
Dulles International Airport, Washington....1716

E

Earthquake hazards reduction program....2962
Economic development:
Grants, revolving loan fund....241
Hazardous substance liability....240
Education:
Accrediting agencies and associations....466, 475
Administrative regulations....419
All Volunteer Force....3328
Assessment....435
Assistance, institutional eligibility....474
Career development....501
Claims collection....421
Disabilities program....604
Drug-free schools....467
Emergency management....2959
Family Rights and Privacy Act....424
Federal-State relationship agreements....476
Federally-impacted areas....443, 447
Fees for adversary adjudications....512
Financial assistance....477
Follow Through program....446
Foreign gifts, disclosure of....464
Foreign institution eligibility....451
Foreign language program....457, 468
Foreign periodicals program....471
Foreign residence requirement....417
Grantee suspension and debarment....423
Grants....1168
Guaranteed student loans....451, 461, 465
Handicapped....429, 488, 489, 490, 491, 493, 495, 496, 497, 498, 499, 503, 504, 506, 507, 508, 509, 510
Head Start program....594, 595, 596, 597, 599, 600, 601, 606
Health Education Assistance Loan (HEAL) program....696
Health manpower....703, 705, 708, 714
Hearings, due process regulations....513
Higher Education Act....455, 456, 458, 472, 474, 479
Independent living centers....492
Indians....444, 445, 1149, 1151, 1152, 1158, 1160, 1167, 1168, 1169
Industry projects....494
Intergovernmental review....511
Language institutes, intensive summer....462
Language resources centers program....470
Library resources program....434, 438, 439, 440, 442
Loans....472
Minority science program....478
National accrediting agencies and associations....466
National assessment....435
National direct student loan program....483, 484
National resources centers....481
Nondiscrimination....430, 2613, 3034, 3076, 3359
Nurses:
Anesthetists....706
Practitioner training....697
Opportunities centers program....454
Partnerships....432
Paul Douglas Teacher Scholarship program....480
Payment in lieu of taxes....447
Pell grant program....485
Perkins loan program....463, 483
Personnel....452
Postsecondary....474
Refugee children....428
Regional educational laboratories....437
Regulations, amendments....426
Rehabilitation services....490, 492, 494, 501
Research....436, 437, 500, 501, 508
Robert C. Byrd Honors Scholarship program....456
Schools and institutions....474

Sequence Number

Education—Continued
Space grant college and fellowship program....3036
State and local governments....422
Student assistance....458, 459, 460, 469, 473, 482
Student incentive grants....486
Surplus real property....418
Talent search program....453
Teachers....441, 455, 480
Territories, treatment of....473
Universities audit....3092
Veterans:
Assistance test program....3344
Deficiency course measurement....3399
Delimiting dates....3381
Dependents assistance and benefits....3409
Disenrollment....3401
Entitlement....3327, 3405, 3406
Equal opportunity....3330
Homeless claimants....3343
Mitigating circumstances....3383
New programs....3397
Nonpunitive grades....3408
On-job training....3412
Overpayments....3382
Selected reserve....3367
Vocational rehabilitation program....3328, 3329, 3341, 3346
Vocational and home study schools....3761
Vocational rehabilitation services program....487, 493, 502
Woodsy Owl....161
Elderly:
Air travelers....1570
Equal employment opportunity....2912
Food distribution program....95
Housing....955
Nondiscrimination....2607
Senior Companion Program....2609
Electric power plants:
National Forest System lands....174
Resales and transmission service....3656
Emergency food assistance program....97
Emergency medical service:
Blood program, National....2952
Health and medical occupations....2953
Emergency shelter grant program....1002
Employee benefit plans:
Airline deregulation....1392
Broker-dealers bonding requirements....1425
Civil penalties....1418
Civil sanctions....1424
Distress terminations of single-employer....3217
Domestic relations orders....1412
Employee contributions....1423
FERS Thrift Savings Fund:
Bonding rules....1414, 1416, 1426
Civil penalties....1417
Fiduciary responsibility....1415
Income tax reduction of accrued benefits....2223, 2448
Individual account plans....1421
Individual benefit reporting and recordkeeping....1419, 1420
Investment advisers bonding requirements....1425
Loans to participants....1422
Plan assets definition....1423
Securities....1411, 3924
Single-employer plans....3218
Top Hat plans....1410
Transaction exemption procedure, prohibited....1413
Employment:
Affirmative action....1375
Age discrimination....2912
Aliens:
Agriculture workers....1381, 1384, 1385, 1407
Nonimmigrant temporary....1327
Permanent....1397
Unlawful....1314
Arts and humanities, workers employed under....1383

Sequence Number

Employment—Continued
Children:
Industries and occupations....1374
Labor law....1374
Schooling....1374
Time periods....1374
Convicts....1871
Disabled veterans....1376
Discrimination....2920
Eligibility certification and verification....1357
Employee selection procedures....2910, 2914
Employees, nonimmigrant....1327
Enforcement....1360
Equal opportunity....574, 1367, 2910, 2915
Executive, administrative, or professional....1377
Handicapped....1379, 2913
Homeworkers in certain industries....1380
Immigration, unfair....1309
Job training....1393, 1399, 1405, 1409
Nonimmigrant temporary....1327
Overseas locations, hazardous....1387
Public employment service....1391
Senior Community Service....1403
State employment....1334, 1357
Trade adjustment assistance....1408
Veterans....3370
Wage rates on Public and Indian housing project....1037
War hazards compensation....1387
Worker adjustment program....1398
Endangered and threatened wildlife:
Colorado squawfish....1095
Corps of Engineers....401
Critical habitat....1087, 1088, 1089, 1090, 1092, 1096
Delist....1089
Endangered Species Act....1078, 1096
International trade....1100
List, reclassify, or delist....1088, 1090, 1091, 1093, 1096
Marine Mammal Protection Act....1078
Marine species....287
Nashville crayfish....1076
Raptor propagation and falconry....1099
Wild fauna....1100
Wildlife, captive bred....1075
Yellowfin madtom....1094
Energy:
Abandonment policy....3658
Appliance efficiency standards....518
Appliance Energy Conservation Act, National....519
Assistance, low-income home....584
Civil penalties....3647
Commercial and Apartment Conservation Service....528
Conservation program, State....526
Conservation standards....522
Consumer products conservation program....529
Efficiency test procedures....521, 524, 527
Electric power....3636, 3637, 3638, 3640, 3642, 3649, 3654, 3655, 3656
Federal buildings and facilities, energy costs....517
Fees....3650
Hearings, rules of practice....3651
Hydroelectric....3640, 3643, 3644, 3649, 3660
Hydropower projects....3635
Information labeling on appliances....3763
Inspector General Cooperation....560
New buildings....520, 523, 525
Optional certificates....3641
Research grants, award policies and procedures....532
Residential Conservation Service....528
Sources, control of hazardous....1476
Supplies, domestic....2948
Environmental impact statements....404, 409, 1975, 2858
Environmental protection:
Biotechnology....62
Cement and concrete containing fly ash....1014
Coal unsuitability criteria....1303

Sequence Number

Environmental protection—Continued
Commodity fumigation ... 2012
Deepwell injection of hazardous waste ... 2727
Domestic sewage study ... 2688
Double liner and leachate waste collection system ... 2774
Dredge and fill program by States ... 2700, 2900
Electrical equipment ... 2670
Emission standards ... 2828
Flood insurance program ... 231
Flood plain management ... 3050
Good laboratory practice standards ... 2632
Groundwater contamination ... 2744
Hazardous waste management ... 2777, 2785
Highwall policy, mining ... 1239
Information ... 3661
Landfill surface closures ... 2757
Methylene chloride ... 2650
Mining activities ... 1241
Motor carrier financial responsibility ... 1860
National Forest System ... 175
Natural resource damage assessment ... 1304
Nuclear facilities, decommissioning criteria ... 3834
Ocean incineration ... 2702
Oils and hydraulic fluids waste ... 2779
Particulates ... 2803, 2823
Permit applications ... 404
Radioactive materials ... 2711, 2712
Radon ... 3849
Railroads ... 3774
Sewage sludge use and disposal ... 2684
Space programs ... 3050
Superfund assistance program ... 2905
Underground injection control ... 2729
Waste disposal permit applications ... 2683
Waste pile closures ... 2757
Wetlands ... 2700, 2900, 3050
Wilderness areas ... 175
Woodsy Owl ... 161
Equal access to justice:
Adversary adjudications ... 512
Attorney fees ... 1366
Board of Contract Appeals ... 3358
Health and Human Services, Department of ... 589
Nuclear Regulatory Commission ... 3835
Equal employment opportunity:
Age discrimination ... 2912, 2923
Appeals ... 2922
Attorney's fees, costs, and backpay ... 2920
Benefit plans ... 2917
Broadcast industry ... 3590
Complaint procedure ... 2911, 3199, 3200
Discrimination procedures ... 2909, 2916, 2921
Employee selection procedures ... 2910, 2914
Federal sector ... 2909, 2911, 2913, 2916, 2921
Handicapped ... 2913, 2918, 2923, 2937
Nondiscrimination ... 2918, 2982, 2983
Outer Continental Shelf ... 1201
Pension accruals and contributions ... 2919
Program guidelines ... 1367
Recordkeeping regulations ... 2910
Rules, prepublication clearance ... 2915
Transportation ... 1552, 1963
Exports:
Certificates of reviews ... 247
Cotton ... 46, 47, 69
Drugs, veterinary and human ... 669
Fish and wildlife markings ... 338
Natural gas, short-term ... 537
Petroleum products ... 251
Rice ... 48
Short supply regulations ... 251
Statistics ... 226, 227
Eye care goods and services ... 3760

Sequence Number

F

Farms:
Debt collection ... 3535
Family ... 91
Farmland Protection Policy Act ... 212
Income support ... 47, 48, 50
Inventory ... 211
Loans ... 88
Migrant and seasonal workers ... 1388
Federal Acquisition Regulations (FAR), see Government contracts or procurement and specific subject ... 3421
Federal Advisory Committee Management ... 3013
Federal employees:
Absence and leave ... 3122, 3150, 3151
Adverse actions ... 3154
Allowances and differentials ... 3149
Candidates for appointment ... 3140
Career management program ... 1316
Computer security ... 3169
Conduct and responsibilities ... 3124
Conflict of interest ... 3125, 3153, 3178
Discrimination procedures ... 2909, 2916, 2920, 2921
District of Columbia employees ... 3177
Employee benefit plans ... 2917
Employment ... 3105, 3106, 3173
Equal employment opportunity ... 2909, 2911, 2913, 2916, 2921, 2922
Excepted service ... 3137, 3170, 3171
Executive and management development ... 3100
Financial disclosure requirements ... 3152
Foreign service ... 3131
Freedom of Information Act ... 3139
Garnishment orders ... 3121
Government telephone systems use ... 3011
Group life insurance ... 3129, 3163, 3184, 3185
Health benefits ... 3130, 3131, 3132, 3133, 3134, 3135, 3164, 3165, 3166, 3167, 3168, 3184, 3186, 3187
Investigations ... 3103
Management ... 3138
Medical folders ... 3061
Merit System Protection Board ... 3014, 3015, 3018, 3020, 3021, 3022
Microfiche/microfilm ... 3053
Military service ... 3126, 3160, 3163, 3175
Overseas, noncompetitive appointment ... 3174
Patent policy, uniform ... 357
Pay administration ... 3119, 3120, 3146, 3147, 3148
Pension accruals and contributions ... 2919
Performance ... 3114, 3116, 3143, 3176
Political activity ... 3123
President Management Interns ... 3171
Prevailing rate system ... 3117, 3145
Privacy Act ... 3021, 3172
Productivity gainsharing ... 3115
Programs for specific positions and examinations ... 3188
Promotion and internal placement ... 3142
Qualifications requirements, medical ... 3110
Records ... 3104, 3172
Recruitment/placement principles ... 3141
Retirement:
Annuity, alternative form ... 3161
Annuity, statutory withholdings, order of precedence ... 3180
Annuity overpayments ... 3128
Bonding rules ... 1414, 1416, 1426
Civil penalties ... 1417
Credit for service ... 3157, 3158, 3182
Disability regulations ... 3127
Exclusions ... 3184
Fiduciary responsibility ... 1415
Firefighters ... 3183
Health benefits coverage under FERS ... 3165
Health and life insurance ... 3164
Law enforcement officers ... 3183
Military service ... 3160
New system, FERS ... 3162

Sequence Number

Federal employees—Continued
Retirement—Continued
Part-time employees....3181
Spouse Equity Act....3159
Survivor benefits....3156
Thrift Savings Fund....1414, 1415, 1416, 1417, 1426
Underdeductions of contributions....3155
Salary rates for recruitment and retention....3144
Security adjudication and procedures....3041
Security interests....3102
Senior Executive Service...3099, 3107, 3108, 3109, 3111, 3112, 3118, 3179
Spouses of CIA employees, former....3131
Standards of conduct....556, 1055, 3058, 3197, 3300, 3323, 3639
Student employment....3137, 3170
Suitability....3101
Suspension and removal....3041
Time-in-grade restrictions....3106
Training....3113, 3169
Federal Information Processing Standards (FIPS)...254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274
Federally-assisted programs:
Affirmative action....1552
Automatic data processing equipment and services....576
Equal employment opportunity rules....2915
Nondiscrimination:
Age....431, 1061, 1306, 2607, 2904, 2923, 2944, 3070
Basis of race, color, or national origin....2604, 2612, 2983, 3072
Basis of sex...430, 1060, 2604, 2613, 2983, 3034, 3043, 3076, 3311, 3359
Handicapped...217, 429, 564, 1005, 1009, 1307, 1553, 2605, 2620, 2918, 2923, 2937, 2982, 3019, 3062, 3077, 3201, 3246, 3275, 3360, 3387, 3815
Justice Assistance Act....1368
Real estate related loans and appraisals....3781
Small Business Administration....3269, 3270
Uniform administrative and enforcement procedures....1458
Uniform requirement....555, 1018, 1463, 3042, 3205, 3313, 3391
Fees:
Abandoned mine....1226
Adjudications, Nuclear Regulatory Commission....3835
Admission into U.S. inspection....1317
Adversary adjudications....512
Archival records, reproduction of....3067
Attorneys and consultants....1366
Bank Secrecy Act data disclosure....2062
Coast Guard....1587, 1599
Commodities, agricultural....1
Customs....2122, 2129
Deep seabed mining permits....337
Drug applications, new....684
Energy regulations....3650
Equal Access to Justice Act....3358
Farmers....82
Federal policy....3091, 3139
Foreign fishing poundage and permits....300, 345
Foreign mission liability insurance....1529
Government National Mortgage Association....1004
Harbor maintenance....2124
Health and Human Services, Department of....573
Hunting and fishing licenses....1102, 3314
Hydroelectric projects....3635, 3660
Immigration....1349, 1355
Land registration....923
Marine fishery permits and stamps....275
Maritime Commission recovery costs for services....3703
National Forest System lands....166, 177, 204
Panama Canal....3189
Parking at VA medical facilities....3364
Patent....364
Pesticide premanufacture notice processing....2667
Pesticide registration processing....2637
Railroads, car-hire charges....3764
Records requests....3417

Sequence Number

Fees—Continued
Schedule of charges....885, 2907, 2908, 3862
Small business....3267, 3271, 3296
Social Security Administration....657
Trademark automated search system....368
Transportation, Department of:
Travel promotion....370
Trucks, Rocky Mountain National Park....1109
VA trustee and legal services....3380
Financial assistance:
Aliens, disqualification....1337
Certification of non-delinquency....1047
Community development....232, 235, 237, 238
Cost principles for State and Local government....3088
Debarment and suspension....1580, 2608, 3073
Energy Department....542, 552
Estuarine reserve research system....319
Flood insurance....231
Handicapped access to buildings....228
Housing, ineligible aliens....884
Minority business enterprise....1560, 1584
Railroads....3778
Small Business Administration....3270
State and local governments....554
Financial Privacy Act....1372
Fire prevention:
Diaper hazards....3523
Flammable Fabrics Act....3501
Forest system lands....157
Kerosene heaters....3508
Lighters, child-resistant disposable....3521
Vessels....1627
Fireworks regulations....2079
Fish and Seafood Promotion Act....297
Fisheries:
Alaska groundfish....288, 309, 328, 350, 354
Alaska high seas salmon....288, 293
Alaska salmon....293, 306
American lobster....290, 298, 343, 355
Atlantic billfish....296
Atlantic bluefin tuna....307
Atlantic sea scallops....289, 310, 349
Atlantic surf clam....278
Atlantic swordfish....308, 353
Bering Sea and Aleutian Islands....302, 304
Bluefin tuna....307
Bluefish....282
Bottomfish and seamount groundfish....294, 348
Clams....278
Coastal migratory pelagic resources....313
Conservation and management statistics....323
Coral, precious....303
Crabs....302, 304
Drum, red....305, 341
Exclusive economic zone....282, 296, 305, 306
Fish processing and fish tender vessel operations....1590
Flounder....286
Groundfish...279, 280, 288, 294, 301, 302, 309, 328, 342, 348, 350, 352, 354
Halibut....302, 330
Interjurisdictional....334
King crab....304
King mackerel....313
Klamath River Basin....1084
Lobster....290, 298, 331, 333, 340, 343, 355
Mackerel....295
Management councils, regional....285, 296, 314
Management plans...277, 278, 279, 280, 281, 282, 286, 289, 290, 291, 294, 295, 296, 298, 299, 302, 303, 304, 305, 308, 309, 310, 313, 315, 331, 333, 340, 341, 343, 344, 346, 348, 351, 352, 353, 355
Marine fishery user fees....275
Marine mammals, incidental taking....1077
Marking requirements....338
Northeast multispecies....279, 346

Sequence Number

Fisheries—Continued
Observer on domestic fishing vessels....311
Ocean quahog....278
Pacific Coast groundfish....280, 301, 352
Pacific halibut....330
Pollack....342
Product standards....284, 339
Red drum, Gulf of Mexico....305, 341
Red snapper....332
Reef fish, Gulf of Mexico....332
Salmon....288, 293, 306, 315, 344
Scallops, Atlantic sea....289, 349
Scallops....310
Seafood marketing councils....297
Shrimp, Gulf of Mexico....312
Shrimp....351
Slipper lobster....331, 333
Snapper-grouper....281, 314
Spiny lobster....299, 331, 333, 340
Summer flounder....286
Swordfish....291, 308, 353
Tanner crab....304
Tuna, bluefin....307
Tuna, yellowfin....326
Western Pacific Region....294, 303, 340, 348
Yellowfin tuna....326
Fishermen's Protective Act....1525
Fishing:
Black sea bass fishing gear, Mid-Atlantic....290
Bluefin tuna, Gulf of Mexico....307
Coral, precious....303
Crawfishing....1124
Crayfish and conch....1123
Foreign, poundage and permit fees....300, 345
Foreign....292, 325
Groundfish landing....301
Halibut quotas for domestic fisherman....330
Handline, Puerto Rico....296
Indian fishing....1180
Porpoise mortality standards....347
Pot gear, restrict use....354
Recreational limit....296, 331
Sport fishing....1083, 1106, 1108, 1140, 1142
Tournament reporting, mandatory....296
Tuna skipper standards....347
Vessels, observer policy on domestic....311
Flags....3046
Flood insurance....231, 873, 2928, 2931, 2932, 2933, 2934, 2935, 2936, 2939, 2940, 2941, 2942, 2945
Flood plain management....883, 2935, 3050
Food:
Color additives....685
Disaster relief....2615
Distribution program....95, 96
Emergency assistance program....97
Women, infants, and children (WIC)....102
Food stamp program:
Accountability, system for....94
Administration and management....100
Aid to families with dependent children....98
Appeal process....101
Application, simplified....99
Benefits, standardized....99
Eligibility factors....98
Issuance loss liability....94
Policy consistency....860
Waiver simplification....93
Foreign missions:
American vendors....1529
Automobile liability insurance....1528
Banking services....1531
Foreign policy....1581
Foreign relations:
Agricultural commodities....2614, 2615
Aircraft liability insurance....1529

Sequence Number

Foreign relations—Continued
American vendors....1529
Arms traffic regulations....1535
Automobile liability insurance....1529
Banks....3632, 3634
Exchange visitor program....417
Fishing, Atlantic bluefin tuna restrictions....307
Fishing....345
Fishing poundage and permit fees....300
Foreign direct investment....220, 222, 223, 225
Gifts and decorations....558, 2965
International banking operations....3727, 3734
International child abduction....1530
Liability insurance fees....1529
Live animal important....120
Maritime carriers....3714
Navigation....1685
Nonimmigrant temporary....1327
Rotorcraft....1754
Securities....3893, 3900
Seizure and forfeiture....1319
Telecommunications....3568
Trademark applications....361
Travel promotion fees....370
Vessel liability insurance....1529
Foreign trade:
Antidumping duties....246, 250, 252
Bank loans....3548, 3553
Certificates of review....247
Countervailing duties....246, 250, 252
Firms and industries....249
Fish and wildlife markings....338
National security....253
Ocean carriers expenses survey....221
Petroleum products....251
Ports of entry....244
Shipper's export declaration....227
Short supply regulations....251
Statistics....226, 227
Surveys of international trade....219, 224
Unfair practices....250
Watch quota allocations....245
Zones....244
Forests:
Appeals....176
Applications, special use....166
Bicycles....168
Cabin authorizations....163, 201
Carts, wheeled....168
Fish and wildlife conservation....169
Fossil collecting prohibition....195
Grazing fees....177, 204
Hang gliders....168
Hydroelectric uses....174
Indian allotments....194
Insignia, official Forest Service....156
Land exchange....170
Law enforcement....157, 160
Mechanical transport definition....168
Minerals....171, 173, 175, 183, 184, 196
Off-road vehicles use....167
Private lands within....164
Recreation areas....159, 199
Resource management plans....155, 200
Rights-of-way....182
Scenic and historic trail symbols....203
Ski areas....178
Small tracts....183
Smokey Bear....158
Timber sales:
Bidding, control of skewed....192
Contractors, debarment and suspension....197, 202
Contracts....172, 1284, 1285
Debarment hearings....1298

Sequence Number

Forests—Continued
Timber sales—Continued
Defaulted....201
Export and purchase volumes....1277
Financial security....187
Free use....179
Government buyout....198
Lumber price index trends....186
Payments, downpayment requirements....185
Payments, periodic....190
Public benefit....181
Rates....180
Small business set-aside program....193
Title records, National....189
Water conveyance systems, easements for....182
Water supplies, protection of municipal....191
Wildlife protection....162
Woodsy Owl....161
Fraud Civil Remedies Act, Program...216, 373, 374, 514, 561, 579, 582, 888, 1058, 1315, 1373, 1526, 1582, 2902, 3051, 3283, 3389
Freedom of information:
Archival records....3055
Business confidential information....1371, 3695
Commercial, submitter notice....3035
Commercial information disclosure....3365
Credit unions....3609
Federal employees, availability of information....3139
Fee schedule of charges...551, 573, 885, 1561, 2110, 2606, 2618, 2619, 2907, 2908, 3048, 3067, 3196, 3297, 3417, 3743, 3809, 3862
Law enforcement records....3809
Plain English rewrite of regulations....3016
Policies for disclosure....781, 3312, 3616
Predisclosure notification procedures....218
Public access to VA records....3418
Public information....448, 3662, 3823
Records and testimony....1056
Release of adverse information to news media....449

G

Games of chance advertisements....3758
Government buildings and facilities:
Accessibility standards for handicapped....3360
Army airfield certification and use....399
Energy performance standards for new....523, 525
Methodology for life cycle energy costing....517
Military reservations....400, 405
Public access rules....405
Rental quarters, charges for....3096
Safety....405
Government contracts:
Abstract of offers standard form....3463
Acquisition regulations...425, 544, 1015, 1017, 1048, 1052, 1103, 1311, 2897, 2899, 2990, 2991, 3003, 3005, 3006, 3448
Aerospace exports....3465
Audits....1461, 3490
Benefit pension plans....3445
Bids....3426, 3466, 3480, 3489
Bills of lading....2993
Board of Contract Appeals....3090, 3358
Business service centers....3472, 3485
Buy American Act....2987
Certificate of competency....3260
Certificate of independent price determination....3493
Clauses and solicitation provisions....214
Closeout procedures....2970
Commercial activities....372, 3004, 3427
Competition in Contracting Act....1460, 3449
Construction....3084, 3386
Consulting services....3385
Contractor airlines....547
Cost:
Accounting standards....3479
Acquisition....3438
Appeals of comparisons....3488
Commercial activities....3086, 3087

Sequence Number

Government contracts—Continued
Cost—Continued
Comparison study....3467
Contracting officer....3481
Data....3435
Mergers and other business combinations....3420
Policy....3453
Reimbursement-type....2993, 3459
Data and copyrights....3047
Debarment and suspension...242, 386, 548, 581, 887, 1051, 1459, 1534, 1580, 2608, 3063, 3073, 3080, 3390, 3456
Debt Collection Act....3475
Delivery date....3468
Direct sales by subcontractors....3423
Domestic and international exhibits....3465
Drug free workplace policy....538
Engineering coverage....3436
Eniwetok and Kwajalein Atoll....3487
Equipment....3443
European Economic Community list....3484
Expert services....2898
Fast pay procedures....3442
Federal-aid procedures....1822
Financial assistance rules:
Cooperative agreements....552
Non-competitive award basis....546
FOB origin....3429
Format simplification....3461, 3471
Government-furnished property....3476
Health care services....3470
Imprest fund purchases....2991
Indian Self-Determination Act....717
Insurance....3437
Invoice receipt....3084
Labor standards....1382, 3474
Labor surplus areas....2947
Mergers and other business combinations....3454
Metrication program for DOD....384
Minority Business Enterprise....1564
Multiple award schedule program....2989, 3491
Multiyear and options....2971
Nondiscrimination....1311, 1375
Overseas procurements....3493
Patent....539, 557
Payment....3422, 3473
Policies and procedures....408
Prices....3428, 3451
Prison Industries' priority status....3432
Procurement Management Information System (PMIS)....2988
Procurement regulations....3136
Prompt Payment Act....3005, 3084, 3477
Property records maintenance....3460
Proposals and quotations receipt....2985
Protest requirements....3441
Publicizing proposed regulations....2986
Qualification requirements....3423, 3444
Ratification....3478
Reimbursement for services or resources of other Federal agencies....2961
Representations and certifications....3461
Research and development....543, 3425, 3452, 3464
Severance pay....3458
Shipping weights and dimensions....3457
Small business:
Disadvantaged....3002
Eligibility....1048, 3424
Set-asides....3434, 3448, 3462
Small purchases....3433
Socioeconomic coverage....3492
Sole source proposals....3440
Solicitations....3431, 3448
Source evaluation....215, 553, 3027, 3450
Stay and damages provisions....3422
Subcontracting....545, 549, 3002, 3003, 3446

Sequence Number

Government contracts—Continued
Supplies ... 3006, 3421, 3423
System acquisitions ... 3026, 3469
Tax exemptions ... 3483
Technical data, restrictive markings ... 3430
Timber sales ... 96, 202
Transportation, Department of ... 1576
Truth in Negotiations Act ... 3455
Utility services ... 2990
Veterans, special disabled ... 3486
Visits to contractor facilities ... 3482
Warranties, policies and procedures ... 1577, 2968, 2991
Government procurement:
Acquisition regulations ... 1049, 1533, 2969, 2970, 2971, 2972, 2988, 2989, 3195
Administrative revisions ... 3419
Agency announcements ... 3033
Automatic data processing equipment ... 2981
Career management program ... 1316
Cement and concrete containing fly ash ... 1014
Common use items ... 2949
Cost comparisons ... 3384
Debarment and suspension ... 879, 887, 2608, 3073
Ethics regulation ... 1050, 1305
Financial and organizational information ... 2897
Fraudulent practices ... 879
Labor surplus areas preference ... 1406
Minority Business Enterprise ... 1564
Oils and hydraulic fluids waste ... 2779
Paper and paper products ... 2780, 2788
Payment ... 3422
Personal property ... 2984
Planning ... 3384
Reporting requirements ... 2988
Retread tires ... 2746
Small business ... 2972, 3419
Specifications ... 3414
Stay and damages provisions ... 3422
Subcontract competition ... 3447
Subcontracting ... 3272
Supplies or services ... 3421
System acquisition ... 3083
Telecommunications resources ... 2981
Government property:
Arsenals, Army sale to U.S. companies ... 393
Contractor acquisition standards ... 541
Energy management regulation ... 540
Foreign gifts and decorations ... 558, 2965
HUD-owned, all-cash public sales ... 879, 936
Industrial plant equipment ... 2951
Personal:
Acquisition and use of excess ... 2998
Distilled spirits ... 2997
Exchange/sale of ADP equipment ... 2978
Policies and procedures ... 2984, 2996
Report of excess ... 2978
Utilization and disposal ... 3008
Real:
Annual inventories ... 2967
Asbestos contamination ... 2995
Excess reporting ... 2995, 3007
Leasehold interests ... 2969
Space reduction initiatives ... 2967, 2973
World-wide real property inventory system ... 2973
Soil surveys ... 210
Telephone systems use by employees ... 3011
Government publications:
Equal employment opportunity rules ... 2915
Handicapped, nondiscrimination ... 3062
Policies ... 3082
Grain:
Acreage allowance ... 18
Price support program ... 11, 36, 45
Program provisions ... 5, 23, 52
Supply ... 26, 45

Sequence Number

Grants:
Audits ... 1461
College and university recipients ... 575
Community development block grants ... 872, 874, 988, 996, 1001
Community Housing Resource Board regulations ... 1012
Construction grants regulations, simplification ... 2693
Debarment, suspension ... 887
Economic enterprises, Indian ... 1162
Education:
Handicapped ... 496
Indian ... 1152, 1168
Institutions of higher ... 3089
Emergency shelter ... 999, 1002
Energy award policies and procedures ... 532
Fish and wildlife restoration ... 1102
Flood protection ... 2935
Geriatrics, faculty training ... 682
Hawaiian organizations ... 602, 605
Health research ... 721
Hospitals ... 1016, 1532, 3089
Housing development program ... 952
Impact assistance, State legalization ... 871
Indian tribal governments ... 602, 1583, 2611, 3075
Management and operation of public transportation services ... 1972
National Endowment for the Arts ... 1383
National Library of Medicine ... 722
Nehemiah housing opportunity ... 898
Nonprofit organizations ... 1016, 1532, 3089
Nurses ... 709
Nutrition services for aged ... 602
Public assistance program ... 865
Public Health Service ... 714, 719
Refugee health programs ... 667
Residential rental rehabilitation ... 994
Revolving loan funds ... 241
Rural ... 73
Self-help technical assistance ... 71
Single Audit Act ... 586
State and local governments ... 1018, 1536, 1583, 2611, 3075, 3286, 3416
Transportation, public ... 1973
Uniform administrative requirements ... 243, 427, 554, 585, 1016, 1018, 1054, 1462, 1532, 1536, 1583, 2611, 2960, 3064, 3075, 3081, 3089, 3092, 3286, 3416
Universities ... 1016, 1532
Urban ... 988
VA home loan credit standards ... 3340
Grape-growing regions ... 2082
Grazing:
Fees ... 177, 204
Indian land ... 1172
National Forest System lands ... 165, 177, 194, 204
Policy changes ... 1297
Gun Control Act amendments ... 2093

H

Handicapped:
Air travelers ... 1548
Architectural barriers, removal of ... 505
Building access ... 228, 2616, 2617
Children ... 488, 496
Construction of buildings to accommodate ... 3360
Developmental disabilities program ... 607
Education ... 489, 495, 498, 499, 503, 507, 509
Employment under certification ... 1379
Equal employment opportunity ... 2913
Grants ... 497
Housing ... 955
Independent living rehabilitation ... 491, 504
Nondiscrimination ... 429, 564, 1005, 1009, 1376, 1553, 1562, 2605, 2620, 2923, 2937, 2982, 3017, 3019, 3062, 3077, 3201, 3246, 3275, 3360, 3387, 3545, 3815
Office equipment accessibility ... 2980
Regional resource and Federal centers program ... 506

Sequence Number

Handicapped—Continued
Rehabilitation services ... 490
Research fellowship and training program ... 510
Training personnel for education of ... 489, 507
Hawaiian Exclusive Zone ... 327
Hazardous materials:
Acetylene ... 1501
Aluminum cylinders safety problems ... 2015
Asbestos ... 2638, 2995
Barges carrying dangerous cargos ... 1609
Benzene ... 2821
Cement and concrete containing fly ash ... 1014
Cost recovery claims ... 2877
Criminal violations ... 2887
Disposition ... 2999
Electrical equipment ... 2670
Emergency planning ... 2881, 2893
Emergency response actions ... 2871
Fireworks ... 2010
Formaldehyde ... 926
Fumigation ... 2012
Gas detection and monitoring ... 1991
Gas pipeline corrosion ... 2014
Gases, liquified petroleum ... 1501
Highway routing standards ... 1982
Hydrogen ... 1501
Lead solders, flux and pipes used for public water systems ... 2725
Lead-based paint ... 880
Liquids, flammable and combustible ... 1501
Metallic ore solid waste ... 2739
Methyl bromide ... 2770
Microorganisms ... 2660
Molten sulfur ... 2033
Motor carrier inspection and communication ... 1848
Municipal landfill pollutants ... 2810
Oxygen ... 1501
Packaging standards for transport ... 2016
Particulates ... 2848
Penalties ... 2893
Pipeline safety standards ... 1991, 2000, 2001, 2002, 2003, 2013, 2014
Polychlorinated biphenyl ... 2652
Radioactive ... 1982, 2034, 2035
Radionuclides ... 2822
Railroad shippers ... 2037
Registration ... 2625
Registration of shippers and carriers ... 1980
Respiratory protection ... 1469, 1470
Toxic chemicals ... 2639
Transportation safety ... 1630, 1984, 1985, 1986, 1987, 1988, 1994, 1995, 1998, 2004, 2005, 2006, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2039, 2040
Uranium hexafluoride ... 2030
Wood preserving and surface protection waste ... 2743
Hazardous substances:
Actinolite ... 1464
Air oxidation process ... 2835
Air pollution ... 2864, 2866
Air toxicants, waste ... 2867
Ammonium thiosulfate ... 2884
Anthophyllite ... 1464
Asbestos ... 1464, 2638, 2662, 2669, 2813
Benzene ... 1472, 2811, 2821
Carcinogens, potential carcinogens ... 2882
Carcinogens ... 1468, 2868
Chemicals, manufactured ... 2833
Chemicals, synthetic organic ... 2807
Child-resistant packaging ... 3502
Chlorinated aliphatics ... 2750
Chromium ... 2814, 2815, 2816, 2847
Civil penalties ... 2881
Coke oven batteries ... 2812
Cost recovery claims ... 2877
Criminal violations ... 2887
Damage to natural resources ... 1044, 1045, 1046
Dredge and fill program by States ... 2700, 2900

Sequence Number

Hazardous substances—Continued
Emergency and hazardous chemical inventory forms ... 2880, 2896
Emergency planning ... 2881, 2893
Emergency response actions ... 2871
Employee exposure and medical records ... 1505
Estrogens, conjugated ... 3524
Ethylene dibromide ... 1504
Federally permitted releases ... 2870
First aid products:
Benzene ... 3520
Petroleum distillates ... 3520
Toluene ... 3520
Flammable Fabrics Act ... 3501
Glycol ethers ... 1492
Good laboratory practice standards ... 2655
Hazard ranking system ... 2873
Hydrocarbon emissions ... 2824
Kerosene heaters ... 3508
Lead ... 2801, 2884
Liability ... 240
Metallic ore solid waste ... 2739
Metalworking fluids with nitrite ... 2647
Methyl bromide ... 2770
Methyl isocyanate ... 2884
Methylene chloride ... 1495, 3517, 3518
Microorganisms ... 2660
Municipal landfill pollutants ... 2810
National priorities list ... 2873, 2875, 2885, 2886, 2895
Nitrogen dioxide emissions from kerosene heaters ... 3508
Nitrogen oxides ... 2832
Notification of continuous release ... 2869
Nuclear spent fuel and high-level radioactive waste ... 3837
Ocean dumping ... 2686
Oil pollution prevention ... 1304, 1631
Organic polymers and resins ... 2838
Organic solvent cleaners ... 2806
Paint strippers containing methylene chloride ... 3518
Particulates ... 2848
Penalties ... 2893
Perchloroethylene ... 2805
Pesticide registration ... 2630
Pollution contingency plan ... 2872
Priorities list ... 2876
Radiation ... 2713
Radioactive materials ... 535, 3814, 3840
Radiofrequency radiation ... 2715
Radionuclides ... 2720, 2822, 2883
Registration ... 2634
Respiratory protection ... 1469, 1470
Rubber ... 2857
Rules and regulations review ... 3504
Safety ... 2866
Sewage treatment plants ... 2839
Small parts, child use ... 3525
Solvent degreasing ... 2834
Spray paints containing methylene chloride ... 3518
Sulfur dioxide ... 2837, 2841, 2858
Sulfur oxides ... 2800
Toxic chemicals ... 2639
Toxic substances, chronically ... 2882
Toxicants, chronic ... 2868
Transuranium elements ... 2714
Tremolite ... 1464, 3507
Underground storage tanks ... 2768
Volatile organic compounds ... 2835, 2836, 2844, 2857
Wood preserving and surface protection waste ... 2743
1,3-Butadiene ... 1491
2,4-D Pesticide industries ... 2750
4,4'-Methylenedianiline ... 1478
Hazardous waste: ... 1478
Air toxicity ... 2749
Aqueous hazardous waste discharged to sewers ... 2688
Asbestos ... 2638
Burning standards for waste fuels ... 2772

Sequence Number

Hazardous waste—Continued
Chlorinated aliphatics....2750
Coal combustion by electric power plants....2738
Containerized liquids in landfills....2773
Deepwell injection....2727
Domestic sewage study....2688
Emergency access to low-level disposal sites....3851
Emergency response....1515, 2879, 2891
Experimental facilities conducting research and development, permits....2760
Explosives....2751
Facilities, liability requirements....2776
Flood plain and seismic restrictions for treatment, storage, and disposal facilities....2754
General performance requirements:
Deep mines....2785
Facilities engaging in research activities....2785
Open detonation units....2785
Salt mines....2785
Silos....2785
Thermal treatment units....2785
Groundwater....2762, 2764, 2775
Identification and listing....2743, 2747, 2748, 2770, 2784
Incineration, ocean....2701
Incinerators, emission controls....2758
Incinerators, trial burns....2766
Industrial wastewater dischargers standards initiatives....2671
Inorganic chemicals....2751
Iron....2751
Laboratory practices....2745
Land disposal:
Facilities technology requirements....2787
Liner and leak detection regulation....2752
Restrictions....2742, 2763
Leather tanning wastewater dischargers....2707
Location standards for treatment, storage and disposal facilities....2754
Metallic ore solid waste....2739
Methyl bromide....2770
Methyl isocyanate and lead....2884
Municipal waste combustor ash....2735
National priorities list....2875, 2885, 2886
Ocean....2701
Oils, management of waste....2737
Oils and hydraulic fluids waste....2779
Owners/operators of treatment and disposal facilities....2786
Permit program....2771, 2777
Petroleum products in underground storage tanks....2781
Petroleum sludge....2769
Post consumer recovered material....2788
Pretreatment regulations....2709
Priorities list....2876
Radioactive materials....535, 2712, 2822, 3814
Response claims procedures for National contingency plan....2888
Sites, uncontrolled....2874
Soil and debris, treatment and disposal....2759
Solid waste....2744, 2745
State program requirements....2741, 2765
Statistics for detecting groundwater contamination, monitoring, and standards issues....2753
Technical standards for corrective action....2756
Test methods....2748
Toxicity characteristic modification....2747
Treatment units, mobile....2778
Underground injection control....2687, 2729
Underground storage tanks....2781, 2783
Waste facilities....2831
Wood preserving and surface protection waste....2743
2,4-D Pesticide industries....2750
Head Start program....572, 594, 595, 596, 597, 606
Health:
Abortion....666
AIDS....
Alcohol abuse....694, 3332
Assistance to persons unable to pay....584
....716

Sequence Number

Health—Continued
Blindness, determining disability....615
Block grants....578, 608
Blood and blood products....672
Clinical laboratories....732
Community health centers....699, 700
Competitive medical plans....730, 794
Drug abuse....584
Education....705
Education improvements....714
Emergency and medical occupations....2953
Family planning....666
Formula grants....608
Fraud and abuse....588
Group health plans, continuation coverage....2398
Head Start program....594, 595, 596
Home health agencies....839
Hospital research and development....563
Human research subjects, protection of....680
Indians....715
Information collection requirements....799
Inpatient care....729
Insurance....762
Laboratory practices, good....692
Maintenance organizations....730, 794
Manpower....704
Medical insurance, supplementary....795
Mental....584
Mentally retarded....801
National Service Corps....702
Organ procurement, certification of....837
Pain, evaluation of....615
Pharmaceuticals....671
Populations, unserved....700
Radiation:
Accidental exposure....3840
Protection standards....3839
Radiation therapy....3843
Refugees....667
Research....720, 721
Teaching facilities....714
Uniformed services....371, 376, 379, 380
Health care:
Alternate sanctions for ESRD facilities....812
Ambulatory surgical centers....770
CHAMPUS....740
Civil money penalties....566, 568
Confidentiality of information....701
Disclosure and correction of information....701
End-stage renal disease program....828, 829
Fire safety standards....806
Home and community-based services....738
Home health agencies and hospices....805, 839
Hospices....736, 737
Hospitals....746
Hospitals outpatient services....764
Long term care survey....817
Mentally retarded....824
Patient confidentiality....816
Patient and program protection....569
Peer review organizations....827
Uniform procedures....3470
Veterans....3316, 3366
Health hazards:
Actinolite....1464
Aerosols and gases....3842
Air pollutants....2794
Air quality models....2796
Anthophyllite....1464
Asbestos....1464, 2638, 2662
Back injuries....1465
Benzene....1472, 2821
Bloodborne infectious diseases....1498
Cadmium....1499

Sequence Number

Health hazards—Continued
CAG carcinogens....2747
Carbon monoxide....2790
Carcinogens....1468, 1478, 1522, 2798
Chromium....2814, 2815, 2816, 2847
Color additive yellow no. 6....2091
Deepwell injection of hazardous waste....2727
Domestic sewage study....2688
Double liner and leachate waste collection system....2774
Ethylene dibromide....1504
Ethylene oxide....1518, 2819
Formaldehyde....926, 1522, 2648
Fruit or vegetable juice beverages....690
Fuel and fuel additives....2798
Glycol ethers....1492
Groundwater contamination....2744
Infant formula recalls....679
Inorganic and organic compounds....2722
Landfill surface closures....2757
Lead....1516, 2725, 2801
Menstrual tampons....681
Methylene chloride....1495, 2650
Microorganisms....2660
Municipal landfill pollutants....2810
Municipal waste combustors....2809
Nitrogen dioxide....2789
Nitrogen oxides....2865
Nuclear power reactors....3820
Organic solvent cleaners....2820
Ozone....2802
Particulates....2803, 2823, 2827, 2860
Perchloroethylene....2818
Pesticides....2747
Radiation....2713
Radioactive materials....2711, 3842, 3854
Radiofrequency radiation....2715
Radionuclides....2822
Sulfur oxides....2800
Transuranium elements....2714
Tremolite....1464
Underground injection....2730
Waste pile closures....2757
1,3-Butadiene....1491
4,4'-Methylenedianiline....1478
Health Maintenance Organizations (HMOs)....566, 755, 762, 782, 809, 827

Health manpower:
Anesthetists....760
Bloodborne infectious disease exposure....1498
Education....703, 710
Geriatric education program....682, 698
HEAL program....696, 708
Loans....702
Medicine and pediatrics....695
Mental....704
National Service Corps....702
Nurses:
Anesthetists....706
Grants....709
Practitioner training program....697
Student loan program....711
Physicians:
Incentive plans....567
Liability....765
Occupational therapy....763
Rural practitioners....571
Shortage area....713
Student loan programs....707, 712, 714
Trade secret disclosures....2892
Unfit practitioners....569
VA scholarship program....3319
Hearings and appeals:
Aliens....1314
Antarctic animals and plants....3078
Assessment conference....1224

Sequence Number

Hearings and appeals—Continued
Audit of federally funded grants....1461
Cost comparisons on contracts....3488
Dates for reschedule....3356
Due process regulations....513
Equal employment opportunity....2922
Food stamp programs....101
Fraud penalties and assessment....374
Groundwater protection....2716
Health and human services....590, 591
Hydroelectric power projects....3654
Indian affairs....718, 1052, 1062, 1065, 1182
Information in administrative proceedings....1064
Interior Department....1070, 1072
Medicare appeals rights....742
Merit System Protection Board....3015
Mineral Management Service....1193
National Forest System....176
NRC domestic licensing....3833
Nuclear Regulatory Commission....3836, 3841
Practice and procedures....2100
Public housing grievance....1038
Public lands....1063, 1069
Public water supervision program....2724, 2733
Railroad unemployment insurance....3250
Rural health manpower....571
Superfund claims....2878
Surface coal mining....1066, 1071
Timber sales debarment....1298
Unemployment compensation....1404
Uniform rules of practice....3651
Veterans Administration....3355, 3357
Heliports, noise compatibility planning....1791
Highways:
Acceleration of projects....1853
Administration of negotiated contracts....1828
Air quality procedures....1968
Aliens....1345
Approval and project authorization....1827
Beautification....1870
Bridges....1858
Cargo preference requirements....1859
Construction engineering costs....1837
Construction of federal-aid projects....1835
Construction and maintenance....1861, 1872
Environmental impacts, procedures for considering....1912
Equal employment opportunity....1825, 1826
Erosion and sediment control on project....1854
Federal-aid contract procedures....1822
General materials requirements for federal-aid construction work....1821
Interim Guide for design of pavement structures....1824
Labor and employment....1829, 1871
Motor carrier safety:
Daytime running lights....1878
Delegations of authority....1875
Disqualification of drivers....1811
Employee safety and health standards....1847
Fitness of owners and operators....1845
General....1840
Hazardous materials communication....1848
Hours of service....1865
Inspection, repair, and maintenance....1843
Noise emission standards....1823
Occupant crash protection....1905
Paperwork burdens....1810
Parts and accessories....1844
Railroad grade crossings....1852
Traffic control devices....1839
Truck rear underride protection....1896
Truck size and weight....1813, 1815, 1838, 1842, 1863, 1864, 1866
Truck splash and spray suppression devices....1841
Outdoor advertising....1870
Physical construction authorization....1874

Sequence Number

Highways—Continued
Property management and disposal....1832
Railroad work reimbursement....1857
Railroad-highway projects....1855
Rate guidelines for non-coal commodities....3771
Right-of-way regulations....1831
Safety, rail-highway grade crossings....1960
Safety standards, commercial vehicle conspicuity....1895
Sign erection standards....1874
Signs, luminaries and traffic signals....1856
Speed limit enforcement....1551, 1820
State federal-aid highway and safety funds....1836
Traffic control devices....1809, 1830, 1833
Transfer of interstate construction funds....1869
Utility use of freeway right-of-ways, longitudinal....1867
Historic preservation:
Alaska Native cemetery sites....1120
Archeological collection....1137
Certifications for tax benefits....1119
Corps of Engineers....403
National register of historic places....1135, 1136
Reporting and recordkeeping requirements....1118
Soil conservation program....209
Historical Records Advisory Boards, State....3054
Homeless Housing Act....381, 1002
Homeworkers, industrial:
Buttons and buckles....1380
Gloves and mittens....1380
Handkerchiefs....1380
Jewelry....1380
Knitted outerwear....1380
Women's apparel....1380
Honey:
Loans....49
Price support program....2, 17, 49
Hospitals:
Ambulatory surgical services....808
Bad debt payment....838
Clinical diagnostic laboratory services....728
Clinical laboratories....732
Fire safety standards....806
Hospices....736
Insurance....947, 948, 977
Malpractice insurance....748
Nursing facilities....751
Outpatient ambulatory surgical rates....834
Outpatient services....764
Payment rate....735
Periodic interim payments....833
Physicians, incentive plans....567
Household appliances:
Central air conditioners....518
Clothes dryers....516, 518
Clothes washers....516, 518
Dishwashers....516, 518, 529
Energy efficiency....516, 518, 521, 522, 524, 527
Freezers....518, 521
Furnaces....518
Home heating equipment....518
Humidifiers and dehumidifiers....518
Kitchen ranges and ovens....518
Refrigerators and refrigerator-freezers....518, 521
Room air conditioners....518
Television sets....518
Water heaters....518, 522, 524
Housing:
Aliens....891
Assistance....1006, 1020, 1031
Block grant activities and projects....889, 991
Book-entry securities of GNMA....1003
Building product standards....960
Community development....874, 988, 990, 991, 998, 1001
Community Resource Board....1012
Construction....63, 3095
Conveyance of properties....964

Sequence Number

Housing—Continued
Cost containment procedures....1036, 1041
Credit needs....65
Credit union loans and appraisals....3781
Criminal and civil penalties....897
Debarment suspension....879
Debt settlement....84, 1021
Demonstration program....930
Development grant program....952
Discriminatory practices....1010
Elderly....920, 955, 956, 980, 1022
Emergency homeownership counseling....908
Emergency shelter grants....999
Employees, maintenance and technical....890
Environmental review procedures....874, 889
Fair....1006, 1007, 1008, 1010, 1011
Fees, GNMA....1004
Flexible subsidy program....895
Flood disaster protection....873
Flood plain management....883
FNMA security, definition....875
Fraudulent practices....879
Grants....71, 73, 898
Grievance hearings....1038
Handicapped....920, 955, 956, 980
Homeless Housing Act....930, 1002
Indian....890, 1027, 1036, 1037, 1041, 1042
Insurance....77, 899, 902, 939, 1035
Interprogram transfers....919
Labor....1019
Lead-based paint hazard elimination....880
Lease terms, prohibited....942
Litigation expenses....1034
Loans...64, 65, 67, 70, 72, 73, 74, 75, 83, 84, 92, 900, 902, 905, 920, 956, 972, 980
Low-income, very....90
Manufactured:
Construction and safety...66, 896, 925, 926, 935, 982, 983, 984, 985, 986
Design inspection system....929
Energy conservation standards....927
Flood insurance elevation requirements....2934
Loans....68
Procedural and enforcement system....916, 928
Property standards....933
Thermal energy requirements....902
VA....3338, 3339
Mobility of certificate holders....978
Mortgage insurance...876, 893, 894, 903, 907, 912, 915, 940, 944, 946, 962, 965, 966, 971, 975
Mortgage-backed....1004
Multifamily:
Amortization schedule system....87
Borrowers and grant recipients....76, 85
Insurance....941, 969, 974
Loans....86
Management and disposition....950
Security servicing....86
Subsidy billing procedures....913
Tenants participation....931
Negligent HUD inspection....904
Obsolete regulations....877
Property standards....934
Protection plans....938
Public...890, 919, 976, 1020, 1021, 1022, 1023, 1024, 1025, 1028, 1030, 1031, 1032, 1033, 1035, 1037, 1041, 1043
Real estate settlement services....897
Rent supplement program....943, 951, 953, 976
Rental rehabilitation....872, 889, 995
Replacement for demolition....1023
Review of applications for assistance....917
Rural....67, 70, 72, 73, 75, 80, 989
Security servicing....64
Self-help technical assistance....71

Sequence Number

Housing—Continued
Shared housing arrangements....954
Single person occupancy limits....1029
Single-family...78, 79, 905, 909, 910, 911, 939, 940, 967, 970, 971, 972, 974
State agency amendments....942
Subsidies....70, 932, 945, 1043
Tenants....981, 1038, 1040
Titles....906, 968
Troubled projects....895
Turnkey III ownership opportunity....1026
Underwriters certification....959
Urban....988, 1029
Urban homesteading....993
Utilities, metering....1039
Veterans....3340, 3400
Voucher regulation....918
Wage rates....1037
Water supply systems....934
Wetlands, protection....883
Housing assistance:
Aliens, ineligible....884
Allocation of funds....917
Displaced families....976
Evictions from subsidized and HUD-own projects....981
Fair....1006
Foreclosure sales....921
Mortgage payments, temporary....937
Multifamily management and disposition....950
Procedures....922
Public housing administrative fees....979
Rent....976, 979
Rental rehabilitation....994
Review of applications....917
Voucher program....957, 979
Housing standards:
Building products:
Aluminum windows, etc....892
Carpets in bathrooms and kitchens....962
Grademarking of plywood....958
Mat formed particleboard....960
Siding and roofing materials....896
Steel door systems....963
Water piping, lead standards....935, 961
Construction....925, 986, 3095
Hurricane preparedness assistance....2930
Hydropower projects....3635

I

Imports:
Animals....115
Beer....2076
Country of origin marking....2120
Distilled spirits....2076
Firms and industries....249
Fish and wildlife markings....338
Fruits and vegetables....58
Injurious....1073
Inspection....105, 117
Marine mammals....326
Meat and meat products....105, 117
Motor vehicles....2853, 2863
National security....253
Natural gas, short-term....537
Poultry and poultry products....105, 117, 146
Salmonidae....1074
Semiconductor chip products....2128
Statistics....226
Sugar quota system....152, 153
Wine....2076
Yellowfin tuna....326
Indians:
American group....1145
Appeals....1052, 1145, 1165, 1182
Aquifer demonstration program....2726

Sequence Number

Indians—Continued
Archaeological collection....1137
Big Cypress National Preserve....1129
Business and finance....1162, 1164, 1171, 1185, 1186
Cattle pool, revolving....1155
Clean Water Act....2694
Community development block grants....992
Education....444, 445, 1149, 1151, 1152, 1158, 1160, 1167, 1168, 1169
Electric....1174
Enrollment:
Cherokee, Eastern Band....1144
Cow Creek Band....1153
Mission, San Pasqual Band....1183
Financial assistance....1147, 1148, 1154, 1156
Fishing....1160
Food distribution program....96
Gaming management contracts....1163
Gas royalties....1204
Government contracts....717
Grants....1161
Health service....715
Hearings and appeals....1062, 1065
Homesteading....194
Housing....890, 1027, 1036, 1037, 1041, 1042
Judgement funds....1153, 1184
Land....1062, 1159, 1172, 1173, 1175, 1176, 1177, 1179, 1187, 1189, 1232
Law enforcement....1181
Law and order....1166
Life estates and future interests....1175
Mineral resources....1159, 1179, 1189
Minority small business regulations....3263
Money accounts program, individual....1157
National Forest System lands....194
Oil and gas....1178, 1179
Oil royalties....1203
Police....1146
Primacy enforcement authority....2730
Public land allotments....1264
Public water system supervision....2730
Road construction....1188
San Carlos irrigation project....1174
School boards....1150
School equalization program....1151
Social services program....1147, 1148
Tribes, small....1161
Trust funds....848
Underground injection control....2729, 2730
Water quality standards....2677
Wellhead protection program....2726
Wills....1068
Industrial Classification System (SIC)....3282
Industry:
Adhesives and sealants....2705
Asbestos....1464
Chemicals, synthetic organic....2835, 2836
Commercial fishing....1634, 3293
Construction, size standard....3292
Export trading companies, size standard....3261
Homeworkers, employment in certain industries....1380
Lead exposure standards....1516
Logging....1475
Oil and gas....1471, 2672
Pharmaceutical....2695
Real estate agencies, size standard....3278
Retail and service, size standard....3294
Seafood....297
Information:
Air Force visual systems....416
American forces service....397
Commodity futures....3499
Criminal justice systems....1370
Electronic records management....3059
Environmental....3661
Federal Reserve Board....3743

Sequence Number

Information—Continued
Form of agreements....3699
Hydroelectric licenses....3644
International ocean shipping....3697
Mortgages....3748
National Archives records, statistical....3065
News and information media....3049
Organization, procedures, and availability....3074
Patent disclosure....362
Patent and Trademark Office....359
Personal, disclosure during litigation....3204
Policies....3085
Public, statement for guidance of the....3074
Resource management....3085
Scientific and technical papers....377
Security classified....1312, 3194
Trade secret claims....2892
VA lists of names and addresses....3392
Information Resources Management Regulations, Federal (FIRMR) 2966, 2977, 3012
Insurance:
Air taxi operators....1572
Aircraft foreign mission....1529
Automobiles foreign missions....1529
Bank deposits....3618
Commercial space transportation....1559
Credit unions....3786, 3797
Crime, Federal program....2963
Crime....2946
Farm credit....3536
Federal bank deposit law....3627, 3634
Flood...231, 873, 2928, 2931, 2932, 2933, 2934, 2935, 2936, 2939, 2940, 2941, 2942, 2945
Health....762
Hospitals....947, 977
Housing....876, 899, 902
Intermediate care facilities....949
Medical, supplementary....795
Motor carrier industry....1807
Motor vehicle....1923
Nursing homes....949
Old-age, survivors, and disability...609, 610, 611, 612, 613, 616, 617, 621, 636, 638, 640, 641, 644, 646, 647, 648, 657, 658, 661
Railroad retirement....3245
Savings and loan....3665, 3667
Space vehicle users....3038
Surety contracts, Federal bonds....2070
Vessels....2054, 2057
Veterans....3325, 3326, 3400
International:
Air transportation....1555
Arms traffic regulations....1535
Telecommunications....3568
Trade....219
Trade surveys....224
Wills....1524
International Pacific Halibut Commission....330
Inventions:
Class patent waivers....559
Education Department....515
Federal employees....357
Government-owned, licenses....358
Income sharing....3310
Nonprofit organizations....3079
Policy, uniform....357
Investments:
Accounting....3913
Advertisements....3912, 3938
Advertising....3916
Audits....3262
Bank holding companies....3736
Bonds....3927
Broker-dealer dissemination of information....3917
Commodity futures....3494, 3495, 3496
Disclosure requirements....3876, 3902

Sequence Number

Investments—Continued
Distribution expenses....3937
Electronic filing and processing....3885
Financial condition....3920
Financial reporting....3875, 3919, 3936, 3937
Foreign....3893, 3940
Foreign direct surveys....220, 222, 223
Housekeeping amendments....3930
Investment advisers....3910, 3936
Investment companies....3883, 3905, 3909, 3911, 3913, 3915, 3927
Investment management services....3926
Minority-owned foreign....225
Money market funds....3929
Mortgage-related securities....3911
Mutual fund governance....3906
Partnerships....3901
Prospectus....3899, 3909, 3931, 3935
Proxies....3908
Real estate....3736, 3892
Registration....3877, 3928
Registration forms....3918
Reporting requirements....3883, 3907
Sales load charges....3880
Securities...2104, 3621, 3878, 3881, 3884, 3904, 3906, 3910, 3914, 3928, 3939
Tender offer rule amendments....3882
Underwriters, casualty....3876

J

Job Corps program....1393
Job search program....1408
Job Training Partnership Act....1375, 1393, 1405, 1409

L

Labeling:
Alcoholic-free, use of term....2090
Appliances, energy information....3763
Brandy treated with wood....2078
Caloric content on alcoholic beverages....2086
Cereal beverage, use of term....2090
Cholesterol content of food....688
Color additive yellow no. 6....2091
Communications scanning receivers....3584
Diaper ingestion and flammability hazards....3523
Distilled spirits....2073, 2086, 2091, 2098
Fair rules....3754
First aid products....3520
Fish and wildlife containers or packages....1086
Fruit or vegetable juice beverages....690
Grape....2072, 2088
Light (Lite), use of word....2086
Malt beverages....2073, 2086, 2090, 2091
Meat and meat products....110, 112, 130, 136, 139, 147
Menstrual tampons....681
Near beer, use of term....2090
Non-alcoholic, use of term....2090
Nutrition and health of food....687
Paint removal tools, hot air....3515
Pesticides requirements....2631
Poultry and poultry products....110
Sulfiting agents....674
Textile, wool, and fur products....3759
Tobacco manufacturers identification....2096
Toys for children under 3 years of age....3516
Whiskies, straight....2097
Wine....2071, 2072, 2073, 2075, 2082, 2086, 2089, 2091
Labor:
Aliens....1384, 1397, 1407
Appeal rights....1404
Claims for compensation....1378
Convicts....1871
Election provisions....1428
Employee benefit plans...1410, 1411, 1412, 1419, 1420, 1421, 1422,

Sequence Number

Labor—Continued
1423, 1424
Exposure monitoring....1467
Financial Privacy Act....1372
Financial reports, labor organizations....1427
Fraud Civil Remedies Act....1373
Health hazards, methylene chloride....1495
Homeworkers in certain industries....1380
Income and eligibility verification system....1395
Job Corps....1393
Job service complaint system....1388
Job training....1393, 1399, 1405, 1409
Medical surveillance program....1466
Migrant and seasonal farmworkers....1388
Public employment service....1391
Reporting and disclosure....1428
Scientific and engineering....2954
Single-employer pension plans....3217
South Africa....1527
Surplus areas....1394, 1406
Trade adjustment assistance....1408
Wages....1019, 1377, 1382
Worker adjustment program....1398
Laboratory practice, good....692
Land:
Abandoned....1247
Coal mining, surface....1215
Erodible highly....51
Farm, inventory of prime and unique....211
Hazardous waste....2773
Hazardous waste disposal....2752
Hearings and appeals....1069
Indian....1159, 1172, 1173, 1176, 1177, 1187
Interstate sales registration....878, 924
Private sector sale....236
Production on highly erodible....51
Radioactive materials residue, annotation of records....533
Registration fees....923
Rights-of-way....1173
Soil surveys on Federal....210
Surface mining....1217
Underground storage tanks....2781
Wetland conservation programs....51
Law:
Arbitration regulation....2964
Attorney's fees, costs, and backpay in EEO cases....2920
Civil money penalties for assistants at cataract surgery....577
Claims and tort litigation....411
Criminal intelligence systems....1369
Debarment and suspension....242, 887, 1051
Energy policy....560
Federal deposit insurance....3627
Grantee suspension and debarment....423
Immigration service officers....1328
International child abduction....1530
IRS, due diligence standards....2060
Legal opinions of General Counsel....3361
Litigation....2101, 3204
Military personnel....412
Safe Drinking Water Act....2906
Suspension and debarment....69
Voting rights....1308
Law enforcement:
Aliens....1322, 1335, 1339, 1340, 1345
Antarctic animals and plants....3078
Border patrol sectors....1341
Child support....845, 846, 855, 868
Fish and wildlife markings....338
Foreign trade....250
Forest system lands....157, 160
HMOs and medical plan penalties....566
Indian affairs....1181
Indian police....1146
Indian reservations....1166
Mine safety....1248

Sequence Number

Law enforcement—Continued
Money laundering....2063
Nuclear Regulatory Commission....3860
Passport validity....1359
Real estate....897
Social Security Administration....662
Speed limits....1551
Surface coal mining permits....1235
Libraries....434, 438, 439, 440, 442
Loans:
Adjustment grants....241
Agricultural loss amortization....2112
Below market interest-rate....2572
Community disasters....2939
Cotton....6, 35
Credit unions....3782, 3784, 3785
Debt settlement....84
Employee benefit plans....1422
Farm credit institutions....3544
Farm loss amortization....3624
Farm ownership....88
Farmers....81, 82, 89, 92
Health education assistance loans....708
Health manpower....705
Health professions student loan programs....707
Health Service Corps....702
Honey crops....49
Housing....64, 65, 67, 74, 83, 92, 905, 972
Housing for the elderly or handicapped....955
Housing program, rural....70, 72, 73
Indian....1168
Interest-free....2572
Peanut crops....8
Private sector sale....236
Rural housing....75
State and local....3268, 3279, 3298
Student....483, 484
Sugar beets and sugarcane crops....21, 55
Toxic wastes, liability....240
VA funding fees....3372
VA home loan credit standards....3340
VA payment of guaranty claims....3354
VA-guaranteed, use of credit reports for refinancing....3374
VA-guaranteed loan foreclosures....3395
Veterans....3403
Lobbying, grassroots....2185
Lobsters:
American....290, 343, 355
Management plans....298, 299, 331, 333
Recreational limit....331
Recreational season....333
Slipper....331, 333, 340
Spiny....299, 331, 333, 340
Trap removal....333
Logo, Take Pride in America....1059

M

Mail order merchandise....3752
Mail rates....1569
Manpower training programs:
Job Corps....1393
Job Training Partnership Act....1405, 1409
Marine resources:
Channel Islands sanctuary....321
Cordell Bank sanctuary....336
Endangered and threatened....1251
Estuarine reserve research system....319
Fishery statistics....323
Flower Garden Banks sanctuary....317
Injurious....1073
Key Largo sanctuary....316
Looe Key sanctuary....318
Marine Mammal Protection Act....1078
Marine mammals....276, 326

Sequence Number

Marine resources—Continued
Permits for taking marine species....287
Point Reyes-Farallon Island sanctuary....322
Sanctuary program regulations....335
Whales, humpback....327
Maritime academies and colleges....2044
Maritime carriers:
Agreement exemption....3713
Common carriers....3710
Common and contract carriage....3701
Cost of proceedings....3696
Foreign-to-foreign agreements....3714
Independent rate action....3698
Index of documents for agreements....3702
Information form for agreements....3699
International ocean shipping....3697
Merchant marine....3717
Passenger vessel operators....3705
Personal information access....3722
Rate changes....3712
Rates quoted subject to booking....3707
Recordkeeping requirements....3721
Regulation of agreements of domestic....3716
Review conference practices....3706
Service contracts....3709, 3711, 3721
Steamship conference contract authority....3719
Tariffs....3700, 3704
Terminal agreements....3720
Truck detention charges....3715
Maritime vessels:
Cargo preference....1494, 2045, 2046, 2047, 2052, 2053, 2056, 2058
Construction fund....2050
Construction-differential subsidy....2042
Defense Zone Commanders....1680
Subsidies....2046, 2049, 2051, 2052
U.S.- flag....2045, 2046, 2053
War risk insurance....2059
Worldwide service....2052
Marketing:
Drugs, veterinary and human....669
Food stores....3762
Honey....49
Members of Exchange Governing Boards....3499
Pipelines....3645
Meat and meat products:
Administrative regulations....103
Bacon....125
Binders....124
Biological residues....134
Exemptions....123
Foreign country certification....120
Ham....116
Imports....105, 117
Inspection....105, 107, 113, 114, 115, 116, 117, 133, 136, 140, 141, 142, 143
Labeling....110, 112, 130, 136, 139, 147
Lite sausage standard....131
Net weight....128
Packaging....137
Pork....139
Port irradiation....122
Restructured....114, 135
Safety and sanitation....142
Salmonella and other bacteria....108, 109
Sausages....132, 140
Scales and weights....206
Steaks....144
Sulfonamide and antibiotic residues....119, 148
Swine identification....59, 106, 111, 150
Trichina detection methods....127, 129
Turkey ham products....126
Violations....145
Water system approval....118
Weight statements....137

Sequence Number

Medicaid:
Aliens....840, 847
Assets, revaluation of....798
Conforming amendments....791
Cost of living increases, treatment of....797
Criminal investigation, withholding payment....587
Deficit Reduction Act provisions....794
Definitions....821
Eligibility....725, 726, 743, 778, 802, 807, 859
Groups, eligibility....758
Health Maintenance Organizations (HMOs)....762
Home health agencies....745, 788
Hospice case management....737
Income and eligibility verification....841
Inpatient hospital....789
Intermediate care facilities....822
Mentally retarded....824
Organ procurement certification....837
Overpayments....813
Patient confidentiality....816
Payments....790
Pregnant women, children, and newborn children....823
Provider agreement and supplier participation....745
Providers and suppliers....779
Reporting and recordkeeping requirements....793
Sanction regulations....583
Skilled nursing facilities....822
Spenddown....727
State plan requirements....811
State share of financial participation....766
Survey and certification procedures....820
Transfer of assets....759
Medical devices....1451, 1469, 1470
Medicare:
Aliens eligibility....756
Alternate sanctions for ESRD facilities....826
Ambulatory surgical centers....770
Appeals....742, 776
Assets, revaluation of....798
Case processing standards....844
Cataract surgery, civil penalties....577
CHAMPUS....740
Civil money penalties....565, 568
College of American Pathologists Laboratory....746
Comparable services limitation....774
Conforming amendments....791
Cost reports/intermediary payment....724
Costs or charges provisions....792
Criminal or civil remedies, anti-kickback....570
Dialysis bloodlines....775
Dialysis filters and other dialysis supplies....835
Dialysis services, outpatient maintenance....810
Economic index....769, 785, 830
End-stage renal disease....753, 761
Fraudulent and abusive practices....768
Groups, eligibility of coverage....757
Health Maintenance Organizations (HMOs)....755, 782
Hemophilia clotting coverage....803
Hepatitis B vaccine coverage....803
Home and community-based services....738, 777
Home health agencies....739, 754, 788, 818, 819, 839
Home health aide training....818
Hospital insurance....796
Hospitals bad debt payment....838
Hospitals outpatient services....764
Immunosuppressive drugs....814
Income and eligibility....580
Inpatient hospital....773, 789, 800, 832
Inpatient hospital services....771
Interest expense and suspension of payments....749
Kidneys sent to foreign countries....741
Liability....733
Long-term care facilities....815
Medical education costs....734

Sequence Number

Medicare—Continued
Medical equipment, durable....786
Medical services....752
Nurse anesthetists, payment for....760
Organ procurement certification....837
Parenteral and enteral nutritional therapy....826
Patient confidentiality....816
Patient personal funds, services not chargeable....787
Patient rights....818
Peer review organization....767
Photon absorptiometry....761
Physician anesthesia services....784
Physicians....731, 763, 765
Poor quality care, denial of payments....744
Procedural policy....724
Prospective payment system....768
Provider agreement....745
Providers and suppliers....779
Radiologist services....783
Rates....831
Reasonable charge limitations....804
Sanction regulations....583
Skilled nursing facilities....772, 825
Specialists, payments for....723
Supplementary medical insurance....760, 831, 836
Surgical procedures, preprocedure review....747
Survey and certification procedures....820
X-ray service coverage....803
Medicine, National Library of....722
Mental disorders....3402
Mental health services....584
Micrographics records management....3056
Migrant and seasonal farmworkers....1388
Military law:
Air Force personnel....412
Army General Counsel's honors program....398
Military personnel:
All Volunteer Force....3328
Army General Counsel's honors program....398
Benefits, coordination of....378
Certificates of separation....415
CHAMPUS....371, 376, 379, 380, 389
Civilian health and medical program....371, 376, 379, 380, 389
Education, dependent children....382
Financial responsibility....413
Health insurance, voluntary....396
Medical and dental care....406, 407
Overseas air charter tariffs....1541
Pay allotments, voluntary....385
Selective service regulations....3252
Uniform reserve, training and retirement....394
Mine safety and health:
Air quality....1437, 1442
Asbestos....1431
Backfilling and grading....1222
Blasting units, multiple-shot....1443
Brakes, automatic on equipment....1439
Electrical standards....1434, 1435, 1455
Employee certification....1438
Equipment....1429, 1445, 1453
Escapeways and escape facilities....1456
Explosives....1436, 1447, 1449
Face equipment....1440
Hazard communication....1432
Individual civil penalties....1248
Lamps, electric....1441
Loading, hauling, and dumping....1448
Performance standard roads....1230
Plan approvals....1454
Protective devices, respiratory....1451
Radiation standards....1450
Reports and records....1430
Roof control....1452
Safety standards....1444
Spillways, engineering standards....1241

Sequence Number

Mine safety and health—Continued
Training in SCSR's, hands-on....1457
Underground mining....1218, 1240, 1255
Ventilation....1446
Violations, pattern of....1433
Warning devices, automatic on equipment....1439
Mineral resources:
Deep seabed mining....337
Disposal from forest lands....171, 196
Forests locatable....175
Geothermal....1268, 1276
Hydrogen sulfide operations....1273
Indian land....1159, 1176, 1177, 1189, 1232
Leasing....1192, 1260, 1298
Licenses....173
Mining claims....1115, 1281, 1282, 1283
Mountaintop removal....1252
National parks....1115, 1116, 1125, 1132
Nonmineral entries on mineral lands....1262
Offshore leasing....1192
Oil and gas:
Indian owned....1178
Management of non-Federal....1114
Onshore site security....1295
Royalty-in-kind crude oil....1206
Transportation....1191
Oil and gas leasing....283, 1266, 1270, 1274, 1292
Onshore oil and gas....1198, 1205, 1271, 1278, 1294
Outer Continental Shelf....283, 1192, 1194, 1195, 1196, 1199, 1201, 1202, 1206
Program revisions....1212
Proprietary data and information....1207
Rights-of-way....1266
Royalties....1193, 1203, 1204
Supplemental sales....1200
Surface coal mining....1209, 1211, 1219, 1221, 1225, 1229, 1231, 1232, 1233, 1237, 1245, 1246, 1250
Trespass violations....1291
Water from oil and gas wells....1272
Mineral royalties....1193, 1197, 1203, 1204, 1206
Mines:
Abandoned....1226, 1227
Air pollution control....2861
Air quality....1437, 1442
Backfilling and grading....1222, 1223
Blasting units, multiple-shot....1443
Brakes, automatic on equipment....1439
Coal....1208, 1209, 1213, 1214, 1215, 1221, 1228, 1229, 1232, 1233, 1236, 1237, 1245, 1246, 1253, 1279, 1430, 1438, 1442, 1443, 1455
Control and ownership....1234
Deep seabed....337
Definition of "valid existing rights"....1216
Electrical standards....1434, 1435, 1455
Employee certification....1438
Equipment....1429, 1445, 1453
Escapeways and escape facilities....1456
Explosives....1436, 1447, 1449
Farmland, operations on prime....1242
Hearings and appeals....1066, 1071
Highwall policy....1239
Individual civil penalties....1248
Inspection....1243, 1244
Instead of zero....1443
Lamps, electric....1441
Legal and financial commitment....1233
Loading, hauling, and dumping....1448
Mountaintop removal....1252
Ownership information....1237
Performance standard roads....1230
Permits....1210, 1214, 1228, 1235, 1236, 1238, 1253
Plan approvals....1454
Protection of endangered and threatened species....1251
Protective devices, respiratory....1451
Radiation standards....1450

Sequence Number

Mines—Continued
Reports and records....1430
Roof control....1452
Spillways, engineering standards....1241
Surface mining...1208, 1209, 1211, 1214, 1217, 1221, 1227, 1228, 1229, 1231, 1232, 1233, 1236, 1237, 1240, 1243, 1244, 1246, 1247, 1249, 1250, 1254, 1256
Termination of jurisdiction....1229
Training in SCSR's, hands-on....1457
Underground mining....1218, 1240, 1255
Unsuitability petition process....1250
Ventilation....1446
Violations, pattern of....1433
Warning devices, automatic on equipment....1439
Waste regulatory program....1220, 2767
Minority Business Enterprise....1560, 1564, 1584
Monuments and memorials....1123
Mortgage insurance:
Carpets in bathrooms and kitchens....962
Flood disaster protection....873
Foreclosures or deeds-in-lien of foreclosure....964
Multifamily:
Fees to third parties....969
Rental housing....912
Penalty for lack of documentation....903
Residential energy conservation measures....975
Single-family:
Adjustable rate mortgages....966
Allegany Reservation....939
Borrower eligibility....971
Premiums....965, 970
Retention period for claim records....893
Solar energy system....975
Veterans....3400
Mortgages:
Cash public sales....936
Claims, denial of resubmission....901
Claims processing on defaults....911
Conveyance of properties....964
Credit union investment....3801
Eligibility requirements....894
Escrow account assignment option....914
FNMA security, definition....875
Foreclosure relief....973
Increased costs....975
Insurance....915, 940, 941, 944, 946
Insurances claims....899
Mortgages....3748
Payment, partial....973
Property....230
Securities....1004
Temporary assistance payments....937
Titles....906, 968
Underwriters certification....959
Motor carriers:
Accounting and reporting....3775
Cargo preference requirements....1859
Drivers....1849, 1851
Electronic distance systems....3779
Employee safety and health standards....1847
Environmental restoration....1860
Financial responsibility....1807
Hours of service....1865
Household goods....3770
Interstate regulations....3768
Operating rights....3776
Parts and accessories....1844
Private....1817
Safety:
Blood alcohol concentration standard....1814
Fitness of owners and operators....1845
Private carriers....1817
Speed limit enforcement....1820
State regulations....1808
Stock purchase audits....1970

Sequence Number

Motor carriers—Continued
Trucks:
Driver qualification....1819, 1834
Financial responsibility....2009
Rear underride protection....1896
Size and weight....1813, 1815, 1842, 1864, 1866, 1873
Splash and spray suppression devices....1841
Uranium hexafluoride packaging safety....2030
Motor vehicles:
All-terrain vehicles....3506
Automobile:
Anthropomorphic test dummies....1898
Brake fluids....1939
Bumper standards....1891, 1892
Coating operations....2840
Depreciation and investment tax credit....2414
Fuel economy standards....1879, 1927
Headlamp concealment devices....1948
Liability insurance for foreign missions....1529
Methylene chloride hazard....1495
Occupant crash protection....1905, 1918, 1947
Roof crush resistance....1884
Theft prevention standard, petitions for exemptions....1941
Tires....1890, 1893, 1936
Window systems....1938
Buses....1921, 1966, 1967, 1971, 1976
Customs users fees....2122
Diesel fuel....2799
Economy standards....1940
Emission requirements....2863
Fuel switching prevention....2830
Heavy-duty gasoline vehicles....2826, 2829
Hydrocarbon emissions....2825
Imported certification procedure....2853
Insurer reporter requirements....1923
Light-duty vehicles....2824, 2829, 2864
Methanol-fueled....2850
Off-road vehicles....167, 1299
Particulates....2827
Safety standards:
Anthropomorphic test dummies....1898, 1914
Boat transporters....1812
Brake fluids....1939
Brake systems....1901, 1908, 1911, 1932, 1946
Bumpers, pedestrian protection....1897
Child restraint systems....1935, 1951
Compact vans/station wagons....1902
Crashworthiness ratings....1894
Daytime running lights....1878
Fuel system integrity....1888, 1950
Glazing materials....1915, 1925
Head restraints....1906
Headlamp concealment devices....1948
Hydrocarbon....2851
Lamps, reflective devices, and associated equipment...1882, 1934, 1937
Motorcycle helmets....1944, 1952
Occupant crash protection...1887, 1889, 1905, 1907, 1918, 1924, 1933, 1942, 1947, 1949
Power brake regulations....1956
Rearview mirror systems....1909, 1910, 1930
Roof crush resistance....1884
School buses....1880, 1885, 1928
Seats....1881, 1929, 1931
Side impact protection....1876, 1900
Splash and spray suppression devices....1926
Steering control rearward displacement....1943
Stopping-distance consumer information....1886, 1945
Test, ball drop....1920
Test dummies....1916, 1917, 1919
Theft prevention....1913, 1922
Tires....1877, 1890, 1899, 1903, 1936
Trailer stability, heavy....1904
Window systems....1938

Sequence Number

Motor vehicles—Continued
Seizure and forfeiture of alien ... 1319
Trucks:
Boat transporters ... 1812
Impact protection for driver from steering control system ... 1883
Occupant crash protection ... 1905
Rear bumpers ... 2036
Size and weight ... 1812, 1838, 1846, 1850, 1863
Tractor semitrailer-trailer ... 1850

N

National Library of Medicine ... 722
National monuments and memorials ... 1122
National parks:
Alaska ... 1117, 1133
Big Cypress National Preserve ... 1129
Concessions ... 1117
Contract acquisition regulations ... 1103
Employment practices, discrimination ... 1139
Hawaii Volcanoes ... 1105
Indian use and occupancy ... 1129
Land appraisals ... 1143
Mineral resources ... 1115, 1116, 1125, 1132
Noise control ... 1126
Non-Federal lands regulations ... 1138
Prohibition of surface coal mining ... 1216
Protection, resource and visitor ... 1104
Public services, discrimination ... 1139
Recreation and recreation areas:
Aircraft ... 1133
Boating ... 1110
Fishing ... 1105, 1106, 1108, 1112, 1124, 1131, 1140, 1142
Gold panning ... 1130
Hunting ... 1111
Motorboats ... 1133
Off-road vehicles ... 1113, 1121
Snowmobiles ... 1121, 1133
Target practice ... 1127, 1128
Rocky Mountain ... 1109
Springfield Armory Museum closure ... 1141
Trucking regulations ... 1109
National Personnel Records Center ... 3053, 3061
National Petroleum Reserve ... 1268
National security:
Commercial space transportation ... 1581
Dispersal of facilities ... 2958
Imported articles ... 253
Investigative service ... 388
Scientific and engineering manpower ... 2954
Scientific and technical papers ... 377
National Wildlife Refuges ... 1101
Natural resources:
Alaska land management ... 1301
Archeological ... 3309, 3315
Coastal zone management ... 283
Damage assessment ... 1044, 1045, 1046, 1304
Endangered and threatened wildlife ... 287
Estuarine reserve research system ... 319
Hydrogen sulfide operations ... 1273
Marine sanctuary program ... 316, 317, 318, 321, 322, 335, 336
Mineral resources ... 1272, 1280
Outer Continental Shelf ... 283
Project permits, Corps of Engineers ... 402
Timber sales ... 1277, 1284, 1285, 1298
Wetlands ... 3050
Navigation:
Chesapeake Bay ... 1688
Inland waterway ... 1689
San Joaquin and Sacramento Rivers ... 1689
System ... 1685
News and information media ... 3049
Noise control:
National parks ... 1126
Pavement breakers ... 2734
Power lawn mowers ... 2734

Sequence Number

Noise control—Continued
Rock drills ... 2734
Tractors and buses ... 2734
Truck transport refrigeration units ... 2734
Nuclear decommissioning costs ... 2472
Nuclear fuel ... 3849
Nuclear materials:
Human reliability program ... 530
Licensing ... 3865
Medical use of byproducts ... 3843, 3857
Radiation therapy ... 3843
Safeguards ... 3852
Uranium mill tailings ... 3817
Nuclear power plants:
Access authorizations ... 3863
Aerosols and gases, controls of ... 3842
Aircraft, restrictions ... 531
Backfit requirement ... 3848
Biological emergency ... 2925
Codes and standards ... 3847
Construction ... 3830
Decommissioning ... 3655, 3834
Degree requirements ... 3813
Emergency preparedness ... 3840, 3869
Fee schedule change ... 3863
Human reliability program ... 530
Leaking rate testing ... 3858
Licensing ... 3820, 3822, 3830, 3864, 3865, 3866
Nuclear occurrence ... 3653, 3853
Personnel:
Clearances, R ... 3826
Radiation ... 3839
Security criteria ... 3874
Pipe ruptures ... 3868
Radiation safety requirements ... 3842
Radioactive materials ... 3827, 3854
Radioactive waste ... 2822
Radiological emergency ... 2926
Records retention periods ... 3838
Reporting requirements ... 3855
Safety related and important to safety regulations ... 3828
Station blackout ... 3846
Uniform system of accounts ... 3652
Uranium enrichment facilities ... 3830
Uranium mill tailings, disposal of ... 3817, 3867
Waste disposal, low-level ... 3859
Nuclear power reactors:
Emergency core cooling system ... 3844
Equipment, retirement units ... 3652
Inspectors ... 3819
Leakage testing ... 3845, 3858
Licenses and permits ... 3819, 3820, 3831, 3833, 3865
Liquid control systems ... 3818
Office of Nuclear Reactor Regulation ... 3861
Radiation safety requirements ... 3842
Radioactive waste ... 535
Storage of spent nuclear fuel ... 3825
Nuclear waste:
Disposal of low-level ... 3859
Geologic repositories ... 3821, 3824, 3850
Radioactive ... 535, 536, 3811, 3814, 3827, 3854
Spent nuclear fuel ... 536, 3825
Uranium mill tailings ... 533, 3817
Nuclear weapons ... 530, 1718
Nursing homes ... 949

O

Occupational health and safety:
Acetylene ... 1501
Actinolite ... 1464
Agricultural pesticides ... 2629
Air compressed ... 1490
Air contaminant concentrations ... 1470
Anthophyllite ... 1464

Sequence Number

Occupational health and safety—Continued
Asbestos ... 1464, 1517
Atmospheres, explosive and other dangerous ... 1493
Back injuries ... 1465
Benzene ... 1472
Bloodborne infectious diseases ... 1498
Cadmium ... 1499
Carcinogens ... 1468, 1478
Cargo handling ... 1477, 1494
Concrete and masonry construction ... 1506
Confined space ... 1474
Crane or derrick suspended platforms ... 1513
Electrical safety ... 1479, 1507
Employees exposure and medical records ... 1505
Energy sources (lockout/tagout) ... 1476
Equipment ... 1481, 1486, 1489, 1520
Ethylene dibromide ... 1504
Ethylene oxide ... 1518
Excavations ... 1509
Face, head, eye, and foot protection ... 1486
Fall protection ... 1473, 1482, 1483, 1510
Formaldehyde ... 1522, 2648
Gases ... 1501
Glycol ethers ... 1492
Grain handling facilities ... 1519
Hazard communication ... 1496
Hazardous waste operations ... 1515
Hydrogen ... 1501
Ladders and similar climbing devices ... 1497
Lead ... 1516
Lifting manual ... 1465
Liquids, flammable and combustible ... 1501
Logging ... 1475
Longshoring ... 1477
Marine operations protection ... 1481
Methylene chloride hazard alert ... 1495
Motor vehicles ... 1481
Nuclear facilities decommissioning ... 3834
Nuclear power plants ... 3842
Oil and gas well drilling and servicing ... 1471
Oxygen ... 1501
Perchloroethylene ... 2818
Platforms, powered ... 1508
Power presses ... 1521
Pulp, paper, and paperboard mills ... 1480
Respiratory protective devices ... 1469, 1470
Safety testing/certification ... 1520
Scaffolds ... 1484, 1512
Shipyard access and egress ... 1485
Shipyard employment ... 1502
Shipyard surface preparation ... 1523
Stairways and ladders ... 1514
Steel erections ... 1482
Surfaces, walking and working ... 1497
Toxic substances ... 1500, 1503
Transuranium elements ... 2714
Tremolite ... 1464
Tunnels and shafts ... 1511
Welding, cutting, and brazing ... 1487
Welding, cutting, and heating ... 1488
1,3-Butadiene ... 1491
4,4'-Methylenedianiline ... 1478
Ocean incineration and dumping regulation ... 2701
Off-road vehicles ... 167, 1259, 1299
Offshore drilling units, mobile ... 1622, 1669
Oil and gas:
Cooperative agreement ... 1275
Fees, rentals, and royalties ... 1269
Forest Service lands ... 184
Leases ... 283, 1269, 1270
Management of non-Federal ... 1114
Mineral agreements for Indian owned ... 1178
Natural gas data collection system ... 3646
Offshore extraction industry ... 2672
Onshore site security ... 1295

Sequence Number

Oil and gas—Continued
Optional certificates ... 3641
Outer Continental Shelf ... 283, 1190, 1206
Pipelines ... 3645, 3664
Radioactive materials ... 3854
Rate design for natural gas ... 3659
Royalty management ... 1275
Royalty-in-kind crude oil ... 1206
Short-term exports and imports ... 537
Transportation allowance ... 1191
Well drilling and servicing standards ... 1471
Wellhead decontrol ... 3648, 3657
Old-age, survivors, and disability insurance:
Adjudication claims ... 616
Adjustments in benefits ... 613
Administrative law judges ... 650, 664
Aid to families with dependent children ... 609
Aliens ... 632
Appeals council ... 625
Benefits during appeals ... 644
Blindness ... 635
Cardiovascular system, medical criteria ... 610
Compliance with Federal law ... 646
Consultative examinations, cancelled ... 634
Consultative examinations, medical evidence ... 641
Death ... 638
Dependency test for adopted great-grandchildren ... 665
Determinations and decisions ... 635
Disability ... 635, 648
Down Syndrome ... 655
Entitlement ... 621
Federal employees, newly hired ... 640
Federal judges, coverage of earnings ... 640
Illiteracy and inability to communicate in English ... 622
Information and records available to the public ... 619
Listing of impairments ... 622
Medical criteria ... 612, 623, 624
Medical professionals qualifications ... 661
Overpayments ... 617, 654
Rehabilitation services ... 647
Representatives of claimants ... 657
Respiratory system, medical criteria ... 611
Social security number cards ... 631, 632
State and local government employees ... 636
Vocational factors ... 630
Wages ... 628
Windfall benefits elimination ... 658
Work evaluations ... 633, 663
Ophthalmic goods and services ... 3760
Organization and functions:
Defense Department ... 383, 387, 388, 390, 395
Defense Nuclear Agency ... 391
Farm Credit Administration ... 3529
Federal home loan banks ... 3681, 3682, 3683
Housing and Urban Development ... 1013
Nuclear Regulatory Commission ... 3816, 3861, 3870, 3871, 3872, 3873
Outer Continental Shelf:
Air quality regulations ... 1190, 1194
Coastal zone management ... 283
Crane design inspection ... 1604
Inspection of facilities ... 1596, 1673
Navigation aids ... 1612
Occupational health and safety ... 1596
Offshore evacuation procedures ... 1674
Oil and gas:
Operations ... 1199
Royalty-in-kind ... 1206
Ozone ... 2846, 2849

P

Packaging:
Aspirins ... 3510
Child-resistant ... 3502, 3509, 3510, 3511, 3524
Drugs, over-the-counter ... 691

Sequence Number

Packaging—Continued
Effervescent acetaminophen tablets....3509
Estrogen tablets....3514
Estrogens, conjugated....3524
Fair rules....3754
Fish and wildlife....1086
Hazardous materials standards....2016
Household substances, child resistant....3502
Meat and meat products....137
Medroxyprogesterone acetate tables....3511
Menstrual tampons....681
Poison Prevention Packaging Act....3503, 3509, 3510, 3511, 3514
Poultry and poultry products....137
Tobacco manufacturers identification....2096
Uranium hexafluoride....2030
Paleontological resources....1288
Paperwork Reduction Act....1810, 2981, 3094
Parks, public use standards....3203
Patents:
Attorneys and agents....365
Biological materials....360
Class waivers, rights in inventions....559
Energy Department policy....539
Federal employees....357
Fees....364
General, Education Department....515
Government Policy....3045
Government-wide regulation....3079
Income sharing....3310
Information disclosure....362
Interference cases....369
Plants, variety naming requirements....367
Policy, uniform....357
Practice changes....366
Regulated products....686
Semiconductor chip products....363
Waivers....557, 3045
Peanuts:
Poundage quota....10, 22
Price support program....8, 16, 22, 32, 39, 40
Pensions:
Cash-out limitation....3223
Civil sanctions....1424
Distress terminations....3217
Domestic relations orders....1412
Employer liability....3210
Individual account plans....1421
Plan assets:
Allocation and distribution....3222
Definition....1423
Plan benefits, valuation of....3216, 3221
Premiums payment....3215
Securities....1411
Single-employer plans....2223, 2448, 3206, 3210, 3215, 3217, 3218, 3219
Trusteed plans, payment of benefits....3209
Vested benefits, allocating unfunded....3208, 3220
Withdrawal liability:
Adjustment of....3213
Following merger....3214
Mass....3211
Waivers....3207, 3212
Personnel Records Center, National....3053, 3061
Pesticides:
Advertising restriction....2635, 2636
Certification of applicators....2621, 2627
Chemical effluent guidelines....2675
Good laboratory practice standards....2632, 2655
Groundwater protection....2624
Hazard communication....2657
Labeling requirements....2631
Negotiated consent/procedural test rule....2654
Registration....2625, 2630, 2634
Reporting requirements....2633, 2658
Sale of restricted use pesticides....2626
Spills cleanup policy....2651

Sequence Number

Pesticides—Continued
Termiticides, restricted use....2623
User fees....2637, 2667
Workers protection standards....2629
Petroleum Reserve, National....1268
Pipeline safety standards:
Aluminum cylinders....2015
Corrosion determinations....2014
Damage prevention program....2002
Design of gas pipelines....2008
Gas detection and monitoring....1991
Gas gathering line definition....1996
Gas and liquid welding....2013
Inspectors, certification of State....2038
Liability fund....1057
Line marking and public education....1997
Maps and records of location....2003
Operation and maintenance procedures....2000
Operator qualifications....1999
Pressure....2001, 2031, 2032
Reporting safety-related conditions....2019
Shippers....2037
Training guidelines....1994
Transportation....2041
Plants:
Antarctic....3078
Diseases and pests....58
Endangered and threatened....1087, 1088, 1089, 1090, 1091, 1092, 1093, 1096, 1100
Patent applications....367
Protection and quarantine....58
Protection of rare....1286
Plazas, public use standards....3203
Poison Prevention Packaging Act....3503, 3509, 3510, 3511, 3514
Political advertising....2185
Postal service mail order merchandise....3752
Poultry and poultry products:
Administrative regulations....103
Annual reports....205
Binders....124
Biological residues....134
Broilers....151
Cornish game hens....151
Foreign country certification....120
Identification....149
Imports....105, 117, 146
Inspection....105, 113, 114, 117, 138, 141, 146, 149, 151
Labeling....110
Packaging....137
Restructured....114, 135
Salmonella and other bacteria....108, 109
Scales and weights....206
Turkey ham products....126
Water system approval....118
Weight statements....137
President's Blue Ribbon Commission on Defense Management....383
Presidential documents:
Former Presidents:
Restricted records....3057
Rights or privileges....3057
Presidential Records Act....3057
Procedures for consultation....3057
Public notice of disposal....3057
Semiconductor Chip Protection Act....363
Price support program:
Cotton....12, 37, 46, 47, 69
Grain....11, 36, 45
Honey....2, 17, 49
Milk and milk products....43, 56, 57
Peanuts....8, 16, 22, 32, 39, 40
Rice....19, 48
Sugar beets and sugarcane....21, 33, 55
Tobacco....9, 15, 30, 41, 42, 44
Wheat....4, 20, 50

Sequence Number

Price support program—Continued
Wool and mohair....3, 34
Privacy:
Appeals process....213
Family educational rights....424
Financial Privacy Act....1372
Maritime personnel....3722
National Archives records, statistical....3065
Personal information disclosure....3204
Personnel records, Federal....1053, 3172
Records....562, 3021, 3198, 3626
Regulation and implementation....450
VA lists of names and addresses....3392
Property:
Federal-aid highway program....1832
Hazardous substance liability....240
Historic preservation....209, 403, 1136
Industrial plant equipment....2951
Management standards....229, 230
Public assistance program....862, 865
Public broadcasting....574
Public employment service....1391
Public health....689
Public lands:
Acreage limitation....1257, 1260
Alaska....1301
Archeological resources, protection....3309, 3315, 3363
Automated records system....1261
Cadastral survey....1290
Classification....1293
Cultural resource management....1287
Exchanges....1263
Geothermal....1276
Grazing administration....1297
Hearings and appeals....1063
Hydrogen sulfide operations....1273
Indian allotments....1264
Leases, permits, and easements....1302
Mineral resources....1280, 1291
Mining claims....1115, 1281
National Park Service appraisals....1143
Nonmineral entries on mineral lands....1262
Off-road vehicles....1259
Oil and gas leasing....1268, 1274, 1292
Onshore oil and gas....1278, 1294
Paleontological resources....1288
Rare plants protection....1286
Recreation and recreation areas....1259, 1267, 1289, 1300
Right-of-use....1258
Rights-of-way....1265, 1266
Surface mining....1256
Title records, National Forest System....189
Ultralight vehicle use....1259
Unauthorized use....1291
Water from oil and gas wells....1272
Public radio....574
Public telecommunications....574
Public works impact program....233, 234

R

Radiation....3812, 3839
Radio, public....574
Radioactive materials....533, 535, 536, 3811, 3829, 3851
Radiological emergency....2925, 2926
Rail-highway grade crossings....1960
Railroad employees:
Debts owed to the U.S. Government....3232
Incompetence....3244
Sickness and maternity benefits....3231
Unemployment insurance....3250
Railroad retirement:
Annuity:
Application....3228
Dates, beginning and ending....3225
Deductions on account of work....3242

Sequence Number

Railroad retirement—Continued
Annuity—Continued
Divorced spouse computations....3239
Eligibility....3227
Employee computations....3239
Evidence required for payment....3226
Family relationships....3238
Social security benefits....3241, 3243
Spouse computations....3239
Survivor computations....3240
Creditable service....3248, 3249
Debt collection....3251
Disability determinations....3224
Employee representative....3236
Employer status....3233, 3234
Employment relation....3235
Erroneous payments....3230
Insurance amount determinations....3245
Lump-sum payment....3228
Reports and responsibilities....3247
Transfer or assignment of payments....3229
Railroads:
Aliens....1345
Car-hire charges....3764
Class exemptions....3777
Commodities....3769
Commuter rail service....1562
Construction....3766
Demurrage exemption....3765
Economic impact on small entities....1959
Environmental documentation....3774
Federal-aid highway funds....1857
Financial assistance....3778
Information disclosure....3237
Line abandonments or discontinuances....3778
Minority business enterprise....1958
Rail connecting tracks....3772
Rail costing system....3767
Recyclables cost rate....3773
Safety:
Alcohol and drug use....1961
Cabooses....1957
Locomotive cab safety....1955
Power brakes regulation....1956
Radio communication....1953
Rail-highway grade crossing....1960
Small railroads....1954
Tank-car tanks repair and detection of flaws....2011
Tank-car tanks shell thickness....2037
Range management and improvement....165
Real property acquisition:
Leasehold interests....2969
Uniform policies and procedures....208, 555, 1463, 3042, 3205, 3313, 3391
Use and disposition standards....229
Reclamation performance standards....1221
Recreation and recreation areas:
Aircraft....1133
All-terrain vehicles....3506
Boating....1110
Fishing....1106, 1108, 1112, 1131, 1140, 1142
Gold panning....1130
Horse rental facilities....1122
Hunting....1082, 1111, 3314
Migratory bird hunting....1079, 1080
Motorboats....1126, 1133
Off-road vehicles....1107, 1113, 1121, 1259
Public lands management....1289
Public Purposes Act leases....1267
Ski areas....178
Snowmobiles....1121, 1133
Target practice....1127, 1128
Ultralight vehicle use....1259
Use authorizations....1300

Sequence Number

Refugees:
Aid to families with dependent children....854
Cash and assistance....861
Employment services and employment....861
Health programs....667
Job search....861
Medical assistance....861
Resettlement program....861
Support services....861
Relocation assistance:
Education and training....1862
Environmental response....2927, 2938
Permanent....2927
Superfund....2938
Uniform policies and procedures....208, 555, 881, 1000, 1463, 1818, 1820, 1868, 1874, 3042, 3205, 3313, 3391
Reporting and recordkeeping requirements:
Air carrier service segment and charter data....2018
Archaeologic and Historic Preservation Act....1118
Archaeological collection....1137
Asbestos contamination in excess real property....2995
Automobile liability insurance....1528
Bank deposits by brokers and depository institutions....3631
Bank securities transactions....3621
Chemical inventory, emergency and hazardous....2880
Chemical manufacturers and processors....2658
Cigarette papers and tubes....2080
Coal mine accidents....1430
Commercial alcohol proprietors....2074
Common carriers....3708
Credit unions....3787, 3804
Defense contractors, controlled materials program....248
Emergency and hazardous chemical inventory forms....2896
Emission standards....2854
Employee benefit plans....1419, 1420
Federal agencies responsibilities....3084
Firearms dealers....2095
Foreign direct investments....225
Fuel sales....2592
Futures Commission merchants....3496
Games of chance advertising....3758
Hazardous substances....2870
International ocean shipping....3697
Investment companies....3883, 3907, 3919, 3932
Labor organizations....1427
Labor standards in South Africa....1527
Land records, uranium mill tailings....533
Maritime carriers....3702, 3721
Micrographics records management....3056
Money order purchases....2063
Mortgage insurance....903
Motor carriers....3775
Motor vehicle insurer....1923
Nuclear power plants....3855
Nuclear Regulatory Commission....3838
Pacific Coast groundfish landing to States....301
Pesticides risk/benefits information....2633
Power producers, independent....3637
Premerger notification....3757
Procurement data system....2988
Public land records....1261
Railroad retirement....3247
Salmon fishing, Alaska....306
Sewage treatment and disposal....2839
Sulfur dioxide....2841
Surveys of U.S. trade in services with foreign persons....224
Swordfish landing, mandatory dealer reporting....308
Toxic chemical release inventory....2639
Uniform guidelines on employee selection....2910
VA confidential quality assurance....3318
VA independent living services....3337
Waste treatment facilities inspections....2740
World-wide real property inventory system....2973
Research:
Acquisition regulation....3425

Sequence Number

Research—Continued
Biotechnology....62, 2646
Education....500
Educational laboratories....437
Estuarine reserve program....319
Ethical problems....534
Fishing vessels, scientific foreign....325
Grant award policies and procedures, energy....532
Handicapped education....508, 510
Health....720
Hospitals....563
Human subjects, protection....534, 680, 882, 3037
Key Largo marine sanctuary....316
Motor vehicle bumpers, pedestrian protection....1897
National Archives records, statistical....3065
Public Health Service grants....719
Training....501
Revenue sharing....2065
Rice:
Acreage allowance....18
Price support program....19, 48
Program provisions....5, 23
Supply....19, 24, 48
Royalties:
Crude oil....1206
Income sharing....3310
Woodsy Owl....161
Rural development....67, 84
Rural housing....70, 72

S

Safety:
All-terrain vehicles....3506
Animal drugs....693
Blood and blood products....672, 694
Boats, retail purchasers....1658
Bunk bed standards....3519
Buses....1967, 1976
Chemical waste incineration at sea....1656
Child-resistant packaging....3502, 3509
Commercial space transportation....1581
Drugs, over-the-counter....670
Fireworks....2079
First aid products labeling....3520
Fishing vessels, foreign....292
Grain handling facilities....1519
Hazardous materials....1984, 1985, 1986, 1987, 1988, 1995, 2004, 2005, 2006, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2039, 2040
Hydrogen sulfide operations....1273
Liquefied natural gas waterfront facility....1683
Motor carrier:
Disqualification of drivers....1811
Employee safety and health standards....1847
Fitness of owners and operators....1845
General....1840
Hazardous materials communication....1848
Hours of service....1865
Inspection, repair, and maintenance....1843
Lighting and marking system....1895
Noise emission standards....1823
Parts and accessories....1844
Railroad grade crossings....1852
Traffic control devices....1839
Truck rear underride protection....1896
Truck size and weight....1815, 1842, 1864, 1866
Truck splash and spray suppression devices....1841
Motor vehicles:
Anthropomorphic test dummies....1898
Brake systems....1901, 1908, 1911, 1932, 1946
Bumpers, pedestrian protection....1897
Compact vans/station wagons....1902
Crashworthiness ratings....1894
Daytime running lights....1878

Sequence Number

Safety—Continued
Motor vehicles—Continued
Fuel system integrity....1888
Motorcycle helmets....1944
Occupant crash protection....1887, 1933
Rearview mirror systems....1909, 1910, 1930
School buses....1880, 1885
Seats....1881, 1929, 1931
Splash and spray suppression devices....1926
Steering control rearward displacement....1943
Stopping-distance consumer information....1886, 1945
Tires....1877, 1899, 1903
Trailer stability, heavy....1904
Nuclear facilities....3834
Nuclear power....3820, 3828, 3855
Pharmaceuticals....671
Pipeline standards....1996
Radiation....3840
Radiographic exposure devices, industrial....3856
Rail-highway grade crossings....1960
Railroads....1953, 1955, 1956, 1957
Television carts....3522
Transportation of hazardous materials....2016
Vessels....1623, 1653
Savings and loan insurance....3665, 3667, 3668
Scallops, Atlantic sea....289
Schools:
Asbestos reinspection rule....2669
Asbestos transport and disposal....2638
Drug-free....467
Federally-impacted areas....443
Food distribution program....95
Foreign student enrollment....1329
Indian....444, 1149, 1151, 1160
Maritime....2044
Nautical....1614
Star program....433
Vocational and home study....3761
Seafood:
Fish....284, 329, 339
Interstate and foreign commerce....338
Scallops, Atlantic sea....289
Shrimp....324
Seafood Marketing Councils....297
Seals and insignia....156, 158, 161, 3046
Seashores:
Cape Hatteras....1107
Cape Lookout....1113
Fire Island....1134
Securities:
Accountants, peer review....3921
Acquisition....3914
Advertising....3916
Bonds and notes, U.S....2069
Book-entry securities of GNMA....1003
Classification of small issuers....3889
Crime reporting....2113
Disclosure requirements....2104, 2107, 3876, 3884, 3895, 3897, 3928, 3929, 3936
Electronic filing and processing....3885
Employee benefit plans....1411
Excise taxes....3941
Exemptions....3904, 3934
Federal home loan banks....3684
Federal National Mortgage Association....875
Filing requirements....3925
Financial condition....3894, 3896, 3920
Foreign....3729, 3893, 3900, 3940
Futures commission merchants....3496
Inflation-adjusted information....3933
Information and requests....3898
Investment companies....2114, 3905, 3932, 3936, 3941
Listing position....3878
Mortgage-backed....1004, 2116, 3911
Multinational offerings....3887

Sequence Number

Securities—Continued
Mutual fund governance....3906
Nonmember banks, insured....3622
Partnerships....3901
Prospectus....3886, 3922
Proxies....3908, 3925
Public offerings....3903
Real estate....3892
Recordkeeping and confirmations....2109, 3621
Registration....3890, 3891, 3928, 3939
Reports of investment companies....3883
Repurchase agreements....3915
Resales....3888
Security devices....2113
Shareholder communications....3923, 3924
Short sales regulation....3903
Small business surety bond guarantee....3274
State banks....3744
Tender offer rule amendments....3882
Trading system....3879
Underwriters, casualty....3876
Wire transfer systems....3742
Security measures:
Adjudication and procedures....1312, 3041
Air traffic....1755
Criminal intelligence systems....1369
Defense industrial personnel....375
Merchant vessels....1687
Nuclear materials....3852
Onshore oil and gas sites....1295
Panama Canal information....3194
Rental control security devices....3575
Selective service system....3252
Semiconductor Chip Protection Act....363
Senior Community Service employment program....1403
Shipyard standards:
Access and egress....1485
Atmospheres, explosive and other dangerous....1493
Fall protection....1483
Scaffolds....1484
Surface preparation and preservation....1523
Signs and symbols, scenic and historic trails....203
Slogan, Take Pride in America....1059
Smokey Bear....158
Snow surveys....207
Soil surveys on Federal land....210
Space programs:
Agency announcements....3033
Communication satellites....3044
Environmental quality....3050
Extraterrestrial exposure....3031
Grant college and fellowship program....3036
Human subjects, protection....3037
Payload specialists....3030
Science flight investigations....3032
Space articles....3044
Tracking and data relay satellite system....3040
Space science flight investigations....3032
Space Shuttle:
Flight of reimbursable payloads....3023
Mementos aboard....3024
Nonscientific payloads....3025
Services, reimbursement for....3028
Space Transportation System:
Insurance and indemnification....3038
Space Shuttle....3023, 3024, 3025, 3028
Spacelab services....3039
Spacelab....3039
Standards:
Air, compressed....1490
Aircraft fire protection....1721
Animal welfare....60
Appliances, energy efficiency....518
Asbestos, occupational exposure....1464

Sequence Number

Standards—Continued
- Blindness, determining disability ... 615
- Blood and blood products ... 672, 694
- Buildings:
  - Concrete and masonry ... 1506
  - Crane and derrick suspended platforms ... 1513
  - Handicapped access ... 228, 2617
- Bunk beds ... 3519
- Cadmium ... 1499, 2795
- Coal surface mining ... 1222
- Commercial fishing industry size ... 3293
- Community residential care program ... 3316
- Computer technology information processing:
  - Cartridge and cassette tape drives ... 262
  - Codes of aquifer names and geographic units ... 255
  - Computer system input/output interface ... 269
  - Data encryption ... 274
  - Data terminal equipment interface ... 266
  - Dictionary system ... 254
  - Electronic business data exchange ... 263
  - Flexible disk cartridge ... 260, 261, 273
  - Generalized markup language ... 268
  - Magnetic tape ... 257, 258, 259, 261
  - Open systems interconnection procurement ... 270
  - Portable operating system environments ... 267
  - Programmer's hierarchical interactive graphics system ... 265
  - Programming languages ... 256, 264, 271, 272
- Confined space ... 1474
- Construction industry size ... 3292
- Double liner and leachate waste collection system ... 2774
- Dredging industry size ... 3253
- Electrical ... 1434, 1435, 1455, 1479, 1507
- Electronic records management ... 3059
- Energy conservation ... 522
- Energy performance for new buildings ... 520, 523, 525
- Energy sources ... 1476
- Equipment ... 1445, 1453, 1486, 1520
- Excavation safety ... 1509
- Explosives ... 1436, 1447
- Export trading companies, size standard ... 3261
- Fall protection ... 1473, 1482, 1483, 1510
- Food and color additives ... 685
- Formaldehyde ... 1522
- Glycol ethers ... 1492
- Grain handling facilities ... 1519
- Grape ... 2088
- Hazardous materials ... 2016
- Hopper dredges ... 1657
- Housing:
  - Manufactured homes ... 925, 982, 983, 984, 985, 986
  - Property ... 934
- Housing building products:
  - Grademarking of plywood ... 958
  - Mat formed particle board ... 960
  - Water piping, lead standards ... 961
- Industrial Classification System (SIC) ... 3282
- IRS, tax practitioners ... 2060
- Labor ... 1382, 1527
- Ladders and similar climbing devices ... 1497
- Lead ... 1516
- Loading, hauling, and dumping ... 1448
- Logging industry safety ... 1475
- Longshoring health and safety ... 1477
- Manufacturing industry size ... 3299
- Meat and meat products ... 131
- Micrographic records management ... 3056
- Mills, pulp, paper, and paperboard ... 1480
- Motor vehicle passenger car fuel economy ... 1927
- Motor vehicle safety:
  - Anthropomorphic test dummies ... 1898
  - Brake systems ... 1901, 1908, 1911, 1932, 1946
  - Bumpers, pedestrian protection ... 1897
  - Child restraint systems ... 1951
  - Compact vans/station wagons ... 1902
  - Crashworthiness ratings ... 1894

Sequence Number

Standards—Continued
- Motor vehicle safety—Continued
  - Fuel system integrity ... 1888, 1950
  - Glazing materials ... 1925
  - Lighting and marking system ... 1895
  - Motorcycle helmets ... 1944, 1952
  - Occupant crash protection ... 1887, 1907, 1924, 1933, 1949
  - Rearview mirror systems ... 1909, 1910, 1930
  - School buses ... 1880, 1885, 1928
  - Seats ... 1881, 1929, 1931
  - Splash and spray suppression devices ... 1926
  - Steering control rearward displacement ... 1943
  - Stopping-distance consumer information ... 1886, 1945
  - Theft prevention standard, petitions for exemptions ... 1941
  - Tires ... 1877, 1899, 1903
  - Trailer stability, heavy ... 1904
- Municipal waste combustors ... 2809
- Ocean incineration permit applications ... 2701
- Oil and gas well drilling and servicing ... 1471
- Pain, evaluation of ... 615
- Parks, public use ... 3203
- Pharmaceutical manufacturing point source category ... 2695
- Platforms, powered ... 1508
- Plazas, public use ... 3203
- Poison Prevention Packaging Act ... 3503
- Power presses ... 1521
- Property management ... 229
- Radiation ... 1450, 3839
- Radiographic exposure devices, industrial ... 3856
- Rail-highway grade crossings ... 1960
- Real estate agencies size standard ... 3278
- Remote control security devices ... 3575
- Respirator devices ... 668
- Retail and service industry size ... 3294
- Scaffolds ... 1484, 1512
- Seafood:
  - Fish ... 284, 329, 339
  - Shrimp ... 324
- Seashore zoning ... 1134
- Shipyard ... 1483, 1485, 1493, 1523
- Small business size ... 3277, 3282, 3284
- Stairways and ladders ... 1514
- Steel erections ... 1482
- Surface and underground mining ... 1240
- Surfaces, walking and working ... 1497
- Timber industry ... 3254
- Toxic substances exposure limit ... 1500
- Toys, electrical ... 3505
- Traffic control devices ... 1830
- Travel agency size ... 3276
- Trucks:
  - Rear underride protection ... 1896
  - Size and weight ... 1864
  - Splash and spray suppression devices ... 1841
- Tunnels and shafts ... 1511
- Uranium mill sites, radon ... 3849
- VA home loan credit ... 3340
- Video games, electronic ... 3505
- Vodka, identity for ... 2083
- Water quality ... 2677, 2678, 2692, 2703
- Welding, cutting, and brazing ... 1487
- Welding, cutting, and heating ... 1488
- Whiskies, identity of straight ... 2097
- Wine and distilled spirits ... 2077
- Wood stoves, particulates ... 2860
- 4,4'-Methylenedianiline ... 1478

State Historical Records Advisory Boards ... 3054

States:
- Adoption ... 592, 598, 870
- Alaska land management ... 1301
- Aliens ... 1407
- Appeal rights, unemployment compensation ... 1404
- Block grants ... 572, 578, 584
- Checks ... 865, 2066

Sequence Number

States—Continued
Child support case closures....870
Child welfare services....592
Civil defense....2924, 2943
Clean Water Act....2694
Coastal zone management....320
Commercial and Apartment Conservation Service....528
Community development block grant programs....987
Cost principles....3088
Credit unions....3797
Dependent care planning and development....608
Disabilities program....604
Education....495
Emergency management....2943, 2959
Emergency response plans....2925
Emergency shelter grant program....1002
Employment agencies....1334, 1357
Employment security agencies....1390
Energy conservation program....526
Environmental protection....2700, 2900
Federal-aid highway and safety funds....1836
Food distribution program....95
Food stamp program....94, 101
Foster care and adoption....603
Foster care payments....592, 853
Grants, uniform requirements....554, 1054, 1462, 2611, 3064, 3081
Groundfish landing reporting....301
Hazardous waste programs....2741
Historic preservation....1135
Housing block grant activities and projects....889
Hurricane preparedness assistance....2930
Impact assistance grants, legalization....871
Independent living rehabilitation services....491
Indian tribes, enforcement authority....2730
Interstate IV-D cases....869
Job Training Partnership Act....1405
Medicaid share of financial participation....766
Mining waste regulatory program....2767
Motor carrier safety regulations....1808
Municipal waste combustors....2809
Native Hawaiian loan fund demonstration project....605
Old-age, survivors, and disability insurance....636
Public assistance programs....865
Public water system supervision....2717
Radiological emergency....2925, 2926
Relocation assistance....2927
Residential Energy Conservation Service....528
Residential rental rehabilitation....994
Resources, policy on priority use....2955
Revenue sharing....2065
Sludge management....2691
Speed limit enforcement....1551
Student incentive grants....486
Surface mining....1249, 1256
Tax credit reductions....1400
Unemployment....1389, 1395, 1396, 1401
Uniform requirements for assistance....243, 1018, 3097
Vocational rehabilitation services program....487, 502
Water quality standards....2677
Waters of the United States, definition....2676
Women, infants, and children (WIC)....102
Statistics:
Fishery conservation and management....323
Foreign trade....226, 227
Labor surplus areas....1394, 1406
Policy directives....3093
Strategic and critical materials:
Civil defense....2950
Cobalt....337
Copper....337
Manganese....337
National Defense disposal....2994
Nickel....337
Stockpiling, National Defense....2994

Sequence Number

Studies:
Hazardous waste treatment industry....3255
Naval architecture and marine engineering....3256
Sugar beets and sugarcane:
Loans....21, 55
Price support program....21, 33, 55
Sunshine Act....3617, 3718, 3832
Supplemental security income program:
Adjudication claims....616
Adjustments in benefits....613
Administrative law judges....650
AFDC program....609
AIDS payment of benefits....660
Alaskan Natives....620
Aliens....627
Appeals council....625
Benefits during appeals....644
Blindness, presumptive....660
Blindness....635
Compliance with Federal law....646
Consultative examinations, cancelled....634
Consultative examinations, medical evidence....641
Dependency test for adopted great-grandchildren....665
Determinations and decisions....635, 639
Disability....635, 648, 660
Disabled, employment opportunities....626
Income....643
Law judges....664
Medical payments to States....642
Medical professionals qualifications....661
Overpayments....614, 645, 654
Pass through under State provisions....656
Payment of benefits due deceased....629
Property held in trust....618
Reductions, suspensions, and terminations....637
Rehabilitation services....647
Representatives of claimants....651, 657
Resource limits for conditional payments....659
Resources, definition of....652
Spousal computation....649
State supplementation, optional....653
Work evaluations....633, 663
Surveys:
Foreign direct investment....220, 222, 223, 225
Foreign ocean carriers expenses....221
Health long term care....817
Snow....207
Soil....210
Trade in services with foreign persons....224

T

Taxes:
Accounting for long-term contracts....2239
Administration and procedure....2361, 2560
Alaska Native corporations....2518
Aliens....2273, 2276
Allocation and apportionment of expenses....2485
Allowance of deductions....2409
Alternative minimum tax....2158
Annuities, nondiscrimination....2216
Apportionment of expenses....2266
Assessable penalties....2354, 2355
Backup withholding....2324, 2591
Banking....2250, 2476
Bankruptcy reorganizations....2207
Below-market loans....2572
Bonds....2133, 2134, 2181, 2183, 2184, 2299, 2300, 2397, 2507
Bonus payments, reporting of....2132
Book income adjustment....2160, 2161
Branch profits tax....2275, 2488
Business rules....2221
C Corporations....2306
Capital cost recovery....2401
Capital gain....2297

Sequence Number

Taxes—Continued
- Cash or deferred arrangements 2211
- Cash method of accounting 2458
- Certificates of deposit 2341
- Charitable contributions deduction 2189, 2190
- Church, integrated auxiliary 2337
- Compensation, deferred 2379
- Consolidated returns 2309, 2515
- Contracts from Federal executive agencies 2343
- Contributions, deduction for charitable 2404
- Corporate income tax 2137, 2138, 2139, 2143, 2164, 2173, 2195, 2199, 2200, 2206, 2207, 2209, 2280, 2293, 2306, 2310, 2312, 2314, 2315, 2370, 2376, 2378, 2417, 2418, 2419, 2420, 2421, 2422, 2425, 2426, 2427, 2432, 2433, 2435, 2437, 2451, 2509, 2510, 2514, 2516, 2518, 2557, 2564, 2589
- Cost recovery system 2135
- Credits 2373
- Customs limitation on property 2501
- Definitions 2186, 2228, 2229, 2571
- Depletion deductions 2251, 2477
- Depreciation 2414
- Diesel fuel 2325, 2526, 2530
- Distilled spirits products 2081, 2084
- Domestic relations 2382
- Dual resident companies 2150
- Election and due date statements 2423
- Electronic filing 2335, 2348, 2559
- Employee benefit plans 2168, 2225
- Employee plans 2166, 2210, 2217, 2219, 2222, 2223, 2226, 2231, 2322, 2338, 2393, 2394, 2405, 2406, 2438, 2439, 2440, 2441, 2442, 2443, 2444, 2445, 2446, 2448, 2450, 2452, 2453, 2454, 2570
- Employees, highly compensated 2229
- Employer matching contributions 2213
- Employment taxes 2405, 2525, 2542, 2555
- Energy tax credit 2375
- Entity leasing, tax-exempt 2403
- Environmental 2329
- Estate tax 2252, 2253, 2316, 2317, 2319, 2406, 2519, 2520, 2521
- Excise tax 2194, 2326, 2327, 2329, 2330, 2332, 2334, 2344, 2405, 2450, 2527, 2528, 2529, 2530, 2531, 2534, 2535, 2536, 2543, 2592, 2593, 2594, 2595, 2596
- Exclusions from income 2178, 2396
- Exempt organizations 2232, 2248, 2330, 2331, 2393, 2475, 2533
- Foreign captive insurance companies 2287
- Foreign conventions 2197
- Foreign corporations 2160, 2161, 2273, 2274, 2276, 2429
- Foreign governments, tax subsidy 2146
- Foreign Investment in Real Property Act 2280
- Foreign liquidations and reorganizations 2203, 2430
- Foreign partnerships 2340
- Foreign tax 2491, 2492, 2494
- Foreign-owned corporations 2151
- Fuel, diesel and special motor 2592
- Gift taxes 2316, 2317, 2405, 2406, 2519, 2520
- Golden parachute payments 2198
- Highly compensated employee, definition 2227
- Hospital insurance interest-free adjustments 2598
- Housing corporations, cooperative 2193
- Housing credit, low-income 2366, 2368, 2579
- Incentive stock options 2455
- Income tax:
  - Accounting 2187, 2233, 2234, 2235, 2236, 2237, 2241, 2353, 2395, 2408, 2410, 2460, 2461, 2462, 2463, 2464, 2465, 2466, 2468, 2469, 2471, 2562, 2563
  - Accounting method 2291, 2459, 2498
  - Affiliated groups 2415
  - Alternative minimum 2162, 2377
  - Asset acquisitions 2294, 2502
  - Assets, installment sale method 2424
  - Backup withholding 2524
  - Beneficiary, mortality tables 2383, 2580
  - Benefit accrual beyond normal retirement age 2224
  - Bus operating authorities 2156
  - Business, small 2247, 2474
  - Cash-outs under retirement equity 2447

Sequence Number

Taxes—Continued
- Income tax—Continued
  - Certificates of deposit 2341
  - Charitable contributions 2188
  - Children, unearned of minor 2575
  - Consolidated groups 2517
  - Consolidated returns 2313, 2436
  - Corporate net operating loss deduction 2208, 2434, 2583
  - Corporations 2329
  - Cover over 2153
  - Credit, earned income 2365, 2578
  - Deductions 2191
  - Deferred compensation plans 2238
  - Deferred payments 2323
  - Estate tax-employee stock ownership plan 2220
  - Faculty housing, treatment of 2177
  - Foreign corporations 2429
  - Foreign exchange gain or loss 2289, 2290
  - Foreign governments 2277
  - Foreign partnerships 2340
  - Fringe benefits 2380, 2412
  - Functional currency 2288, 2497
  - Housing credit, low income 2367, 2368, 2579
  - Individual retirement accounts 2194, 2440
  - Information returns 2549
  - Installment obligations 2532
  - Integrated plans, nondiscrimination rules 2212
  - Interest, nonbusiness limitations on deductions 2399, 2582
  - Interest deductions 2141
  - Interest and dividends of 80-20 companies 2142
  - Interest rate swaps 2269, 2484
  - International organizations 2277
  - Inventor adjustment 2377
  - Inventory adjustment 2162
  - Leased property 2522
  - Life activities, profitable and loss 2311
  - Life insurance contract 2154
  - Like-kind exchanges 2292
  - Losses and credits 2244, 2281
  - Methods of accounting 2240, 2467, 2472
  - Ocean activities, income source rules 2268
  - Orphan drug credit 2364
  - Participation requirements 2214
  - Partnerships 2308, 2479, 2513, 2553
  - Pollution control facility 2390
  - Private activity bond, definition 2180
  - Private foundations and tax-exempt organizations 2600
  - Prizes and awards 2179
  - Property, gain or loss 2416
  - Property 2140, 2587
  - Property acquired for resales 2408
  - Property and casualty insurance companies 2265, 2483
  - Real estate mortgage investment conduits 2360
  - Real estate transactions 2339
  - Refund offsets 1310
  - S Corporations 2256, 2307, 2479
  - Securities 2204, 2205
  - Space activities 2268
  - Stock sale treated as asset sale 2201
  - Straddles 2295, 2400, 2503, 2504
  - Student loan bonds 2182
  - Taxable years 2457
  - Telecommunications activities 2268
  - Trade or business expenses 2185
  - Transportation income 2144
  - Trust and estates 2254
  - Tuition reductions 2176
  - Vacation pay, accrued 2167
  - Vesting standards 2449, 2584
  - Violation 2186
  - Virgin Islands 2285
  - Witholding rate 2149
  - Years, taxable 2456, 2585
- Income taxation of trusts 2252, 2253, 2255

Sequence Number

Taxes—Continued
Indebtedness treated as payment....2328
Individual....2159, 2321
Information reporting....2597
Information returns....2546, 2547, 2552
Insurance, mortality and morbidity tables....2461
Insurance....2482
Intangible drilling costs....2505
Intangibles, transfer of....2202
Interest, abatement of....2350, 2601
Interest expense, capitalization of....2136, 2196
Interest rates, differential....2352
Interest-free adjustments....2599
International tax...2270, 2272, 2278, 2279, 2282, 2283, 2296, 2428, 2431, 2486, 2487, 2489, 2490, 2493, 2495, 2496, 2499, 2512, 2567, 2569
Inventories....2246, 2473
Inventory costs, capitalization and inclusion....2407
Investment companies....2342
Investment tax credit, service contracts....2603
Investment tax credit....2369, 2371, 2372, 2374, 2414
IRS, due diligence standards for tax practitioners....2060
Itemized deductions, 2-percent floor....2165, 2381
Land sales contract....2357
Leasing....2402
Life insurance....2264
Limitations on contributions....2230
Limitations on deductions....2411, 2413
Losses and credits....2245
Low income housing credit....2157
Merchant Marine Act of 1936....2573
Minimum tax....2163
Ministers, exemption from self-employment....2511
Money Laundering Control Act....2566
Mortgage interest credit certificates....2576, 2577
Nationalized companies, statute of limitations....2588
Net capital losses....2342
Non-beverage products....2084
Nontaxable exchanges....2500
Overpayments, reduction of....2561
Partnerships...2256, 2257, 2258, 2259, 2260, 2261, 2263, 2336, 2340, 2479, 2480, 2545, 2556, 2586
Payee statements, penalties....2565, 2602
Pensions....2215, 2218, 2318, 2444, 2453
Percentage depletion....2478
Procedural rules, statement of....2131, 2574
Procedure and administration...2330, 2335, 2346, 2347, 2348, 2349, 2350, 2351, 2356, 2357, 2359, 2405, 2406, 2556, 2558, 2559, 2566, 2568, 2601
Product election....2286
Property....2140, 2148, 2243, 2271, 2280, 2566, 2587
Railroad retirement....2523
Real estate....2342, 2536, 2548
Real property....2358
Recordkeeper response to summons....2359
Recovery of tax benefit items....2174
Refund offset process....852
Reporting and recordkeeping requirements....2550, 2551
Resident status, information regarding....2152
S Corporations...2256, 2301, 2302, 2303, 2304, 2305, 2306, 2307, 2479, 2508
Scholarships and fellowships, exclusion....2175
Shareholders, use of deficits....2147
Social security tax....2320, 2523
Source income, exclusion of possession....2143
Start-up expenditures....2192
State credit reduction....1400
Statement of procedural rules....2155, 2345
Stock sale treated as asset sale....2201
Straddles--hedging....2298, 2506
Tax exempt bonds...2169, 2170, 2171, 2172, 2362, 2363, 2384, 2385, 2386, 2387, 2388, 2389, 2391, 2392, 2581
Tax lien....2348, 2357, 2559
Tax shelters....2242, 2470, 2554
Taxation of partnerships....2262, 2544

Sequence Number

Taxes—Continued
Transportation income....2145, 2267, 2276
Trucks, foreign-based....2531, 2594
Trusts and estates....2558
Vehicle use, heavy....2531, 2594
Vesting standards....2584
Virgin Islands taxes....2284
Windfall profit tax....2333, 2537, 2538, 2539, 2540, 2541
Wine Impact Bill....2081
Withholding exemption certificates....2590
Withholding institutions, bad debt reserves....2249
Telecommunications:
Government-wide policies and procedures....2977
International....3568
Public....356, 574
Territories, U.S....1565
Three Mile Island....3853
Timber sales:
Contractors, debarment and suspension....197, 202, 1298
Contracts....1284, 1285
Defaulted....201
Downpayment requirements....185
Export and purchase volumes....1277
Financial security....187
Government buyout....198
Lumber price index trends....186
National Forest....190, 192
Public benefit....181
Rates....180
Tobacco:
Acreage allotments....31
Manufacturer's identification on packages....2096
Marketing quotas....28, 30, 31
Price support program....9, 15, 30, 41, 42, 44, 54
Supply....28
Toxic substances control:
Acute air toxicants....2867
Asbestos....2638, 2662
CAC carcinogens....2747
Carcinogens....1468, 2882
Chemicals....2639, 2641, 2656, 2658, 2659, 2668
Electrical equipment....2670
Employee exposure and medical records....1505
Ethylene dibromide....1504
Ethylene oxide....1518
Experimental use permits....2628
Exposure limit update, permissible....1500
Food additive tolerances....2622
Glycol ethers....1492
Good laboratory practice standards....2632, 2655
Industrial wastewater dischargers standards initiatives....2671
Leather tanning wastewater discharges....2707
Methylene chloride....1495
Microbial products....2646
Microorganisms....2660
Occupational exposure in laboratories....1503
PCBs....2653, 2663
Pesticides....2747
Polychlorinated biphenyl....2652
Reporting requirements....2666
Respiratory protection....1469, 1470
Specific significant new use rules....2644
Toxic substances, chronically....2882
Toxic wastes, liability....240
1,3-Butadiene....1491
4,4'-Methylenedianiline....1478
Trade practices, unfair....250
Trademarks:
Applications, foreign....361
Attorneys and agents....365
Registration, foreign....361
Search system, automated....368
Training:
Education personnel....452

Sequence Number

Training—Continued
Emergency management....2959
Maritime schools....1614
Rehabilitation....501
Research....501
Territorial teachers....441
Veterans....3327, 3335, 3396
Vocational and home study....3761
Transportation:
Agriculture products....104
Air quality procedures....1816
Bill of lading....2993
Buy America requirements....1964
Commercial space....1581
Commuter rail service....1562
Equal employment opportunity....1963
Equipment and facilities maintenance....1977
Gas gathering line definition....1996
Grants to U.S. Territories....1565
Handicapped access....2616
Hazardous materials...1984, 1985, 1986, 1987, 1988, 1995, 1998, 2004, 2005, 2006, 2010, 2016, 2020, 2021, 2022, 2023, 2024, 2025, 2026, 2027, 2028, 2029, 2033, 2034, 2035, 2039, 2040, 2638, 3829
Major capital investment projects....1965
Meat and meat products....136
Radioactive materials....3829
Reporting requirements....1979
Safety....1956
Space system....3023, 3024, 3028, 3038, 3039
Swine identification....59
Urban mass...1558, 1962, 1963, 1964, 1965, 1966, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1977, 1978, 1979
Travel:
Audit procedures, prepayment....2974
Cash, use of....3010
Change in regulations....3000
Official station change....2978
Promotion fee....370
Property management regulations system removal....3001
Public voucher form revision....2992
Regulations change....3009
Relocation expenses....3000
Standard form 1169 revision....2975
Standard form 1170 revision....2976
Trucks:
Detention charges at West Coast ports....3715
Excise tax....2531, 2594
Lighting and marking system....1895
Particulates....2852
Rear underride protection....1896
Rocky Mountain National Park regulations....1109
Size and weight:
Automobile transporters....1866
Bridge formula....1863
Interpretation and policy statement....1842
National network....1838
Reasonable access....1813
Special permits....1815
Trailer lengths....1864
Splash and spray suppression devices....1841

U

Unemployment:
Federal-State extended benefits....1401
Income and eligibility verification system....1395
Interest on advances....1396
Use of funds transferred to States....1389
Unemployment assistance:
Canal Zone....1390
Disaster assistance....1390
Labor surplus areas....1406
Virgin Islands....1390
Unemployment compensation:
Administrative appeal rights....1404
Ex-servicemembers....1402

Sequence Number

Unemployment compensation—Continued
State tax credit reduction....1400
Uranium enrichment facilities....3830
Uranium fuel cycle impacts....3849
Uranium hexafluoride packaging....2030
Uranium tailing sites....2716
Urban development action grant program....988
Urban homesteading....993
Urban mass transportation...1558, 1962, 1963, 1964, 1965, 1966, 1968, 1969, 1970, 1971, 1972, 1973, 1974, 1977, 1978, 1979
Utilities:
Cash working capital allowance....3642
Electric....1174, 2738, 3636, 3638, 3874
Generic rate of return....3663
Hydroelectric....3643, 3660
Longitudinal use of freeway right-of-way....1867
Nuclear fuel disposal....3653
Power producers, independent....3637

V

Vessels:
Alcohol and drug testing....1597
Anchorage....1648, 1665, 1690
Arrival, advance notice....1645
Asbestos prohibition....1633
Automated vital systems....1661
Automatic radar plotting aids, training....1624
Bridge permits....1662
Bridge-to-bridge radiotelephone communications on the Great Lakes....1682
Cargo....1588, 1635, 1672, 2043, 2048, 2055
Certification of seamen....1625
Chemical waste incineration at sea....1656
Coast Guard services user fees....1599
Commercial, operating while intoxicated....1681
Cooking fuels....1667
Damage stability....1588
Dangerous cargoes radio communication....3192
Davit and winch approval requirements....1593
Disembarkation ladder approval requirements....1642
Distress signal approval requirements, pyrotechnic....1641
Documentation....1666, 3193
Domestic offshore trades, financial reporting....3708
Dry cargo....1588
Drydocking and tailshaft examinations....1653
Electrical engineering regulations....1628
Electrical system standard....1678
Emergency drinking water and food approval....1591
Emergency position....1675
Fairway systems....1586
Fees, Coast Guard....1587
Fire protection....1602, 1615, 1627, 1638
Fishing, observer policy on domestic....311
Fishing....1590, 1634, 1675
Flashlights, approval specifications....1663
Flotation devices....1608, 1620
Foreign, safety of U.S. observers....292
Foreign ports....1652
Foreign scientific research....325
Hawaiian Exclusive Zone....327
Hazardous materials....1630, 1668
Hopper dredges, stability standards....1657
Hydraulic device release....1592
Immersion suits....1686
Immigration....1349, 1352
Industry standards....1677
Inland waterway navigation regulations....1626
Inspection....1629, 1647, 1652, 1684, 3191
Insurance....2054, 2057
Liability insurance for foreign missions....1529
Licensing of officers....1655
Life jackets....1639, 1644, 1671
Lifeboats and rescue boats....1640
Lifebuoy approval requirements....1595

Sequence Number

Vessels—Continued
Liferafts....1605, 1607, 1643, 1660
Lifesaving equipment....1621
Liquefied gas....1613, 1683
Load lines....1636
Maneuvering performance....1606
Marine engineering....1616
Marine portable tanks....1619
Maritime....2046, 2049, 2051, 2052
Maritime Defense Zone Commanders....1680
Measurement....1646, 1676, 3190
Merchant, breathing apparatus....1632
Navigation....1637, 1685, 1688, 1689
Offshore evacuation procedures....1674
Offshore supply....1610, 1652
Oil discharge monitoring and control system....1651
Oil pollution control....1651
Oil pollution prevention....1631
Oil transfer operations, tankerman requirements....1598
Oil-water interface detectors....1617
Panama Canal, tolls for use....3189, 3190
Passenger, financial responsibility....3705
Personal flotation devices, inflatable....1659
Pilots, licensing of....1618
Piping systems, obsolete....1603
Pollution prevention....1611, 1670
Port access routes....1648, 1649, 1690
Radar reflector approval requirements....1594
Radio beacons....1675
Regattas and marine parades....1650
Registration....3191
Safety laws....1686
Safety rules, hazardous liquids....1623
Safety/security zone regulations....1664
Sanitation....3193
Security measures....1687
Seizure and forfeiture of alien....1319
Self-elevating offshore support vessels....1601
Shipper's export declaration....227
Tonnage measurement....1646
Towing licenses....1679
Traffic management for Pacific region....1654
Travel promotion fees....370
Whales, harassment of humpback....327
Veterans:
Agency definitions....3388
AIDS....3332
Appeals regulations....3355
Automobile allowance....3321
Beneficiaries....3331, 3353, 3407, 3411
Benefits....3342, 3345, 3371, 3373
Bereavement counseling to immediate family....3393
Burial benefits....3325, 3368
Claims....3333
Community nursing home care....3366
Diplopia (double vision) evaluation....3375
Disabled....1376
Diseases, systemic....3332
Education:
Apprenticeship....3377
Assistance test program....3344
Deficiency course measurement....3399
Delimiting dates....3381
Dependents assistance and benefits....3336, 3409
Disenrollment....3401
Entitlement....3327, 3405, 3406
Equal opportunity....3330
Homeless claimants....3343
Mitigating circumstances....3383
New programs....3397
Nonpunitive grades....3408
On-job training....3377, 3412
Overpayments....3382
Selected reserve....3367
Vietnam era G.I. Bill....3336

Sequence Number

Veterans—Continued
Education—Continued
Vocational rehabilitation program....3341, 3346, 3413
Employment services....3370, 3396
Estate disposition....3369
Fee appraisers....3350
Fiduciaries for beneficiaries....3323, 3324
General Counsel opinions....3361
Group Life Insurance....3326
Guaranteed loan foreclosures....3395
Guaranty claims payment....3354
Hardship benefit, definition....3378
Hearing loss....3410
Home loan credit standards....3340
Homeless claimants....3343, 3379, 3412
Independent living services program....3337
Insurance....3325, 3326
Legal custodians....3325, 3368
Lenders, appraisals by designated....3349
Lenders, nonsupervised automatic....3351
Lists of names and addresses....3392
Loan guaranty....3348, 3352, 3372, 3374, 3380
Manufactured homes....3338, 3339
Medical care....3320, 3322
Medical disorders....3402
Mental health services....3393
Mortgage life insurance....3400
Nondiscrimination and affirmative action....1376
Parking fees at medical facilities....3364
Pension recipients....3396
Personal funds and effects, disposition of....3317
Property, acquisition of....3395
Public access to records....3418
Records and documents....3318
State training programs....3335
Subsistence allowance, for dependents....3398
Telecaption television decoders....3321
Transportation of claimants and beneficiaries....3394
Unclaimed property, disposition of....3317
Unemployment compensation for ex-servicemen....1402
Vietnam era....1375, 1376, 3419
Vocational Rehabilitation Panel....3347, 3376
Vocational rehabilitation program....3328, 3329, 3341, 3346, 3396, 3404, 3413
Vietnam era veterans....1376, 3336, 3419
Virgin Islands....2284
Viticultural areas, American....2082
Vodka, standard of identity....2083
Volunteers:
Foster Grandparent Program....2609, 2610
Senior Companion Program....2609, 2610
Voting rights....1308

W

Wages:
Labor standards provisions....1382
Minimum and overtime....1377
Semi-skilled workers....1382
Warranties:
Informal dispute settlement procedures....3753
Vehicle certification....2855
Washington Airports, Metropolitan....1716
Washington Dulles Airport, Metropolitan....1716
Waste treatment and disposal:
Asbestos....2638
Citizen suit notice....2685
Closure requirement and corrective actions....2755
Coal mines....1220
Crude oil, natural gas, and geothermal energy....2736
Discharge pretreatment regulations....2699
Domestic sewage study....2688
Double liner and leachate collection system rule....2774
Emergency access to low-level sites....3851
Experimental facilities conducting research and development,

Sequence Number

Waste treatment and disposal—Continued
permits....2760
Flood plain and seismic restrictions....2754
Groundwater monitoring....2775
Hazardous waste...2687, 2742, 2744, 2762, 2763, 2771, 2773, 2777, 2784, 2876
Incineration, ocean....2701
Incinerator stack monitoring for hazardous waste....2748
Incinerators, emission controls for hazardous waste....2758
Incinerators, trial burns....2766
Industrial discharges of hazardous or toxic pollutants....2671
Land disposal:
Facilities technology requirements....2787
Liner and detection regulation....2752
Restrictions....2742, 2761, 2763
Landfill surface impoundment....2757
Leather tanning wastewater dischargers....2707
Location standards for facilities....2754
Mandatory inspection at and disposal facilities....2740
Mining waste regulatory program....2767
Municipal discharge....2681
Natural resources claims procedures....2894
Nuclear power plants....3854
Ocean....2701
Ocean disposal of sewage sludge....2684
Ocean dumping....2686
Ocean incineration....2702
Ore mining and dressing wastewater discharges....2697
Organic chemicals, plastics, and synthetic fibers....2704
Owners/operators....2786
Penalty proceedings....2680
Permit applications....2683
Petroleum refinery wastewater systems....2844
Polychlorinated biphenyls discharges....2706
Radioactive materials....2712
Radioactive waste oil....3854
Sewage sludge use and disposal....2684
Sewage treatment plants....2839
Sewer systems....2690
Sludge management....2691
Soil and debris, hazardous....2759
Solid waste....2744
State program capability requirements....2765
Statistics for detecting groundwater contamination, monitoring, and standards issues....2753
Stormwater discharge requirements....2682
Technical assistance grants....2889, 2890
Technical standards for corrective action....2756
Toxic waste, liability for....240
Underground injection control....2687
Underground storage tanks....2781, 2782, 2783
Waste facilities....2831
Waste pile closures....2757
Water pollution control:
Acrolein....2704
Aluminum, primary and secondary....2698
Aqueous hazardous waste discharge to sewers....2688
Citizen suit notice....2685
Construction grants....2693, 2694
Contaminant levels....2721
Deepwell injection of hazardous waste....2727
Denial or restriction of disposal sites....2900
Discharge pretreatment regulations....2699
Dredge and fill program by States....2700, 2900
Effluent guidelines:
Adhesives and sealants....2705
Aluminum forming....2708
Gum and wood....2696
Industrial wastewater....2671
Leather tanning wastewater dischargers....2707
Nonferrous metals....2673, 2674, 2698
Offshore oil and gas extraction industry....2672
Ore mining and dressing (placer mining)....2697
Organic chemicals, plastics, and synthetic fibers....2704
Pesticides chemicals....2675

Sequence Number

Water pollution control—Continued
Effluent guidelines—Continued
Pharmaceuticals....2695
Polychlorinated biphenyls discharges....2706
Pulp, paper, and paperboard....2706
Ethylbenzene....2704
Hazardous pollutants:
Industrial wastewater dischargers....2671
Leather tanning wastewater dischargers....2707
Incineration, ocean....2701
Inorganic and organic compounds and microbiological contaminants and turbidity....2719
Lead in plumbing....961, 2725
Mandatory inspection at and disposal facilities....2740
Metals....2704
Municipal discharge....2681
Ocean....2701
Ocean dumping....2686
Ocean incineration....2686, 2702
Oil discharge....2710
Oil discharge monitoring and control system....1651
Penalty proceedings....2680
Phenols....2704
Public water system supervision....2717
Radionuclides....2720
Safe Drinking Water Act....2906
Sewage sludge use and disposal....2684
Sludge management....2691
State lists....2679
Stormwater application requirements....2682
Tankers....1611
Toxic pollutants:
Adhesives and sealants....2705
Industrial wastewater dischargers....2671
Leather tanning wastewater discharges....2707
Tungsten subcategories....2698
Underground injection control....2729
Vessels, international convention for prevention....1670
Vessels....1651
Vinyl chloride....2704
Waste disposal permit applications....2683
Water quality standards....2677, 2678, 2692, 2703
Water resources:
Aquifer protection areas....2731
Deepwell injection of hazardous waste....2727
Flood plain management....883
Groundwater protection....2716, 2762, 3867
Hazardous waste....2709
Indian primacy regulation....2730
Lead and copper in drinking water....2723
Lead in plumbing....2725
Mining permits, hydrologic impacts....1238
National Forest System lands....191
National primary drinking water regulation....2722, 2732
Project permits, Corps of Engineers....402
Public water supply....2724, 2733
Public water system supervision....2725, 2730
Safe drinking water....2724, 2728, 2733
Supply forecast program....207
Underground injection control....2730
Waters of the United States, definition....2676
Wetlands, protection....883
Water supply:
Contaminant levels....2720, 2721, 2732
Disinfectants....2721
Groundwater protection...2624, 2689, 2716, 2744, 2748, 2762, 2764, 2775
Indians, primacy enforcement authority....2730
Inorganic and organic compounds, monitoring drinking water...2719
Lead and copper in drinking water....2723
Lead in plumbing....2725
Microbiological contaminants....2719
National primary drinking water regulation....2722, 2732
Property standard for housing....934

Sequence Number

Water supply—Continued
Public water supply....2724, 2733
Public water system supervision....2717, 2725, 2730
Safe drinking water....2717, 2718, 2722, 2724, 2726, 2728, 2732, 2733
Statistics for detecting groundwater contamination....2753
Underground injection control....2718, 2730
Use and protection....118
Water quality standards....2677, 2678, 2692, 2703
Waterways:
Oil spills beyond continuous zone to ocean waters....2710
Weapons, nuclear....530
Welfare plans....1424
Western Pacific Region....294, 340, 348
Wetlands:
Conservation programs....51
Environmental protection....2700, 2900
Management....3050
Protection....883, 2935
Whales, harassment of humpback....327
Wheat:
Acreage allowance....18
Price support program....20, 50
Program provisions....23, 52
Supply....4, 20, 25, 50
Wildlife:
Animals and birds, humane and healthful transport....1085
Antarctic animals....3078
Captive bred....1075
Coastal migratory pelagic resources....295
Conservation....169

Sequence Number

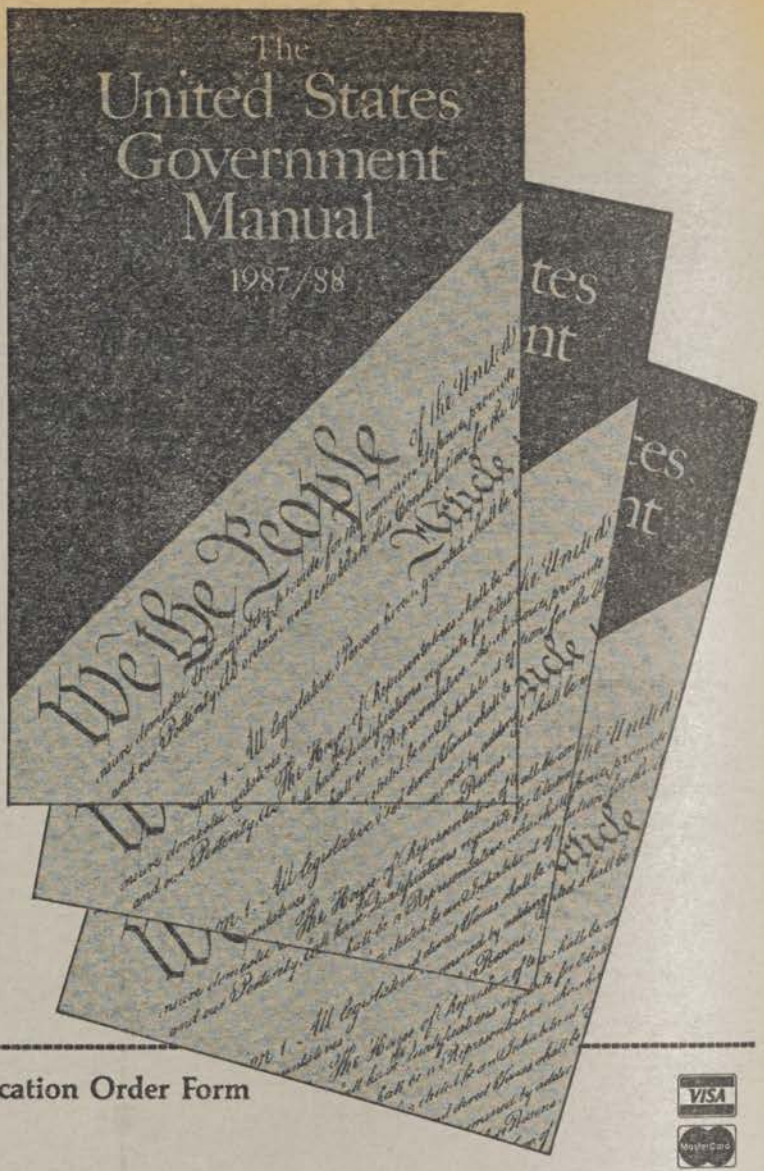
Wildlife—Continued
Corps of Engineers....401
Critical habitat designation....1092
Endangered and threatened....287, 1087, 1088, 1089, 1090, 1091, 1092, 1096, 1100, 1251
Import and export marking and labeling....1086
Injurious....1073, 1074
Marine mammals....276, 326, 1077, 1097
Marine sanctuary program....316, 317, 318, 321, 322, 335, 336
Migratory birds....1079, 1080, 1081, 1098
Nontoxic shot zones for, hunting waterfowl....1080
Protection on Forest Service lands....162
Raptor propagation and falconry....1099
Refuges....1082, 1083, 1101, 1216
Wills, registry international of....1524
Wine:
Grape....2072, 2075, 2088
Labeling and advertising....2071, 2073, 2075, 2082, 2086
Production and treatment....2087
Recodification of regulations....2085
Taxes....2081
Viticultural areas....2082
Wine making terminology....2089
Women, infants, and children, food program (WIC)....102
Woodsy Owl....161
Wool and mohair products....3, 34

Y

Youth programs....593

Order Now!

The United States Government Manual 1987/88



As the official handbook of the Federal Government, the *Manual* is the best source of information on the activities, functions, organization, and principal officials of the agencies of the legislative, judicial, and executive branches. It also includes information on quasi-official agencies and international organizations in which the United States participates.

Particularly helpful for those interested in where to go and who to see about a subject of particular concern is each agency's "Sources of Information" section, which provides addresses and telephone numbers for use in obtaining specifics on consumer activities, contracts and grants, employment, publications and films, and many other areas of citizen interest. The *Manual* also includes comprehensive name and subject/agency indexes.

Of significant historical interest is Appendix C, which lists the agencies and functions of the Federal Government abolished, transferred, or changed in name subsequent to March 4, 1933.

The *Manual* is published by the Office of the Federal Register, National Archives and Records Administration.

$20.00 per copy

Publication Order Form

Order processing code: * **6319**

☐ **YES,** please send me the following indicated publications:

_____ copies of THE UNITED STATES GOVERNMENT MANUAL, 1987/88 at $20.00 per copy. S/N 069-000-00006-1.

1. The total cost of my order is $_____ International customers please add 25%. All prices include regular domestic postage and handling and are good through 3/88. After this date, please call Order and Information Desk at 202-783-3238 to verify prices.

Please Type or Print

2. _____
(Company or personal name)

_____
(Additional address/attention line)

_____
(Street address)

_____
(City, State, ZIP Code)

(_____)
(Daytime phone including area code)

3. Please choose method of payment:

☐ Check payable to the Superintendent of Documents

☐ GPO Deposit Account ☐☐☐☐☐☐☐–☐

☐ VISA, or MasterCard Account

☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐☐

_____
(Credit card expiration date)

Thank you for your order!

_____
(Signature)

(Rev. 4-87)

4. Mail To: Superintendent of Documents, Government Printing Office, Washington, D.C. 20402-9325